

“The Bench and Bar of St. Paul”

(1890)

By

Hiram F. Stevens



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Introduction

By

Douglas A. Hedin
Editor, MLHP

An oversized book with an oddly abbreviated title, *History of St. Paul, Minn.*, edited by General Christopher Columbus Andrews, was published in 1890, a quarter century after the end of the War of Rebellion. The city's population had increased tenfold since the War, and threefold just in the last decade—from 12,976 in 1865, to 20,030 in 1870, 41,473 in 1880, 111,397 in 1885 and 133,156 in 1890.¹ It was the state capitol, the heart of state politics, a commercial, marketing, shipping and financial center,² and a magnet for young lawyers.³

¹ William Watts Folwell, 3 *A History of Minnesota* 480, 487 (Minn. Hist. Soc., 1969) (published first, 1926).

² In his remarks at the dedication of the St. Paul City Hall-Ramsey County Courthouse on November 21, 1932, Frank Kellogg, once a pillar of the local bar and then a justice on the World Court, recalled the attraction of St. Paul a few decades earlier:

In the early territorial days the man who left the East, the older settled parts of the country, which was still new, to go to the western land, undeveloped, required youth, vigor, courage and, ambition, and it was only the strong men who came out here to Minnesota to develop this great Northwest. In those days Minnesota was the frontier; St. Paul was the door to that undeveloped great Northwest. There was much to invite the young man of the East. There was much to stir the imagination in those days, for between us and the Pacific was an unbroken wilderness, unknown to but few of the white men and reaching to the great El Dorado—California. St. Paul was the terminus, you might say; it was the jumping off place, and the men that came here and helped to build the history of the city and the state and the great Northwest were strong and vigorous and hopeful men.

“Dedication of the St. Paul-City Hall-Ramsey County Courthouse” 12-13 (MLHP, 2013-2015) (delivered first, 1932).

³ In his Preface, General Andrews explains why the city “has some claims on public attention”:

In its early days it was a place which, to many now living in the older communities of our country, seemed about as remote as does Sitka at the present time. Before the names of Kansas and Nebraska had been heard the city of St. Paul was familiar in the American mind as an outpost of civilization in the far off Northwest, and found on the maps just below the Falls of St. Anthony. Steadily growing from year to year by accessions of population from every section of the Union, as well as from foreign climes, and owing its advancement to the courage, energy and public spirit of its citizens as much as to natural causes; forming as it does a prominent gateway of inter-State and international traffic; and being likewise the commercial and political capital of one of the favored and promising States of the Union; why should not the record of its first half century furnish matter of interest and instruction? And surely if such a memorial has

General Andrews' *History* had two parts. The first has chapters on city's history, various professions and industries. It includes a chapter on the "bench and bar" prepared by Hiram Stevens, a local lawyer. Here the transformation of the city bar in the 1880s can be seen. The founders, who came to Minnesota before statehood, were passing away. Isaac Van Etten died in 1873, William Sprigg Hall in 1875, Willis Gorman in 1876, George Bradley in 1879, Lorenzo Ellis in 1883, Aaron Goodrich in 1887, and Henry Masterson in 1888, among others. As they were leaving, dozens of young lawyers from Midwest and Eastern states were arriving. They were college-educated, many law school graduates who were already members of the bar of their native states. A few were foreign-born. Here is a sampling:

William A. Barr, twenty-seven, attended Columbia Law School, admitted to the bar at Brooklyn 1882, and removed to St. Paul 1883,

Morton Barrows, thirty-three, educated at Harvard College and Boston University Law School, admitted to the bar of Suffolk county, Mass., in June, 1883, and moved to St. Paul that October.

Frank Ford, thirty-two, educated at Buchtel College, Akron, Ohio, graduated Law School of the Cincinnati College in May 1882, admitted to the bar on June 2d, and removed to St. Paul November 1, 1882.

Edwin A. Jaggard, twenty-nine, educated at Dickinson College and the University of Pennsylvania, admitted to the bar in Philadelphia in June 1882, and came to St. Paul in November of that year.

Joseph Kling, thirty-four, educated at the Brooklyn College and Polytechnic Institute, and Columbia College Law School, admitted to the bar at Brooklyn in 1875, and came to Minnesota in 1880.

Charles G. Lawrence, thirty-four, lived in Nashville, Tennessee, and at St. Albans, Vermont, where he studied law, continued at the Law Department of the Michigan University, admitted to bar in December 1881, and moved to St. Paul in April of the following year.

W. H. Lightner, thirty-two, graduated the University of Michigan in 1877, came to St. Paul in August 1878, and admitted to the bar in October 1880.

interest for the present time, it will have very much more interest and value for the future.

Maurice F. Propping, forty-one, attended Real School at Rochester, N. Y., where he was admitted to the bar October 7, 1880, on his twenty-first birthday, and immediately came to Minnesota

Edward G. Rogers, forty-five, born at St. Joseph, Mich., attended the law department of the University of Michigan; admitted to the bar at Dartford, Wis., in September 1864, and came to St. Paul in November 1866.

Walter H. Sanborn, forty-two, graduated from Dartmouth College in 1867, moved to St. Paul in 1870, and admitted to the bar the following year.

Gebhard Willrich, thirty-five, attended the gymnasium at Aldenberg and at Kiel in Germany, was admitted to the bar in St. Louis, Mo., in 1876, and moved to St. Paul in 1880.

Not all stayed; some were pulled farther west. Those who remained were involved in public affairs well into the next century. Some served on the city council and city commissions, others in the state legislature, a few on the bench. Their contributions to the city, county and state are incalculable.

There was a high degree of optimism among St. Paul barristers in 1890, and that is evident in the glowing self-sketches they placed in Andrews's book. But that spirit did not last. The Panic of 1893 triggered one of the worst depressions in the nation's history. Prosperity returned but inevitably was interrupted by financial panics and political turmoil. The populist uprising crested in the tumultuous presidential campaign of 1896, followed by the Spanish American War, the Progressive Era, whose effects we still experience in our daily lives, the Great War, the supposedly tranquil Twenties and the Great Depression. All this lay ahead of the generation of those lawyers who "removed" to St. Paul in the 1870s and 1880s.



Andrews's *History* was published by subscription, which explains its unusual format. Stevens's chapter on the bench and bar has profiles of about 265 subscriber-lawyers. The amount of the subscription fee was likely based on the number of lines of the profile. Most were three or four sentences, but a few splurged on a short paragraph.

Each subscriber-lawyer-author did not hesitate to tout his superior legal skills and attractive personality. The profiles were self-laudatory because they were advertisements. These lawyers were competing for clients, and one small way to attract attention was through book subscriptions (St. Paul lawyers stopped placing their business cards in daily newspapers decades

earlier). They also wished to impress their “brethren at the bar” that they had the wherewithal to afford a subscription fee.

Curiously several have topical references, confirming that the writer was interested in readers of the moment, not the far future. For instance, Colonel James Davidson wrote that he and his wife “have but two children, Miss Daisy W. Davidson, their daughter who is traveling and studying in Europe—having spent last winter in Berlin—and their son, Earnest H., is attending the public schools of St. Paul.” Warren H. Mead wrote: “Mr. and Mrs. Mead have had born to them two children, viz George H. now book-keeper in the office of the St Paul Globe newspaper, and Charlotte L., an accomplished young lady, who has spent several years in Europe, and is at present with her mother in Paris.”

The Second Part has lengthy biographical profiles, some amounting to short autobiographies, of the major subscribers, most of whom were not lawyers.⁴ Each was honored with an engraving. Several were Civil War veterans, who may have felt a duty to assist General Andrews in his publishing venture. Their descriptions of battles and campaigns resemble dry, factual official reports, and lack celebrations of personal valor and disparagements of the Confederates. They composed these sketches twenty-five years after War’s end, providing them time to reflect on its horrors and meanings. Many surely understood the lessons drawn by Oliver Wendell Holmes, Jr., thrice wounded, who declared in an address before a post of the Grand Army of the Republic on Memorial Day 1884:

When we meet thus, when we do honor to the dead in terms that must sometimes embrace the living, we do not deceive ourselves. We attribute no special merit to a man for having served when all were serving. We know that, if the armies of our war did anything worth remembering, the credit belongs not mainly to the individuals who did it, but to average human nature. We also know very well that we cannot live in associations with the past alone, and we admit that, if we would be worthy of the past, we must find new fields for action or thought, and make for ourselves new careers.

But, nevertheless, the generation that carried on the war has been set apart by its experience. Through our great good fortune, in our youth our hearts were touched with fire. It was

⁴ The second part was printed after the first. In a few instances, a lawyer promised a longer sketch but it did not appear in Part Two. Reuben B. Galusha’s sketch in Part One (pages 25-26 below) ends, “A detailed sketch of his life appears elsewhere in this work.” But it does not. These subscribers either did not pay the subscription fee or did not finish writing their sketches on time and so their lengthy portraits were omitted from Part Two. It is not known how much Andrews charged subscribers.

given to us to learn at the outset that life is a profound and passionate thing.⁵

One subscriber-lawyer, however, did not share Holmes's modesty. He described his sole military engagement in a vainglorious manner.

—•—

Charles Eugene Flandrau had a very high opinion of himself and he spent the last twenty or so years of his life persuading others to share this view. He waged this campaign on two fronts: by giving speeches and by writing articles and books. His lengthy self-portrait in General Andrews's book may be read as a salvo in his campaign for immortality.

His leadership of the residents of New Ulm during the Dakota War is commendable, though his order that they evacuate New Ulm for Mankato loses its tactical luster when it is learned that the rebellious tribes had already left the area and the town was no longer in danger.⁶ After reading the modest, self sketches of Civil War veterans such as Major Espy, Colonels Davidson and Kerr and General Sanborn, we wonder what they thought of Flandrau's likening the siege of New Ulm to the battle of Marathon, where the Athenians defeated a larger Persian army in 490 BC, one of the most famous battles in world history.⁷

Flandrau was elected to the first state supreme court in October 1857, and served from May 1858 to July 1864, when he and Isaac Atwater, his friend and fellow justice, resigned, and moved to Nevada so that Atwater could

⁵ "Memorial Day Address, May 30, 1884, at Keene, New Hampshire, before John Sedgwick Post No. 4, Grand Army of the Republic" in Mark DeWolfe Howe, ed., *The Occasional Speeches of Justice Oliver Wendell Holmes* 14-15 (Harvard Univ. Press, 1962).

⁶ Theodore C. Blegen, *Minnesota: A History of the State* 272 (Univ. of Minn. Press, 1963) ("Two days after the Indians withdrew, Flandrau decided remove the entire population, which now included twelve hundred more noncombatants, many of them women and children, to nearby Mankato. He accomplished this task while the Sioux themselves were making their way up the river toward the Upper Agency, their hopes of success Ridgely and New Ulm frustrated. Actually, New Ulm was in no danger of another major assault — but this is wisdom after the event. Flandrau, later criticized for his abandonment of New Ulm, acted out of concern for the civilians under his care.").

⁷ During the remainder of his life, Flandrau told and retold his version of his heroic leadership of the beleaguered residents of New Ulm. Thirty-eight years after the Dakota War, for example, a newspaper story on his 72nd birthday, which he likely solicited, quoted war-time dispatches between Governor Sibley and him at length. *St. Paul Daily Globe*, July 15, 1900, at 3 ("He Is 72 This Sunday"). Even Thomas Newson fell under Flandrau's spell. Known for his penetrating and witty sketches of public figures, he devoted about one-half of his "picture" of Flandrau to his actions at New Ulm. Thomas McLean Newson, *Pen Pictures of St. Paul, Minnesota, and Biographical Sketches of Old Settlers: From the Earliest Settlement of the City, Up to and Including the Year, 1857* 406-8 (1886).

make money to satisfy his creditors. The Union, in the summer of 1864, was imperiled as never before. James McPherson writes:

The Prussian military theorist Carl von Clausewitz had defined war as the pursuit of political goals by other means. Confederate strategy in 1864 certainly conformed to this definition. If southern armies could hold out until the election, war weariness in the North might cause the voters to elect a Peace Democrat, who would negotiate Confederate independence.⁸

At the very moment of this threat to his country's existence, Flandrau went west to make money.

After the war, he returned to Minnesota. Twice he ran for statewide office and twice he was defeated. He practiced law in St. Paul until his death in on September 9, 1903, at age seventy-five. He was, like most lawyers and judges, just average.

Beginning in the 1880s he rarely missed an opportunity to address a meeting of St. Paul lawyers. Because he spoke often and was quoted frequently in the press, he became known as a leader of the Ramsey County bar (unlike today, it was not a formal association with membership rules and dues). He spoke at funerals of prominent lawyers and judges as well as other public ceremonies and events. In many of these, he recalled his acquaintances and experiences during the territorial period and early years of the state. He courted local newspaper reporters who wanted his views on Democratic politics, the legislature, a law or something else. From 1880 through 1903, the name Judge Flandrau appeared in local newspapers over 2,000 times.⁹ It is not an exaggeration to say that aside

⁸ James M. McPherson, *Battle Cry of Freedom: The Civil War Era* 721 (Oxford Univ. Press 1988).

⁹ This estimate is based upon entries in *Chronicling America* for Minnesota for the years 1880-1903. Here are the results:

Years	Number of pages in which these names appear:		
	"Flandrau"	"Charles Flandrau"	"Judge Flandrau"
1880-1890	1,114	117	443
1890-1903	1,944	657	804

The raw numbers in the "Flandrau" column are misleading. He owned real estate known as the "Flandrau Addition" and whenever a lot in that section was listed in the paper, his name appeared. He was a director of the St. Paul National Bank, and was named when it listed its directors in ads in the paper. Regarding the right column, at times an article with just the word "judge" appears in *Chronicling America*. For most of these years, *Chronicling America* has scanned only the *St. Paul Daily Globe*, among the thirty or more newspapers published in Ramsey County. There were four major daily newspapers in St. Paul: the *Pioneer Press*, *Dispatch*, *Daily News* and the *Globe* (the other two dozen or more were weekly papers directed to labor, an ethnic group, etc.). The tallies of newspaper

from James J. Hill, Archbishop John Ireland and one or two others, he was the most famous man in St. Paul in the 1890s.

He published so much that the unwary reader will conclude that he played a more important part in the history of the state in the nineteenth century than he really did. In 1881, he contributed a chapter on “The Bar and Courts of Ramsey County” to Rev. Edward D. Neill’s *History of Ramsey County and the City of St. Paul*.¹⁰ He repeated much of the content of this in later articles.¹¹ In 1900, he published the pretentiously titled *The History of Minnesota and Tales of the Frontier* and compiled and edited the 497 page *Encyclopedia of Biography of Minnesota*. Over the years, he delivered papers on broad historical topics to the Minnesota Historical Society, which dutifully published them in its annual proceedings.¹² That he was a mediocre, unreliable historian cannot be questioned.¹³ He was an armchair researcher who wrote mainly from memory and placed himself at the center of many of his tales. Insightful generalizations about changes in the legal profession during his four decades of practice are so rare that when one pops up the reader suspects he was repeating what he had heard from

cites in the columns above come largely from the *Daily Globe*; Flandrau, a prominent Democrat, was more likely to be quoted or mentioned there because it was a Democratic paper; if the pages of all papers were included, the number of references in each column would be larger. The estimate of 2,000 mentions of “Judge Flandrau” uses the *Globe*’s figures as a base from which to extrapolate the times it appeared in all city newspapers, daily and weekly, from 1880 to 1903. It likely is too low. (Chronicle America is service of the Library of Congress. It has scanned and makes available certain newspapers from the early 1800s to 1923).

¹⁰ Its complete title is *History of Ramsey County and the City of St. Paul, Including the Explorers and Pioneers of Minnesota, and J. Fletcher Williams, Outlines of the History of Minnesota* 234-51 (Minneapolis: North Star Pub. Co., 1881). The chapter on the bench and bar is posted separately on the MLHP

¹¹ “History of the Bench and Bar of Ramsey County: Parts I & II” (MLHP, 2009) (published first, *Magazine of Western History*, January & May 1888); “Lawyers and Courts of Minnesota Prior to and During its Territorial Period” (MLHP, 2009) (delivered first to the Minnesota Historical Society in 1896; published in the *Minnesota Law Journal*, March 1897 (MLHP, 2009), and republished in the *Collections of the Historical Society* in 1898 (MLHP, 2009). They in turn were cannibalized by Henry A. Castle for “The Bench and Bar,” a chapter in his *History of St. Paul and Vicinity* (MLHP, 2009)(published first, 1912).

¹² E.g., “State-Building in the West,” 7 *Collections of the Minnesota Historical Society* 463 (1898). It is noteworthy that he did not cite one of the most influential papers on the settlement of the west that was published only four years earlier: Frederick Jackson Turner’s “The Significance of the Frontier in American History” (MLHP, 2011) (delivered 1893, published first, 1894).

¹³ In “The Bar and Courts of Ramsey County” (1881), he listed erroneous dates of service of the Justices of the Territorial Supreme Court that were first published in the *Legislative Manuals* thereby helping to perpetuate these inaccuracies in histories published far into the twentieth century. For an overview of these decades of errors, see Douglas A. Hedin, “Documents Regarding the Terms of the Justices of the Territorial Supreme Court: Part One: Introduction.” 6-15 (MLHP, 2009-2012).

someone else.¹⁴ He also was an inveterate subscriber to local history books and collections of biographies that were popular in the 1890s, enabling him to publish self-portraits that are notable for their conceit.

At a meeting of the county bar association to honor Henry F. Masterson, who died in a railroad accident on March, 19, 1882, Flandrau instructed the members on what to include in a eulogy. “It had seemed to him,” the *Daily Globe* reported, “that the bar in paying a tribute to a departed brother, should indulge in no blind eulogy, but rather seek to place upon the record a truthful estimate of his character for the benefit of history.”¹⁵ Over time, however, interpretations and assessments of periods, events, and individuals change. What is a “truthful estimate” of someone by his contemporaries may not be shared by historians generations later. It remains to be read whether Flandrau’s self-image, which he assiduously cultivated during his lifetime, is accepted by historians of the twenty first century.



Hiram Stevens’ chapter on “The Bench and Bar of St. Paul” follows. In a footnote on the first page, he acknowledges his reliance upon an “earlier work” by Flandrau. He is referring to Flandrau’s chapter in Rev. Edward D. Neill, *History of Ramsey County and the City of St. Paul*, published nine years earlier. The engravings of the major subscriber-lawyers, originally scattered throughout the book, have been repositioned to be part of each subject’s lengthy sketch in Part Two. Lengthy quotations in Part Two have been indented. The original spelling and italics are retained. The names of lawyers and judges in Part One are in **bold** type. Dozens of footnotes have been added by the MLHP. The original footnotes in Stevens’s chapter are in Times New Roman type. The MLHP’s footnotes are in **Arial Rounded MT Bold** type. Page breaks have been added in Part One. The texts of Parts One and Two have been reformatted.◇



¹⁴ For an example of Flandrau’s cribbing, see his “Contempt of Court” (MLHP, 2008-2011) (published first, 1895).

¹⁵ *St. Paul Daily Globe*, March 26, 1887, at 7.

HISTORY
OF
ST. PAUL, MINN.

*WITH ILLUSTRATIONS AND BIOGRAPHICAL SKETCHES
OF SOME OF ITS PROMINENT MEN AND PIONEERS*

EDITED BY
GENERAL C. C. ANDREWS

SYRACUSE, N. Y.
D. MASON & CO., PUBLISHERS

1890

CHAPTER VIII.

THE BENCH AND BAR OF ST. PAUL.*

THE bar of St. Paul has long enjoyed an enviable reputation for the high personal and professional standard which has prevailed among its members. Two circumstances have contributed largely to this result. One was the fact that as the capital of the Territory and State, the sessions of the Supreme and Federal Courts and of the Legislature have here afforded superior advantages for the development of the practitioner and for instruction and incentive to the student. The other cause was the ability and elevated character of the pioneers of the bar.

Many of the legal profession, among the men who composed the constitutional convention of 1857, and who have from time to time presided in Territorial, State and Federal Courts, and held other positions of responsibility and trust in our midst, as well as others who have declined official position, were men who, in character and capacity, would have reflected credit upon any community at any period.

The limits of this work permit only a general characterization of those who participated in the earlier struggles and triumphs of our profession, and a still briefer reference to its present active members. The latter are engaged in making history, and the future biographer will have the opportunity of doing justice to their achievements.

Among the pioneers of the bar, **Henry H. Sibley** was probably the first person who ever announced himself an attorney and counselor-at-law in the State of Minnesota, having put up his professional sign at Mendota in 1835. He was also the first judicial officer who ever executed the functions of a court of law within the boundaries of the present State, having been commissioned a justice of the peace in 1836, with a jurisdiction extending from a point below Prairie du Chien on the south to the British boundary on the north, and from the Mississippi River on the east to the White River on the west. After the organization of the territory General Sibley was duly admitted to the bar, but was immediately called to the exercise of high civil functions and has never since practiced his profession. His life and public services are elsewhere mentioned, and it is sufficient to say in this connection that his name has become a household word throughout the State and the Northwest, reflecting honor upon every profession and calling in life which he has followed.

* By Hiram F. Stevens. For material concerning some of the older members of the bar, and in relation to the courts, the writer is indebted to the very interesting and copious contribution of Hon. Charles E. Flandrau to an earlier work, of which he has availed himself by the kind permission of that gentleman.



Brigadier Major Genl. Henry W. Sibley U.S. Vols.

Henry L. Moss was appointed United States district attorney for the Territory of Minnesota by the organic act approved March 3, 1849, entitled "an act to establish the territorial government of Minnesota," and held the office during the administration under which he was appointed, at one time practicing his profession with Lafayette Emmett, who was the first chief justice of the State. Mr. Moss has not been in active practice for many years, but has devoted his attention to the business of real estate and insurance. He still resides in St. Paul, is in vigorous health and enjoys the confidence and respect of the community.¹⁶

David Lambert was admitted to the bar of New York, and came from Madison, Wis., to St. Paul in 1848. He was a man of fine ability, but his career was short. He was drowned from a steamboat on the Mississippi River in November, 1849, aged about thirty years.

William D. Phillips was a native of Maryland, and was admitted to the bar of that State. He came to St. Paul in 1848, and was the first district attorney of the county of Ramsey, having been elected to that office in 1849. Under the administration of President Pierce he was appointed to a clerkship in one of the departments at Washington and never returned to St. Paul. He is supposed to have died many years ago. He was eccentric in his methods as well as profuse in anecdote and illustration, and in one particular justified the estimate popularly supposed to be entertained by the bar as to the value of its services. It is related of him that Hon. Henry M. Rice once presented him with a lot on Third street on which to erect an office, and that when he presented his bill for services he charged Mr. Rice for drawing the deed to himself.

Bushrod W. Lott was a native of New Jersey, but removed to Illinois in his youth, and was admitted to the bar of that State. He commenced the practice of law in St. Paul in 1848, was a member of the Territorial House of Representatives several terms, United States consul at Tehautepec, and officiated in other positions. He did not practice his profession for many years previous to his death, which occurred at St. Paul in 1886. The four persons above named were the only attorneys residing within the present limits of Ramsey county at the date of the passage of the organic act June 1, 1849.

By that act the judicial power of the territory was invested in a Supreme Court, three District Courts, a Probate Court and justices of the peace. **Aaron Goodrich** was appointed chief justice, and **David Cooper** and **Bradley B. Meeker** associate justices. The first district, embracing St. Croix county, which then included all of St. Paul lying east of the Mississippi

¹⁶ Henry Lawrence Moss died at Lake Minnetonka on July 20, 1902, at age eighty-three.

River, was assigned to Chief Justice Goodrich, and the first term was opened at Stillwater August 13, 1849.¹⁷

On the first day of this term David Lambert, Henry A. Lambert, John A. Wakefield, Charles K. Smith, Alexander M. Mitchell, William D. Phillips, Edmund Rice, Ellis G. Whitall and Samuel H. Dent, all of St. Paul, were admitted to practice. On the second day the court admitted Putnam P. Bishop, and on the fourth day Alexander Wilkin and Bushrod W. Lott, also of St. Paul.

James K. Humphrey, who was the first clerk of this court, still resides at St. Paul, and is sixty-three years of age; he is a native of Hudson, O., where he attended Western Reserve College, which was afterwards removed to Cleveland. He was admitted to the bar at Canton in that State in December, 1846, and came to St. Paul in September, 1849. He was a clerk of the first Supreme Court ever held in Minnesota as well as of the first district court. He has also held various responsible positions under the United States government. Further details of his career are given elsewhere.

Alexander Wilkin had been an officer in the United States service in the Mexican War, and was appointed secretary of the Territory of Minnesota in 1851. He visited Europe during the Crimean War and traveled extensively, and in 1861 went to the front as an officer in the First Minnesota Regiment. He was soon placed in command of the Ninth Minnesota, and after participating in many engagements with valor and skill, fell at the battle of Tupelo. His memory is held in great respect and affection.¹⁸

Westcott Wilkin, a younger brother of Colonel Wilkin, has been for nearly a quarter of a century judge of the District Court of Ramsey county, and has [250] discharged the duties of that position with such remarkable ability that it has been the sole obstacle to his promotion to higher official position; greater honor he could not receive than the estimate in which he is universally held. His knowledge of the practice is unsurpassed and for many years he has been the Gammaliel at whose feet the bar have delighted to sit in admiration and respect. To a thorough knowledge of all branches of the law and the principles of equity jurisprudence, he unites clear insight and rare urbanity of deportment, even under trying circumstances. His decisions are seldom appealed from; as a *nisi prius* judge he has few peers and no superior. A sketch of his life appears elsewhere in this work.¹⁹

¹⁷ See Governor Ramsey's "Proclamation Establishing Judicial Districts." (MLHP, 2011) (issued June 11, 1849).

¹⁸ Wilkin County, formed on March 6, 1868, is named after Alexander Wilkin.

¹⁹ For the judge's biographical sketch, see pages 154-158.

Michael E. Ames was a native of Vermont, but came to Minnesota from Wisconsin. He was one of the leading members of the bar, a persuasive orator and a successful advocate.²⁰

Edmund Rice was a native of Vermont, but came to Minnesota from Michigan. He was engaged in the practice of the law until about the year 1856, when he became prominent in railroad matters and for many years devoted his attention to those enterprises. He has been president of several of the leading railroad companies and has contributed much to the construction and operation of the great system which has so largely benefited the State. Mr. Rice has always enjoyed and deserved the confidence and warm friendship of the people of Minnesota to an unusual degree. After filling many offices of honor and trust he was elected in 1886 as representative in Congress from this district.

George L. Becker came to St. Paul in 1849, and was an active practitioner and successful lawyer until the advent of the railroads when he, like Mr. Rice, became interested in those projects and until recently has been prominently connected with them. He is now one of the railroad commissioners of the State. He is a man of broad culture, superior judgment and strict integrity, and enjoys the confidence and esteem of all who have the pleasure of his acquaintance.²¹

William P. Murray, who is a native of Indiana, came to St. Paul in 1849, and has been actively engaged in practice ever since. He is sagacious, ready, affable and a walking encyclopedia of everything pertaining to the interests of the city. He has repeatedly been a member of both branches of the Legislature and for many years corporation attorney of the city, in the direction of whose affairs he has always borne a prominent and influential part. A detailed account of his life and services is given in another part of this work.

Aaron Goodrich, the first chief justice of the Territory, was a native of New York, but appointed from Tennessee. After the expiration of his judicial term he rarely practiced his profession, but engaged in literary work and historical research. He was secretary of the American Legation at Brussels during the administration of President Lincoln and died at St. Paul in 1887.²² [251]

²⁰ For a biographical sketch, see "Michael E. Ames (1822-1862)" (MLHP, 2010-2012).

²¹ George Loomis Becker died in St. Paul on January 6, 1904, aged eighty-two. For his biographical sketch, see pages 137-142.

²² Recollections of Goodrich (1807-1887) by William P. Murray, Edward Sullivan, Charles Francis Adams Jr., Carl Schurz, and Thomas McLean Newson are posted after Goodrich's "Early Courts of Minnesota (MLHP, 2010)(published first, 1851). For an account of his removal from the court by President Fillmore, see Douglas A. Hedin, "Documents Regarding the Terms of the Justices of the Territorial Supreme Court: Introduction" 20-25 (MLHP,

Judge Cooper, at the end of his official term, resumed the practice of law in St. Paul and continued it until June, 1864, when he removed to Nevada. He died in Salt Lake City several years ago.²³

The first law firm ever established in Minnesota was formed by **Henry F. Masterson** and **Orlando Simons**, who arrived in St. Paul June 20, 1849. They were both from New York and were admitted to the bar of that State. They remained in practice together until 1875, when Mr. Simons was appointed by the governor one of the judges of the Court of Common Pleas. He was subsequently transferred by statute to the district bench and has been subsequently re-elected to the same position. Judge Simons is possessed of common sense, sound judgment, and clear insight; he is courageous and impartial, of stern and inflexible fidelity to the right as he sees it, and not at all scrupulous in denouncing fraud and imposition; for these reasons he enjoys the confidence and respect of the bar and community. His industry is untiring and his devotion to the duties of his position have made such inroads upon his health that he is now enjoying a needed vacation. Mr. Masterson continued the practice of his profession until his death, which occurred March 28, 1882. He was engaged in much important litigation, which he conducted with ability.

The second law firm that was established in the county was composed of **Edmund Rice** and **Ellis G. Whittall** and was also formed in 1849. Later in the year George L. Becker entered the firm. Mr. Whittall soon after removed to St. Anthony and left the State about 1852. He was succeeded in the firm in 1851 by **William Hollinshead**, who came from Philadelphia to St. Paul in 1850, and who was for several years regarded as at the head of the bar. He died at St. Paul December 25, 1860.

Rensselaer R. Nelson, a son of Judge Samuel Nelson of the Supreme Court of the United States, arrived in St. Paul in 1850. He had been admitted in New York, and forming a partnership with Captain Wilkin, practiced his profession in this city until he was appointed associate justice of the Supreme Court of the Territory in 1857. He held this office until the admission of Minnesota into the Union, when he was appointed United States district judge for the District of Minnesota, which position he still holds. His administration has been characterized by impartiality, fearlessness and

2009-2014), and Douglas A. Hedin, "'Rotation in Office' and the Territorial Supreme Court" 12-17 (MLHP, 2010-2011). For the correct dates of Goodrich's service, see Douglas A. Hedin, "Documents Regarding the Terms of the Justices of the Territorial Supreme Court: Part Two-A: Chief Justice Aaron Goodrich and Associate Justice David Cooper" (MLHP, 2009-2012).

²³ For a biographical sketch, see John Fletcher Williams, "Memoir of Judge David Cooper," (MLHP, 2009). For the correct dates of his term, see Douglas A. Hedin, "Documents Regarding the Terms of the Justices of the Territorial Supreme Court: Part Two-A: Chief Justice Aaron Goodrich and Associate Justice David Cooper" (MLHP, 2009-2012).

vigor, and few magistrates have ever possessed and deserved to a like degree the confidence and respect of the bar and the people. Elsewhere a fuller sketch of his life is given.²⁴

William H. Welch was a native of Connecticut, and arrived in St. Paul in 1850. He was appointed chief justice of the Territory by President Pierce and reappointed President Buchanan, serving until the admission of the State. Judge Welch was well versed in law and highly esteemed. He died several years ago.²⁵ [252]

Dewitt C. Cooley, a native of New York, and a member of the bar of that State, settled in St. Paul in 1851 and was the second district attorney of the county. He had practiced in several other States before coming to Minnesota, and since that time has resided in Pennsylvania for many years, but returned a few years since and now resides in St. Paul, although not in active practice.²⁶

Lafayette Emmett of Ohio, arrived in St. Paul in 1851. He was at one time in partnership with Henry L. Moss and afterwards with James Smith, Jr. He was attorney general of the Territory during the administration of Governor Gorman and was the first chief justice of the State. His judicial record is contained in the Minnesota reports from volume 2 to volume 9 inclusive. He now resides at Ortonville in this State, where he is practicing his profession.²⁷

²⁴ Nelson served on the territorial supreme court in 1857-1858. See Douglas A. Hedin, "Documents Regarding the Terms of the Justices of the Territorial Supreme Court: Part Two-E: Associate Justices Moses Sherburne and Rensselaer R. Nelson" (MLHP, 2009-2010). For the political background of his appointment to the federal district court by President Buchanan, see Douglas A. Hedin "'Rotation in Office' and the Territorial Supreme Court" 57-64 (MLHP, 2010). Nelson died in St. Paul on October 15, 1904, aged seventy-eight.

²⁵ Welch died on January 22, 1863, in Red Wing. For a biographical sketch, see Susan Peterson, "William H. Welch" in *Testimony: Remembering Minnesota's Supreme Court Justices* 11-12 (Minn. Sup. Ct. Hist. Soc., 2008). For the correct dates of his term as chief justice, see Douglas A. Hedin, "Documents Regarding the Terms of the Justices of the Territorial Supreme Court: Part Two-D: Chief Justice Welch and Associate Justice Andrew G. Chatfield" (MLHP, 2009-2012).

²⁶ DeWitt Clinton Cooley (1824-1891), lawyer and author, wrote a biting satire of the impeachment trial in June 1878 of Judge Sherman Page: "The High Old Court of Impeachment" (MLHP, 2008-2011) (published first, 1878).

²⁷ The results of the election for chief justice on October 13, 1857, were:

Lafayette Emmett.....	18,169
Horace R. Bigelow.....	17,178

In 1875, he ran again for chief justice, but was defeated handily by the incumbent James Gilfillan. The results of the election on November 2, 1875, were:

James Gilfillan (inc.).....	47,010
Lafayette Emmett.....	34,623

On the 8th of September, 1851, R. R. Nelson entered into partnership with **Isaac Van Etten**. This firm was succeeded on November 25th by that of Wilkin & Van Etten. Isaac Van Etten was graduated at Union College in 1849. He was admitted to the bar of the State of New York in 1851, and came to St. Paul the same year. In 1853 he was appointed adjutant-general of the Territory, in which capacity he served until 1858. In 1863 he received a consular appointment. He retired from practice in 1866 and died December 28, 1873.

Isaac V. D. Heard is a native of New York, and came to St. Paul April 29, 1852. He was elected district attorney of Ramsey county in 1855, although then in his minority, and for eight years performed the duties of the office with fidelity and success. He was subsequently for several years city attorney of St. Paul. Mr. Heard participated in the Sioux War of 1862 as an officer on the staff of General Sibley, and acted as recorder and judge advocate of the military commission which tried the Sioux prisoners. He is the author of a work called the "History of the Sioux War." He has been engaged in some of the most important litigation, both civil and criminal, that has taken place in the county, and is a gentleman of culture and literary taste.

Horace R. Bigelow was born in Rensselaer county, N. Y., March 13, 1820, received a common school education, and attended at the Utica gymnasium. He was admitted to practice at Utica, and in 1853 removed to St. Paul. He has steadily risen in his profession and is now regarded as the Nestor of the Ramsey county bar. He was for many years president of the County Bar Association. He has been connected with much of the important railroad litigation of the State, and is a remarkably safe counselor.²⁸

John B. Brisbin is a native of Saratoga, N. Y., where he was born January 10, 1827. He was prepared for college at Schuylersville and Troy, and was graduated from Yale College in 1846. He removed to St. Paul in 1853, and was a member and president of the Territorial Council in 1856 and 1857, and a member of the house for two terms after Minnesota became a State. In 1857 he enjoyed the remarkable distinction of an unanimous election to the position of [253] mayor of the city. He has also been city attorney and Supreme Court reporter. In 1859 he was the candidate of his party for attorney-general of the State, and in 1864 was a delegate to the national convention which nominated George B. McClellan, being chairman of the Minnesota delegation.²⁹

Douglas A. Hedin, "Results of Elections of Justices to the Minnesota Supreme Court, 1857-2014" 16, 22-23 (MLHP, 2012-). Emmett died in Santa Fe, New Mexico on August 11, 1906, at age eighty-four. For his bar memorial, see "Lafayette Emmett" in *Testimony: Remembering Minnesota's Supreme Court Justices* 42-45 (Minn. Sup. Ct. Hist. Soc., 2008).

²⁸ Horace Ransom Bigelow died in St. Paul on November 14, 1894, at age seventy-four.

²⁹ John Ball Brisbin died in St. Paul on March 22, 1898, aged seventy-one.

Charles E. Flandrau was born in New York City July 15, 1828, and has lived an eventful life. He entered his father's office at Whitesboro, N. Y., as a law student, and was admitted to the bar of Oneida county January 7, 1851. He immediately formed a partnership with his father, which continued until the fall of 1853, when, in company with Horace R. Bigelow, he came to St. Paul, where they opened an office under the firm name of Bigelow & Flandrau. From that day to this his life has formed no inconsiderable part of the history of the State and particularly of its judicial and legal features. In 1870, after an absence from the city of several years, he entered the firm of Bigelow & Clark, of St. Paul, where he has since resided, in the enjoyment of a large and remunerative practice, and having the confidence and respect of the bench, bar and community of the State to a degree not excelled by any other citizen. Although in term of practice probably the oldest attorney at the bar of the State, he is yet in the prime of his intellectual and physical powers and blends the dignity and ability of a gentleman of the old school with the prompt and energetic prosecution of an engrossing profession. A fuller sketch appears elsewhere.³⁰

Willis A. Gorman was born in Kentucky in 1816, where he was admitted to the bar in 1836. He removed to Indiana in 1845, and was elected to the Legislature. He served in the Mexican War, and afterwards in Congress for several years. He came to St. Paul in 1853, having been appointed governor of the Territory, and remained in office for four years, after which he resumed the practice of law, and was prominent in political affairs until the commencement of the Civil War in which he served with prominence. After the war he returned to St. Paul and resumed the practice of his profession. He served as city attorney until his death, which occurred in 1876.³¹

David Sanford is a native of Egremont Plain, Berkshire county, Mass., and is sixty-three years of age. He was educated at the academies at Lenox and Great Barrington, Mass., and admitted to the bar at Lenox in June, 1847. In 1850 he was admitted to the Supreme Court of California, and in 1854 to the Supreme Court of Minnesota. He came to St. Paul in 1853, and was an active practitioner for several years. The early judicial records of the county bear testimony to his energy and accuracy. Mr. Sanford has acquired a handsome competency, and, while still in practice, devotes much of his time to the management of his property interests.³²

Henry L. Carver is a native of Nunda, N. Y., and is fifty-eight years of age. He was educated at the common and high schools of that locality and at the Poughkeepsie Law School, and was admitted to the bar at Rochester in

³⁰ For Flandrau's biographical sketch, see pages 94-103.

³¹ For Gorman's biographical sketch, see pages 79-87.

³² Born on May 31, 1825, David Sanford died in St. Paul on November 21, 1908, aged eighty-three.

[254] 1854, in which year he came to Minnesota. During the war he served with distinction and was brevetted lieutenant-colonel. He was a member of the Legislature in 1862, and has filled various offices of trust and responsibility. He is not now in active practice.

William Sprigg Hall was born July 9, 1832, in Anne Arundel county, Maryland, and was graduated at St. John's College in that State. He removed to St. Paul in 1854, and in 1856 was appointed superintendent of the common schools of the State, and in 1857 served as a member of the State Senate. In 1867 the Court of Common Pleas of Ramsey county was established, and Judge Hall was selected as the first incumbent, where he served until his death, which occurred February 25, 1875. Judge Hall was a genial and accomplished gentleman and a highly respected judge.

Edward C. Palmer was born in Vermont in 1825, and was educated at the University of the State, where he studied law and was admitted to the bar. He removed to St. Paul in 1854, and in 1857 was elected the first judge of the District Court upon the organization of the State. He was the chief reviser of the general statutes which were published in 1866. In 1865, at the end of his judicial term, he resumed the practice of his profession, and was for many years attorney of the St. Paul and Sioux City Railroad Company. He removed to Georgia in 1885, and died there soon after.³³

John B. Sanborn was born in Epsom, N. H., December 5, 1826, and, after attending Blanchard and Thetford academies, entered Dartmouth College. He was admitted to the bar in July 1854 at Concord N H, and came to Minnesota in December of that year, forming a partnership with Theodore French, which continued until the breaking out of the war when he tendered his services to the government and served throughout the war, steadily rising in rank until he was brevetted major general. On April 30, 1866, at Washington, he was honorably mustered out of a service of great valor, extent and usefulness. Since that time at Washington and in St. Paul he has practiced his profession with success, also serving the city and State in various capacities. General Sanborn is a fluent writer, an impressive speaker, and a courteous and dignified gentleman.³⁴

Charles D. Gilfillan was born July 4, 1831, at New Hartford, Oneida county, N. Y. He was educated at Homer Academy and Hamilton College, and re-

³³ Edward C. Palmer defeated William P. Murray in the election on October 13, 1857, for a seven year term as Ramsey County District Court Judge:

E. C. Palmer (Ind).....	2,168
William P. Murray (Dem.).....	1,408

Daily Minnesotian, October 17, 1857, at 2. Palmer died on March 10, 1888, in Jacksonville, Florida, aged sixty-three.

³⁴ For John B. Sanborn's biographical sketch, see pages 158-168.

moved to Stillwater, in this State, in 1851, where he was admitted to the bar in 1853. Two years later he removed to St. Paul, and practiced law for about twelve years. He has since been connected with important enterprises and held prominent political offices.³⁵

Henry J. Horn was born March 25, 1821, at Philadelphia, where he received his education. He read law with Henry D. Gilpin, attorney-general of the United States, and was admitted to the bar in 1849. He practiced at Philadelphia until 1855, when he removed to St. Paul. He was for several [255] years city attorney, and afterwards county attorney and corporation counsel, and is probably more familiar with the charter and other legislation affecting the city and county, than any other individual. Although he is unassuming, Mr. Horn is a gentleman of ability and of genial disposition, and is universally admired and respected. He is exceedingly adroit and persevering, and enjoys a large and successful practice. A further sketch of his life is given elsewhere.³⁶

Harvey Officer was born at Monongahela City, Pa., and is fifty-four years old. He attended Natchez Institute, at Natchez, Miss., where he resided from 1839 to 1855. He was admitted to the bar in the High Court of Errors and Appeals of Mississippi July 3, 1854. He removed to St. Paul June 13, 1855, and on January 14, of the following year was admitted in the Supreme Court of Territory, and to the Supreme Court of the United States December 22 of the same year. He was reporter of the decisions of the Supreme Court from 1857 to 1865, the period covered by volumes 1 to 10 of the Minnesota reports. He served as captain of United States Volunteers from March to November, 1866, and as city attorney of St Paul in 1867 and 1868. He was also county attorney in 1869 and 1870. Captain Officer has long been regarded as one of the most careful and sagacious advisers at the bar and in that capacity has been intrusted with large interests. Of modest and retiring demeanor, but of unswerving integrity, He enjoys the confidence of the bench and bar.

George L. Otis, was born in New York October 7, 1829. In 1837 he removed to Michigan where he was admitted to the bar. In October, 1855, he came to St. Paul and continued the practice of his profession for more than twenty-five years, with ability and success. He served in 1857 as a member of the Legislature, and in 1866 as a member of the State Senate. A year later he was elected mayor of the city and afterwards served as one of the managers of the State Reform School. He attained high position in the

³⁵ For Charles Gilfillan's biographical sketch, see pages 150-153. His political memoirs are posted separately on the MLHP: "The Early Political History of Minnesota" (MLHP, 2013) (delivered 1898, published first, 1902). He died on December 18, 1902, aged seventy-one.

³⁶ For Horn's biographical sketch, see pages 114-116. He died in St. Paul on March 20, 1902, five days short of his eighty-first year.

Masonic order and was considered one of the ablest members of the bar, enjoying the confidence of the entire community to a degree unsurpassed by any other citizen. He died March 29, 1883, respected and lamented by all who ever enjoyed the pleasure and honor of his acquaintance. A fuller biographical sketch appears elsewhere.³⁷

Lorenzo Ellis was born in Vermont in 1823 and was graduated from the University of Vermont in 1845. He removed to New Orleans where he practiced his profession and also engaged in editorial work. He came to St. Paul in 1856, and for nearly a quarter of a century was engaged in some of the most important litigation in the county. He died at St. Paul in March, 1883.

Gordon E. Cole was born in Cheshire, Berkshire county, Mass., June 18, 1833. He was educated at the Connecticut Institution at Suffield, Conn., at the State and National Law School and at the Dane Law School of Harvard University, where he was graduated in 1854, with the title of LL.B. He was admitted to the bar at Lenox, Mass., in 1854 and practiced for about two years at [256] Cheshire. In 1856 he came to Minnesota, and settled in Faribault in January, 1857, where he has since resided. His practice, however, extended through all parts of the State and has called him before the higher courts in different parts of the country. Interests of magnitude have been intrusted to him and he has managed them with distinguished success. For several years he has maintained an office in St. Paul and is now the senior member of the firm of Cole, Bramhall & Morris. He was the first president of the State Bar Association and is vice-president for Minnesota of the American Bar Association. In 1859 he was elected attorney-general of the State and held the office for three successive terms. In 1865 he served as one of the commissioners to revise the statutes. He has been repeatedly elected to the House of Representatives and to the State Senate. Mr. Cole is a man of rare culture and versatility; he is a deep student and a close reasoner. In his habits and action of thought he is original and independent. His career has been one of energy and usefulness and as he is still in the prime of life, it bids fair to increase in honor to himself and advantage to the State.³⁸

³⁷ For Otis's biographical sketch, see pages 121-126.

³⁸ The results of the election on November 8, 1859, were:

John B. Brisbin (Democrat).....	17,630
Gordon E. Cole (Republican).....	21,186

The results of the election on November 5, 1861, were:

Gordon E. Cole (inc. & Republican).....	16,112
Wheeler H. Peckham (Democrat).....	10,389
William Peckham.....	144
S. P. Jones.....	2
O. Gallagher.....	1
Write-ins.....	4

Oliver Dairyinple was born at Sugar Grove, Pa., and is fifty-eight years of age. He was educated at Allegheny, Pa., and attended lectures in various departments of Yale College. In 1855 he was admitted to the bar at Warren, Pa., and removed to St. Paul in April of the following year, where he practiced law for several years until important business enterprises absorbed his time and attention. He has since become famous as the “bonanza wheat grower” of the country

Henry Hale was born in Vermont in 18i6, where he was admitted to the bar. He came to St Paul in 1856, and practiced at one time in partnership with E. C. Palmer, but soon engaged in real estate transactions which have since increased to such a magnitude as to absorb his entire time and attention.³⁹

Christopher C. Andrews was born at Hillsboro, N. H., and is fifty-nine years of age. He was educated at Francistown Academy and at Dane Law School at Cambridge. Mass. He was admitted to the bar of the Supreme Court of Massachusetts at Cambridge in October, 1850, and came to Minnesota in 1856. He has been State Senator and served with distinction in the war, attaining the rank of brigadier-general and brevet major-general of the United States Volunteers. In 1857, while connected with the United States Treasury Department, he prepared a “Digest of the Opinions of the Attorneys General of the United States,” which was published by the Government, and in the following year a work entitled “Practical Treatise on the Revenue Laws of the United States.” These works have since been in constant use in the Treasury Department, where they are recognized as of great convenience and practical utility. In 1866 he published a “History of the Campaign of Mobile.” He was afterwards appointed minister resident to Sweden and Norway and contributed valuable service to his Stats and [257] country during his residence there. Later he was appointed consul-general to Brazil, and since his return from that post has resided in this city. In 1887 he published an interesting work entitled “Brazil, its Condition and Prospects.” General Andrews has not practiced his profession for several years, but has been foremost in all enterprises for the advancement of the interests of the city and State.⁴⁰

The results of the election on November 3, 1863, were:

Gordon E. Cole (inc. & Republican).....	19,575
William H. Grant (Democrat).....	12,332

Douglas A. Hedin, “Results of Elections of Attorneys General, 1857-2014” 12-13 (MLHP, 2013-) (citing sources). For a biographical sketch of Cole, see Charles E. Flandrau, “The Bench and Bar of Ramsey County, Minnesota: Parts I & II” 36-43 (MLHP, 2008-2009) (published first, 1888). Cole died in London on October 4, 1890, at age fifty-seven.

³⁹ For Hale’s biographical sketch, see pages 145-148.

⁴⁰ The general died on September 21, 1922, at age ninety-two.

James Smith, Jr., is a native of Mount Vernon, O., where he was born October 29, 1815. He was admitted to the bar in 1839 at Mount Vernon, where he remained until 1856, when he removed to St. Paul and formed a co-partnership with Judge Lafayette Emmett. He was afterwards for many years a partner of John M. Gilman, and the firm enjoyed a large and lucrative practices. Mr. Smith served in the State senate and house for several terms and has been for many years connected with the St. Paul and Duluth Railroad Company of which he has been president and attorney. He stands high in the confidence of the bar and community.

James Gilfillan was born in Scotland in 1829, and came to New York the next year, where he received an academic education. He studied law at Ballston Spa and Buffalo, and was admitted to the bar at Albany in 1850. He came to St. Paul in 1857 and immediately commenced the practice of his profession. In 1862 he enlisted in Company H, of the Seventh Regiment and was commissioned captain the same year. He served with the regiment in its Indian campaigns and afterwards at the South in many engagements. On the 3d of November, 1864, he was mustered in as colonel of the Eleventh Minnesota Regiment, and served in Tennessee until the regiment was ordered home and mustered out July 16, 1865. He was appointed chief justice of the Supreme Court July 13, 1869, and served until January 1870. He was again appointed in 1875 and has since held the office by re-election. During the intervals when not upon the bench he was engaged in practice of an important character. Judge Gilfillan is quiet and unassuming but exceedingly industrious and has long been recognized as an able and accomplished jurist. In addition to his judicial duties, which he has always performed with promptness and fidelity, he has found time to revise and annotate the first twenty volumes of Minnesota State Reports which bear his name.⁴¹

⁴¹ In July 1869, James Gilfillan was appointed to chief justice to fill the vacancy caused by the resignation of Thomas Wilson, but he did not run in the general election, and his term ended in January 1870. Five years later, he was appointed chief justice following the resignation of Samuel McMillan in March 1875. This time he sought election to a full term. The results of the election on November 2, 1875, were:

James Gilfillan (inc.).....	47,010
Lafayette Emmett.....	34,623

Six years later, he was re-elected. The results of the election on November 6, 1888, were:

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

Douglas A. Hedin, "Results of Elections of Justices to the Minnesota Supreme Court, 1857-2014" 22-23, 27 (MLHP, 2012-).

Gilfillan wanted a third term on the court but was denied the endorsement of the Republican Party at its state convention on July 12, 1894. Charles M. Start, a Third

John M. Gilman was born at Calais, Vt., September 7, 1824, and was educated at Montpelier Academy, where he was admitted to the bar in 1844. During the same year he removed to New Lisbon, O., where he practiced his profession for eleven years. Mr. Gilman came to St. Paul in September, 1857, and soon formed a partnership with James Smith, Jr. He was a member of the Legislature, in Ohio, and has also served in the Minnesota Legislature, attaining prominence in the councils of his party. Mr. Gilman has long been recognized as one of the ablest members of the bar.⁴²

Greenleaf Clark is a native of Plaistow, N. H., and is fifty-three years of [258] age. He was educated at Atkinson Academy, and Harvard Law School. He was admitted to the bar at Boston in 1858, and soon after came to Minnesota, where he has since practiced his profession with ability and success. He was appointed an associate justice of the Supreme Court of the State in 1881, and has been for several years a member of the Board of Regents of the State University. Judge Clark has been connected with much of the important railroad litigation of the State and is a safe and reliable counselor. He is dignified and courteous in his manner and scholarly in his tastes. He occupies an enviable position at the bar of the State and in the confidence and respect of the community.⁴³

Reuben B. Galusha is a native of Shaftsbury, Vt., and is fifty-seven years of age. He removed in early life to Mount Vernon, O., where he was admitted to the bar in 1857, and came to St. Paul in August of the following year. He was at one time a partner of Henry J. Horn and has been in constant practice since his arrival. He was for many years United States pension agent for Minnesota, and afterwards held the responsible position of attorney for the

Judicial District judge since 1881, was endorsed, and elected easily at the general election in November 1894. James Gilfillan died on December 16, 1894, at age 65. For his bar memorial, see *Testimony: Remembering Minnesota's Supreme Court Justices* 66-79 (Minn. Sup. Ct. Hist. Soc., 2008).

⁴² John Melvin Gilman died in St. Paul on September 26, 1906, aged eighty-two.

⁴³ Clark was appointed to the Court in March 1881, but served only to January 1882. He was denied the endorsement by the Republican State Convention in September 1881, which preferred Charles Vanderburgh. Clark was then endorsed by the Democrats and, against his wishes, remained on the ballot. The results of the "top three" election on November 2, 1881, were:

William Mitchell (inc.).....	102,373
Daniel A. Dickinson (inc.).....	101,413
Charles E. Vanderburgh.....	65,015
Greenleaf Clark (inc.).....	38,582
Write-in.....	117

Douglas A. Hedin, "Results of Elections of Justices to the Minnesota Supreme Court, 1857-2014" 24 (MLHP, 2012-). Clark died in Los Angeles on December 7, 1904, aged sixty-nine. For his bar memorial, see *Testimony: Remembering Minnesota's Supreme Court Justices* 102-109 (Minn. Sup. Ct. Hist. Soc., 2008).

St. Paul, Minneapolis and Manitoba Railroad Company, having been previously connected with the litigation which resulted in the transfer of the property of the former St. Paul and Pacific Railroad Company to the first named corporation. Mr. Galusha has been connected with some of the most important litigation of the State and is a gentleman of high personal and professional standing. A detailed sketch of his life appears elsewhere in this work.⁴⁴

Robert P. Lewis is a native of Louisville, Indiana county, Pa, and is fifty-three years of age. He was graduated at Washington College, Pennsylvania, in 1856, and admitted to the bar at that place in 1859 He came to Minnesota in August of that year and has since practiced his profession He was United States pension agent for Minnesota from 1864 to 1866.

William P. Warner is a native of Covington, N Y, and is forty-nine years of age. He was educated at Union College in that State, and admitted to the bar at Winchester, Tenn., in 1859. He removed to St. Paul in 1860, and soon after formed a partnership with John B. Brisbin, which continued for some time, during which the firm conducted an important and lucrative practice. Afterwards he formed a partnership with M. J. Severance, now judge of the Sixth Judicial District, which was dissolved upon that gentleman's accession to the bench. He is now the senior member of the firm of Warner & Lawrence, who stand in the front rank of their professions particularly in the line of commercial and corporation law. Mr. Warner is a quiet, unassuming man of indefatigable industry and tenacity of purpose. Possessed of a superior mind, which has been carefully trained, and aided by a clear and retentive memory, he has attained a knowledge of the law and a familiarity with its practice which is rarely excelled. In every relation of life he has acted with fidelity and without reproach. His standard of ethics is high, and while, to those who have [259] been honored by his friendship, he has been "true as steel," few men have sought less or more deserved the good opinion of the world.

Jacob Mainzer was born December 16, 1834, in Germany. He attended the gymnasium in Treves, and landed at New York in November, 1853. In June, 1855, he removed to St. Paul and was admitted to the bar in 1860. For two years he was city justice. During the war he served as lieutenant of Company G, Second Minnesota Volunteers. He has held several official positions and has made a specialty of abstracts and examinations of titles to real

⁴⁴ Reuben Barney Galusha died in Rochester on August 10, 1902, aged sixty-nine. A "detailed sketch of his life" was not included "in this work." However, one can be found in Charles E. Flandrau, "The Bar and Courts of Ramsey County" 34-5 (MLHP, 2009) (published first, 1881).

property, achieving reputation and profit in his practice. A further sketch appears elsewhere.⁴⁵

Henry L. Williams was born at Farmington, Me., and is fifty years of age. He was educated at Farmington Academy and Bowdoin College. He came to Minnesota in 1854, and was admitted to the bar of the Supreme Court at St. Paul in January, 1861. He has since practiced his profession in this city, formerly as a partner of James Gilfillan, now chief justice of the Supreme Court, and afterwards with Colonel J. Ham Davidson. Mr. Williams is a gentleman of high personal character, and is a studious and careful lawyer. He is now the senior member of the firm of Williams & Goodenow.⁴⁶

Cushman K. Davis was born at Henderson, Jefferson county, N. Y., June 16, 1838. He was educated at the University of Michigan, and was graduated there in 1857. In 1862 he enlisted in the United States volunteer service, and by promotion attained the rank of acting adjutants general under Brigadier-General Willis A. Gorman. In August, 1864, he came to St. Paul and commenced the practice of law. His progress has been exceptional, and he holds an acknowledged position in the front rank of his profession. In 1867 he was a member of the Legislature, and from 1868 to 1873 United States district attorney for Minnesota. In the fall of 1873 he was elected governor of the State at the age of thirty-five, and in 1887 United States senator. His life has been active and successful, both in professional, official and literary capacities. He is a close student, an ardent admirer of Shakespeare, and has contributed an interesting and widely read volume to the bibliology of the great dramatist. He holds a warm place in the hearts of the people of Minnesota, and promises to supplement an already brilliant career with still greater honors and achievements.⁴⁷

Samuel J. R. McMillan was born at Brownsville, Pa., February 22, 1826, and was graduated at Duquesne College, Pittsburgh, in 1846, where he was admitted to the bar in 1849. He removed to Stillwater in this State in 1852, and was elected judge of the First Judicial District in 1858. He was appointed associate justice of the Supreme Court in 1864, which position he held until April 8, 1874, when he was elected chief justice. The following year he was elected to the United States Senate, and re-elected in 1881.

⁴⁵ For Mainzer's biographical sketch see pages 142-145. He died in St. Paul on November 3, 1893, aged fifty-eight.

⁴⁶ Williams died in Los Angeles, on June 7, 1904, aged sixty-seven.

⁴⁷ Davis (1838-1900) was governor of Minnesota, 1874-1876, and U. S. Senator from 1887 to death in November 1900. For a memorial, see Massachusetts Senator George F. Hoar, "Cushman Kellogg Davis" (MLHP, 2008) (delivered, 1900, published first, 1903); for an earlier profile, see Gilbert J. Clark, "Cushman Kellogg Davis" (MLHP, 2010) (published first, 1895); see also Davis' "Cross-Examination" (MLHP, 2008) (published first, 1907).

Since the expiration of his senatorial term in 1887, he has been engaged in the practice of his profession in St. Paul.⁴⁸ [260]

Stanford Newel was born at Providence, R. I., June 7, 1839, and was educated at Yale College and Harvard Law School. He came to Minnesota in May, 1855, and was admitted to the bar at the July term of the Supreme Court in 1864, since which time he has practiced his profession. Mr. Newel is a gentleman of taste and refinement, a genial companions and a skillful and influential factor in the political affairs of the community and the State.⁴⁹

James H. Davidson is forty-nine years of age and was born at Burlington, O. He was graduated in the classical course at Ohio Wesleyan University at Delaware, O., in 1861, and came to St. Paul in September, 1866, where he was admitted to the bar the following year. Colonel Davidson had a highly creditable military career. He has not been in active practice for some time. He was for many years one of the ablest and most successful advocates at the bar. A detailed sketch of his life appears in another part of this work.⁵⁰

⁴⁸ Samuel James Renwick McMillan was appointed associate justice in June 1864. He was elected to a full seven year term on November 8, 1864, a “top two” election:

Samuel J. R. McMillan (inc.).....	24,994
John M. Berry.....	24,951
E. O. Hamlin.....	17,351
E. T. Wilder.....	17,345

He was re-elected in the election on November 7, 1871, another “top two” election:

Samuel J. R. McMillan (inc.).....	49,285
John M. Berry (inc.).....	46,250
Daniel Buck.....	30,786
William Mitchell.....	30,291
A. P. Jewett.....	120
Write in.....	129

In April 1874, he was appointed chief justice to fill the vacancy caused by the resignation of Christopher G. Ripley. He ran in the general election on November 3, 1874:

Samuel J. R. McMillan (inc.).....	51,506
Wescott Wilkin.....	41,120
Write-in.....	130

Douglas A. Hedin, “Results of Elections of Justices to the Minnesota Supreme Court, 1857-2014” 24 (MLHP, 2012-). His term was brief. He resigned when he was elected U. S. Senator by the state legislature on February 19, 1875. He died in St. Paul on October 3, 1897, at age seventy-one. For his bar memorial, see *Testimony: Remembering Minnesota’s Supreme Court Justices* 54-59 (Minn. Sup. Ct. Hist. Soc., 2008).

⁴⁹ Newel died in St. Paul on April 6, 1907, aged sixty-seven.

⁵⁰ For Davidson’s biographical sketch see pages 88-92. He died on December 1 1925, at age eighty-six. For his son’s memorial, see Earnest H. Davidson, “The Life of Colonel James H. Davidson” (MLHP, 2015) (delivered 1926 (ca.)).

Warren H. Mead is a native of Genoa. Cayuga county, N. Y., and was educated at Groton Academy, and Cazenovia Seminary in that State, and at Bradfordsville Institute in the State of Kentucky. He entered the army and had a severe and thrilling experience, having been an inmate of Libby and other Southern prisons for twenty-two months. He was admitted to the bar at Louisville. Ky., in 1865, and came to Minnesota in the following year. He served as a member of the Legislature from St. Paul in 1877, and 1879. Further particulars relating to his life appear in another part of this work

Josias N. Rogers was born at St. Joseph, Mich., in 1845, and was educated at Berlin, Wis., High School In the spring of 1866 he was admitted to the bar at Wautoma in that State, and immediately came to St. Paul. He was a member of the State House of Representatives from St. Paul in 1873, and has operated in real estate largely and with success.

Edward G. Rogers is forty-five years of age, and was born at St. Joseph, Mich. He was educated at the high schools of the vicinity, and attended the law department of the University of Michigan. He was admitted to the bar at Dartford, Wis., September 13, 1864, and came to St. Paul November 23, 1866. He was county attorney of Ramsey county from January 1, 1877, to January 1, 1879, and a member of the House of Representatives from St. Paul from January, 1887, to January, 1889. In the practice of commercial law Mr. Rogers has achieved marked success.

Jamas J. Egan is a native of Ireland, and is forty-seven years of age. He came to Minnesota in 1857, and afterwards served in the army, attaining the rank of lieutenant. He was admitted to the bar at St. Paul in 1867, and served as a member of the House of Representatives from this county in 1869, and afterward from St. Louis county, where he resided for several years. He has been, for the last ten years, county attorney of Ramsey county, and seems to be an indispensable part of the judicial system. "Judge" Egan is noted for his good nature, wit, keen insight and thorough knowledge of human nature. [261] These qualities have made him deservedly popular, and few men in the city are more widely known or warmly esteemed.⁵¹

Cyrus J. Thompson was born at Castile, Wyoming county, N. Y., and is fifty-three years of age. He was educated at New York Central College, Cortland county, N. Y., and afterwards at Michigan University at Ann Harbor, where he was admitted to the bar in May, 1862. He came to Minnesota in April, 1868, and has practiced his profession here since that time. Mr. Thompson is a thorough student, a careful adviser and a conscientious man, and these qualities have won him a deserved position in the estimation of the bench and bar.

⁵¹ James Joseph Egan served on the Ramsey County bench, 1891-1897; he died in St. Paul on January 9, 1911, aged sixty-eight.

Edwin S. Chittenden was born at Rensselaerville, Albany county, N. Y., in 1843. He was graduated at the University of Rochester in 1865, and admitted to the bar at Albany, December 5, 1867. While in New York he served as clerk of the Assembly Judiciary Committee in 1865 and 1866. He was assistant solicitor of the Department of State at Washington from 1867 to 1869. He came to Minnesota in October, 1869, where he has since practiced his profession.⁵²

William H. Grant was born at Lyndeborough, N. H., December 23, 1829, and was educated at Hancock Academy in that State, and at Yates Academy, Orleans county, N. Y. He served as a member of the House of Representatives in his native State in 1853 and 1854, and during the latter year was admitted to the bar of Hillsborough county. He came to Minnesota in 1855.⁵³

William S. Moore is a native of Weston, Fairfield county, Conn, and is fifty-eight years of age. He was educated at the public schools of that State and at Yale College. He came to Minnesota in 1858, and was admitted to the bar of Wright county in the fall of that year. He has been for several years a resident of St. Paul in successful practice. Mr. Moore is original and independent in his methods of thought and action. He is a man of high principle and undeviating attachment to what he believes to be right.

Edward H. Wood is a native of Spencer county, Ky., and is fifty-two years of age. He was educated at Oberlin College, Ohio, and came to Minnesota July 13, 1856. He was admitted to the bar at Taylor's Falls October 13, 1859, Judge S. J. R. McMillan presiding. He served in the war as first lieutenant and judge advocate in the Army of the Cumberland. He has been city justice of the peace and alderman of St. Paul, and city attorney of Taylor's Falls in this State.

William D. Cornish was born in 1849 at Middleboro, Plymouth county, Mass., but afterwards lived at Binghamton, N. Y., where he was admitted to the bar in 1870. He came to Minnesota in August of that year and has practiced his profession since with reputation and success. In the law of insurance he is recognized as particularly able and accomplished. Mr. Cornish is endowed with strong, common sense, integrity and sagacity. He has attained [262] a high position in the Masonic fraternity, and is a recognized authority in its ethics and jurisprudence. He was a member of the common council of the city of St. Paul from 1880 to 1885, where his services were of great value. He also served with credit as a representative in the Legislature in 1883 and 1885.⁵⁴

⁵² Edward Sedgwick Chittenden died in Fort Des Moines, Iowa, on October 8, 1908, aged sixty-five.

⁵³ William Henry Grant died in Sandstone, Minnesota, on August 6, 1901, aged seventy-one.

⁵⁴ William Dalton Cornish served on the Ramsey County bench, 1890-1893; he died in Chicago on November 7, 1908, aged fifty-nine.

William Louis Kelly is a native of Kentucky, and comes of a family who have been prominent in legal circles of that State, his grandfather having occupied a position upon the Supreme bench. Judge Kelly removed to Minnesota nearly twenty-five years ago, and was engaged for some time in literary work. For several years prior to his appointment to the bench of the District Court of Ramsey county, which took place in 1888, he was engaged in practice in the city. In the short period during which he has been upon the bench he has been industrious and conscientious in the discharge of his duties, and has given general satisfaction.⁵⁵

Homer C. Eller is a native of Mishawaka, St. Joseph county, Ind., where he was born July 9, 1845. He was educated at the common and grammar schools of the vicinity and at the University of Michigan, graduating from the law department in the class of 1868. During the war he served under General, afterward United States Senator, Miller.⁵⁶ Mr. Eller was admitted to the bar at South Bend, Ind., in May, 1869, and to the Supreme Court of Minnesota January 27, 1870. In November, 1869, he removed to St. Paul where he has since resided. He was appointed one of the first special judges of the Municipal Court of the city. Mr. Eller is the author of Eller's digest of the first twenty five Minnesota reports. He is an indefatigable student, and his labors have been rewarded by a familiarity with the principles of jurisprudence and their application to the vexed questions of modern society, rarely equaled in one of his age. For many years he has been connected with important litigation, and has shown much ingenuity and ability in the management of his cases. Of genial manners and patient disposition, he has rendered kind and useful assistance to the younger members of the profession, and by many qualities of mind and heart has endeared himself to his associates, both young and old. Few men enjoy to the same extent the respect of the bar and the confidence of the court.⁵⁷

William W. Erwin is a native of Erwin, Steuben county, N. Y., where he was born July 12, 1842. He attended Alfred Academy and Genesee College, and was admitted to the bar at Albany at the General Term, May 5, 1864. He removed to Minnesota in May, 1870, and was county attorney of Ramsey county from 1872 to 1874. For many years Mr. Erwin has made a specialty of criminal law and practice, and is unexcelled in that field. He has achieved wonderful success in the defense of persons accused of capital crimes. He is a man of strong originality of thought and action, sometimes metaphorical and again meteoric; at times charming his auditors by thoughts

⁵⁵ Kelley served on the bench of the Second Judicial District from his appointment on March 15, 1887, to his retirement in 1923 with full salary due to a special act of the legislature (1923 Laws, ch. 79, at 77 (effective March 23, 1923)). He died on January 26, 1926, aged eighty-eight.

⁵⁶ Probably John Franklin Miller (1831-1886), who was U. S. Senator from California, 1881-1886.

⁵⁷ Eller died in St. Paul on November 3, 1896, at age fifty-one.

that sparkle into [263] expression like sunshine upon babbling brooks, and again, when occasion demands, he becomes a mental Etna in eruption. His methods are his own, and his use of them is masterly. Mr. Erwin is a student of nature and of art, and a gentleman of culture and literary taste. Elsewhere appears a detailed sketch of his life.⁵⁸

John W. White is a native of Philadelphia, and is forty-six years old. He was educated at the College of New Jersey, and at the law school of the University of Pennsylvania, and was admitted to the bar at Philadelphia in 1868. He removed to St. Paul in 1870, and has since been actively engaged in practice. He is proficient in mercantile and real estate law. Mr. White is a gentleman of culture and refinement and is a great favorite in the community.

Christopher D. O'Brien is a native of county Galway, Ireland, but afterwards resided in Wisconsin, and is forty years of age. He was educated in the common schools, and came to Minnesota in 1863. In January, 1870, he was admitted to the bar at St. Paul and was soon after appointed assistant United States district attorney for Minnesota. He was four years county attorney of Ramsey county and in 1883 was mayor of St. Paul. He has been president of the St. Paul Bar Association and is now a law lecturer at the University of Minnesota. Mr. O'Brien is literary in his tastes, genial in his disposition and energetic and successful in the practice of his profession. For many years he has conducted some of the most important litigation in the county and has remarkable influence with juries. At one time he obtained a verdict of \$50,000 in a personal injury case, the largest of that kind ever recovered in the Northwest, if not in the country. How he accomplishes so much and does it so well, and yet finds leisure for social entertainment, literary research and athletic exercise, in all of which he is an adept, is an enigma to his many friends.

James B. Beals was born at, New York, and was forty-three years old at the time of his death, which occurred in 1888. He came to Minnesota in 1862 and was educated at the University of Michigan. In July, 1871, he was admitted to the bar of the Supreme Court at St. Paul, and from that time until his death pursued his profession with great industry and success. He was noted for his fidelity to the interests of his clients, and was greatly lamented by his brethren of the bar.

John B. Olivier is fifty-one years old and is a native of Berthier, Province of Quebec, Canada, where he attended college. He came to Minnesota May 27, 1854, and served as deputy register of deeds of Ramsey county in 1857 and 1858. He was a member of the Legislature from St. Paul in the session of 1859 and 1860, and deputy county auditor in 1866 and 1867. From 1868

⁵⁸ For Erwin's biographical sketch, see pages 126-134.

to 1872 he was again deputy register, and was county auditor in 1873. Upon the creation of the office of abstract clerk in 1873 he was made the first incumbent and served in that position until 1883. He was admitted to the bar at St. Paul April 8, 1871, and is more familiar with the official records of the [264] county than any other man living. Mr. Olivier's memory is as long as his experience, and his kind and obliging disposition has won him troops of friends.

Walter H. Sanborn was born at Epsom, N. H., and is forty-two years of age. He was graduated from Dartmouth College in 1867, and removed to St. Paul in 1870, where he was admitted to the bar the following year. He was a member of the St. Paul city council from 1878 to 1880, and again elect in 1885, and is now in its vice president. He has been commander of Damscus Commandery No. 1, of St. Paul Knights Templar since 1886, and has been for three years a member of the board of abatement and the board of equalization of Ramsey county. In all of these positions he has served with industry and ability, and still has found time to conduct a law practice of magnitude and importance, and with such care and attention as to win success. Mr. Sanborn is a clear and forcible debater and both in court and in public life exercises a marked and increasing influence. A more extended sketch is given elsewhere in this work.⁵⁹

Edward Simonton was born at Searsport, Me., in 1840, and was graduated at Bowdoin College in 1861. He served in the United States army from 1862 to 1870, first as captain and brevet lieutenant colonel of volunteers, and afterwards as first lieutenant and brevet captain of the Fourth United States Infantry (regulars). He resigned in July, 1870, and was admitted to the bar of the Supreme Court of Maine at Belfast in October of that year. Captain Simonton removed to Minnesota in December, 1870, and was admitted to the bar of the Supreme Court of this State, January 28, 1871. He is also a member of the bar of the United States Circuit Court. In connection with the practice of his profession he has managed large property interests and has contributed materially to the growth and advancement of the city. He is a gentler man of courteous manners and pleasing address, upright in character and public-spirited in all his actions.⁶⁰

Hascal R. Brill is a native of Canada, but came to St. Paul in boyhood and received his education here. In 1872 he was elected judge of Probate and served in that capacity until March 1, 1875, when he was appointed judge of the Court of Common Pleas to succeed William Sprigg Hall, deceased. The

⁵⁹ For Walter Sanborn's biographical sketch, see, pages 103-107. He served on the Eighth Circuit Court of Appeals from 1892 to 1928. See George Thomson, "Biographical Sketch of Walter Henry Sanborn" (MLHP, 2012)(published first 1892), and "Walter Henry Sanborn (1845-1928)" (MLHP, 2011-2012); see also Thomas H. Boyd, "Walter Sanborn and the Eighth Circuit" 26 *Ramsey County History* 22 (1991).

⁶⁰ For Simonton's biographical sketch, see pages 148-151.

following year, that court having been merged with the district court, he became one of the judges thereof, and has since served by successive reelection. Judge Brill is possessed of a clear, discriminating mind, gives patient attention to the progress of cases before him, and by careful and constant research has attained great familiarity with the principles and practice of law. His decisions command respect, and the facility, firmness and accuracy with which he presides, deserve and have won the approval of the bar and the public.⁶¹

Squire L. Pierce is a native of Trenton, Butler county, O., and is fifty-six years of age. He was admitted to the bar at Eaton, O., in April, 1853. At the age of twenty-two Mr. Pierce was elected district attorney of Wabash [265] county, Ind. He came to Minnesota in May, 1856, and was elected judge of probate of Dodge county at the first State election. He also served as county attorney of that county for two terms. Since his residence in St. Paul Mr. Pierce has been in active practice and is influential and successful.

William P. Clough was born March 20, 1845, at Freetown, Cortland county, N. Y., and attended the Northwestern Normal School, of Edinborough, Erie county, Pa., where he resided until June, 1867, when he came to Minnesota, and was soon after admitted to the bar of Olmsted county. He removed to St. Paul in 1872 and formed a partnership with John M. Gilman, which continued for several years, during which time the firm enjoyed a large and lucrative practice. In 1884 he was appointed general counsel of the Northern Pacific Railroad Company, in which capacity he acted until 1887, when he resigned to accept a highly responsible position with the St. Paul, Minneapolis and Manitoba Railroad Company. Mr. Clough is possessed of great energy and ability, and bids fair to add fresh laurels to an already successful career.⁶²

Edwin S. Thompson is a native of Delafield, Wis., and is thirty-seven years of age. He received an academic education and came to Minnesota in 1869. He was admitted to the bar at St. Paul in May, 1872. He afterwards removed to Butte City, Mont., where he served as county auditor two terms, as county judge one term, as county attorney two terms, and also as district attorney and city attorney. He returned to St. Paul in 1886, and is now in active practice, giving his attention chiefly to criminal law.

James N. Granger was born at Providence, R. I., in 1845, and was educated at Brown University and at Harvard College. He was an officer in the army in 1864 and 1865, and came to Minnesota in 1871. He was admitted to the bar in October, 1872, and has since practiced at St. Paul. In addition to his law

⁶¹ Hascal Russell Brill served as Ramsey County Probate Judge from 1873 to 1875, when he was appointed to the Court of Common Pleas, which merged with the district court in 1876. There he served until 1922. He died on March 1, 1922, at age seventy-five.

⁶² For Clough's biographical sketch, see pages 107-109.

practice, Mr. Granger has been prominent in social life and in aquatic and other athletic sports.

Charles D. Kerr is a native of Philadelphia, and is fifty-three years of age. He was graduated at Illinois College, Jacksonville, Ill., in 1857, and studied law at Keokuk, Ia., with Hon. Samuel F. Miller, now associate justice of the United States Supreme Court, and was there admitted to the bar in 1860. He served throughout the war with credit and came to Minnesota in 1865 and settled at St. Cloud, where he formed a partnership with Hon. Joseph M. McKelvey, for many years judge of the Seventh Judicial District. Upon the appointment of Judge McKelvey to the bench, Colonel Kerr formed a partnership with Hon. W. S. Moore, now of St. Paul, and afterwards with Hon. L. W. Collins, now one of the associate justices of the Supreme Court of Minnesota. He was also mayor of St. Cloud, and since his removal to St. Paul, which took place in 1873, he has served as president of the board of education and president of the common council. For several years he practiced his profession as senior member of the law firm of Kerr & Richardson in this city. He was recently appointed judge of the District Court. Colonel Kerr enjoys a wide acquaintance and was energetic and skillful in the management of cases. As his record indicates, his career has been one of influence and usefulness. Further particulars are given elsewhere.⁶³

John D. O'Brien was born in Dublin, Ireland, and is thirty-six years of age. He came to Minnesota in 1863, and was admitted to the bar at St. Paul in 1873, soon after forming a partnership with Homer C. Eller, which continued for several years. Mr. O'Brien is a man of great industry, and is conscientious and faithful in the discharge of every duty. Of refined and delicate sensibilities and great literary research, he is a charming conversationalist and genial and entertaining in the extreme. He stands high in the estimation of all but himself.

Charles E. Otis is a native of Prairieville, Barre county, Wis., where he was born May 11, 1842. He was graduated at the University of Michigan in the classical course in 1869, and came to Minnesota in July, 1871. He was admitted to the bar in September, 1873, and with his brother, the late Hon. George L. Otis, continued the practice of his profession until the death of the latter, since which time his brother Arthur G. Otis, has been associated with him. Mr. Otis has been a member of the board of education and was for five years a member of the common council. He has shown great industry and fidelity as well in private practice as in public position, and is a close and accurate practitioner, believing heartily in the maxim that whatever is worth doing at all is worth doing well. Mr. Otis is always thoroughly prepared, and deserves the confidence which he enjoys in the management

⁶³ For Kerr's biographical sketch, see pages 117-121.

of varied and important interests He was appointed Judge of the District Court, August, 1889, in place of Judge Vilas, deceased.⁶⁴

Francis F. Wilde is a native of Vienna, Austria, where he was born in 1844. He was educated at German and English academies in the city of Milwaukee, and was there admitted to the bar November 17, 1865, and removed to St. Paul in 1873.

C. N. Bell is a native of Weybridge, Vt., and is forty-one years of age. He was educated at Middlebury College, Vermont. He was principal of Chester Academy, Vermont, in 1868 and 1869, and was principal of the public schools of Elkhorn, Wis., from 1869 to 1871. He was admitted to the bar at Janesville, Wis., in 1871, and located the same year at Mankato, where he remained until July 4, 1874, when he removed to St. Paul, and has since been in the active and exclusive practice of his profession. He has served in several important public positions, having been a member of the board of aldermen and of the board of county commissioners. Mr. Bell is a clear and forcible speaker, careful in the preparation of his cases, and independent and conscientious in the discharge of every duty.⁶⁵

Henry C. James was born at Deerfield, N. H., and is thirty-nine years of [267] age. He was educated at Phillips Academy at Andover, Mass., and at Harvard University. Mr. James removed to St. Paul in 1871, and was admitted to the bar of the Supreme Court June 7, 1874, since which time he has been in active practice for several years as a member of the firm of Lamprey & James, but recently alone. Mr. James is faithful and industrious in the preparation and care of his cases, possesses clear insight and discrimination, the ability to clearly present his points and a character for integrity which deserves and wins the confidence of the court.

E. S. Gorman is a native of Bloomington, Ind., and is forty years of age. He was graduated at the State University of Indiana, and came to Minnesota in 1853, and was admitted to the Supreme Court in 1875. In 1886 he was elected judge of probate of Ramsey county, and brought to the discharge of his duties a valuable experience and a clear and judicial mind. His decisions have been carefully, considered and received with approbation.

George C. Squires is thirty-five years of age and a native of Greene, Chenango county, N. Y., and a graduate of the Law School of Michigan University. He removed to St. Paul in August, 1874, and in June of the following year was admitted to the Supreme Court. He has been court commissioner of Ramsey county, and for several years a member of the firm of Bigelow, Flandrau & Squires, and is one of the present firm of Flandrau, Squires &

⁶⁴ For Otis's biographical sketch, see pages 121-126.

⁶⁵ For Charles N. Bell's biographical sketch, see pages 92-94.

Cutcheon. The business of this firm has been varied and important, and few men of his age have enjoyed a more extensive practice.

Henry A. Wilson was born at Boston, Mass., April 11, 1831, and afterwards removed to Hudson, Wis., where he studied law in the office of Judge H. L. Humphrey and was admitted to the bar, practicing for some time thereafter in partnership with Judge Humphrey. He removed to Minnesota in January, 1875, and entered the law firm of Davis, O'Brien & Wilson, remaining a member of that and the succeeding firm of O'Brien & Wilson until his death, which occurred at St. Paul December 24, 1884. Mr. Wilson was thoroughly versed in the practice, was a close student, and attentive to the interests of his clients. He was of genial disposition and much respected and beloved.

George B. Young is a native of Boston, Mass., where he was born July 25, 1840. He was graduated from Harvard College in 1860, and from the law school in 1863, and was admitted to the bar at New York in November, 1864. He settled in Minneapolis in 1870, and in April, 1874, was appointed associate justice of the Supreme Court, which office he held until the following January. In May, 1875, he removed to St. Paul, where he at once entered upon an important and lucrative practice. He has been reporter of the decisions of the Supreme Court since 1875, and in 1878 acted as compiler of the general statutes of the State. He is regarded as one of the leaders of the bar of the State, and much of its most important litigation has been under his charge.⁶⁶ [268]

Samuel Whaley is thirty-three years of age, and was born in Benton, Lafayette county, Wis. He came to Minnesota in November, 1855, and was admitted to the bar in October, 1876, since which time he has been in practice in this city.⁶⁷

John J. Mullen was born at West Point, Orange county, N. Y., in 1849, and educated at Georgetown College, Washington, D. C. He came to Minnesota in 1857, and served as representative in the Minnesota Legislature in 1874 and 1875. He was admitted to the bar in 1877.

Oscar H. Comfort is forty-five years of age, and is a native of Mineral Point, Wis. He served with credit during the late war, and was admitted to the bar at Portage, Wis., December 7, 1869. He removed to Minnesota July 8, 1872, and was admitted to the State Court in November of that year, and to the United States Circuit Court in December, 1879. He has been court commissioner of Washington county, and city justice of Stillwater. For several years he has resided at St. Paul, devoting his attention particularly to commercial law.

⁶⁶ George Brooks Young died in St. Paul on December 30, 1906, at age sixty-six.

⁶⁷ For Whaley's bar memorial, see "Samuel Whaley (1855-1934)" (MLHP, 2011).

George J. Flint was born at Fort Plain. Montgomery county, N.Y., in 1840, and educated at Fort Plain Institute. He was admitted to the bar at Binghamton, N. Y., in September, 1869; and removed to St. Paul in November, 1878, where he has since been in practice.

Eugene A. Hendrickson was born December 2, 1853, in Rose township, Ramsey county, and was graduated with honor in the class of 1876, of the State University of Minnesota, and afterwards from the Law Department of the Iowa State University. He was admitted to the bar of Iowa in June, 1878, and at St. Paul, in August of the same year. For four years he served as superintendent of schools of Ramsey county, and for a like period in the, State Legislature.⁶⁸

Hiler H. Horton is a native of Washington county, Wis., where he was born thirty-one years ago. He was educated at Washington University, St. Louis, Mo., and removed to St. Paul, June 20, 1878, where he was at once admitted to the bar, and has since been actively engaged. He has served as judge advocate general of the State militia, and as counsel for several corporations.

Walter T. Burr is a native of Mt. Vernon, O., and is thirty-four years of age. He was educated at the High School of that place, and afterwards served in the army. He has been assessor of internal revenue for the District of Columbia, and has occupied several other offices under the government. He removed to St. Paul March 15, 1878, and was admitted to the bar the following year. For several years he was municipal judge of the city, serving with ability and credit. He afterwards engaged in private practice. but upon the enlargement of the Municipal Court by the last Legislature he was appointed to the bench of that court, a testimonial to the intelligence and integrity with which he discharged the duties of the position.

Chester A. Congdon is thirty-five years old, and was born at Rochester, [269] N. Y. He attended Elmira Academy, Ovid Seminary, and Syracuse University, and was admitted to the bar at Rochester, October 11, 1877. He came to St. Paul in December, 1879, and served as assistant United States District Court attorney from April 11, 1881, to May 27, 1886.⁶⁹

John Espy was born at Wilkesbarre, Luzerne county, Pa., September 22, 1842, and was educated at New Columbus Academy and Wyoming Seminary, and was graduated at Albany Law School in 1866, where he was admitted to the bar. He removed to Minnesota in December, 1879, and was

⁶⁸ Eugene Alvin Hendrickson died in St. Paul on April 5, 1901, at age forty-seven

⁶⁹ Congdon later moved to Duluth; he died in St. Paul in 1916 at age sixty-three. He is the subject of Roy O. Hoover's *A Lake Superior Lawyer: A Biography of Chester Adgate Congdon* (1997), reviewed by Douglas A. Hedin in *The Hennepin County Lawyer* (MLHP, 2009) (published first, March 2002).

admitted to the bar of this State soon after. A further sketch of his life appears elsewhere in this work.⁷⁰

Frederick G. Ingersoll was born at Irvington-on-Hudson, N. Y., and is thirty-one years of age. He came to St. Paul in June, 1858. He was educated at the University of Michigan, where he was graduated from the Law Department in 1878. He was admitted to the bar of the Supreme Court of Minnesota in October, 1879, and was afterwards a member of the firm of Ingersoll & Ovitt. Having been a citizen of St. Paul from his boyhood Mr. Ingersoll enjoys the advantage of a wide acquaintance, and is universally esteemed.

Eugene F. Lane is forty-four years old, and was born at Kenosh, Wis., and came to Minnesota in 1860. He served during the war as a member of the Ninth Regiment of Minnesota Volunteer Infantry. He afterwards attended Michigan University and was graduated from the law class of 1873 with honor. He was admitted to the bar at Rochester, Minn., in June, 1873, and was, for four years, assistant attorney general of Minnesota, and for several years chief clerk of the judiciary committee of the Senate. In this capacity Mr. Lane has gained valuable experience, and his knowledge of the statutory law of the State is accurate and extensive.

Edward P. Sanborn is a native of Epsom, N. H., and is thirty-three years of age. He was educated at the New England academy and graduated from Dartmouth College in the class of 1876. He removed to St. Paul in September, 1878, and was admitted to the bar October 15, 1879, since which time he has been a member of the firm of J. B. & W. H. Sanborn, contributing his share of knowledge, acumen and ability to the administration of the important and successful business of that firm.⁷¹

John W. Willis is a native of St. Paul; and is thirty-four years of age. He was educated at the State University of Minnesota and was graduated from Dartmouth College. He was admitted to the bar of the Supreme Court October 18, 1879, and at once entered upon a successful and lucrative practice. He has also served with credit and ability as a member of the board of education of the city of St. Paul. Mr. Willis is a profound student, an accomplished scholar and an eloquent and convincing speaker.⁷²

⁷⁰ For Espy's biographical sketch, see pages 109-114.

⁷¹ For his bar memorial, see "Edward Peyson Sanborn (1853-1934)" (MLHP, 2010).

⁷² John Willey Willis ran on the Democratic ticket for attorney general in 1883, losing to incumbent William Hahn. He was elected to the Ramsey County District Court in 1892, barely defeating William D. Cornish. He served until 1899. During his term on the district court, he twice ran for other offices. In 1894, he ran for associate justice of the state supreme court, losing to incumbent Loren W. Collins; and in 1898, he ran for congress in the Fourth Congressional District, losing badly to Frederick C. Stevens. He died on June 2, 1935, at age eighty-three.

William Ely Bramhall is thirty-two years old, and was born at Ithaca, Tompkins county, N. Y. He was educated at the Monticello Academy, and [270] graduated from Cornell University with the degree of C. E. B., and from Columbia Law School when twenty-three years of age. He was admitted to the Supreme Court of New York in May, 1880, and in Minnesota in the fall of that year. He came to St. Paul July 5, 1880, and is now a member of the firm of Cole, Bramhall & Morris, enjoying an extensive and increasing practice. Mr. Bramhall is of genial disposition, but is independent in his views and firm in his adherence to them.

Otto Kueffner was born in Gamsen, Germany, in 1857, he was educated at the St. Louis High School and at Cornell University, and in 1879 was graduated at the St. Louis Law School and was then admitted to the bar in Missouri and afterwards in Illinois. He came to St. Paul in the spring of 1880 and entered the office of Gilman & Clough. Being a proficient German scholar he has had a large clientage among our prominent citizens of that nationality, and is consequently in the enjoyment of a lucrative practice, by no means, however, confined to the interests of his German friends

W. H. Lightner was born at Reading, Pa, and is thirty-two years of age. He was graduated at the University of Michigan in the literary department as a member of the class of 1877. He came to St. Paul in August, 1878, and was admitted to the bar of the Supreme Court at the October term of 1880. After spending some time in the office of Hon. George B. Young he formed a co-partnership with that gentleman which has since continued. Mr. Lightner is a gentleman of high personal character and literary and legal attainments. Naturally of a judicial cast of mind, he is possessed of clear insight, cautious and deliberate judgment, and a thoroughness which leaves no effort untried in the management of business intrusted to his care; his progress has therefore been deserved rapid, and he holds to day an enviable position in his profession. Mr. Lightner his not confined his efforts or proficiency to his profession entirely, but has great versatility, and excels equally in athletic sports and the amenities of social life.

Joseph Kling is a native of New York City, and is thirty-four years of age. He was educated at the Brooklyn College and Polytechnic Institute, and at Columbia College Law School. He was admitted to the bar at Brooklyn in 1875, and came to Minnesota in 1880. He was soon appointed assistant solicitor of the St. Paul, Minneapolis and Manitoba Railroad Company, which position he filled with fidelity for several years, but is now in private practice.

Walter C. Goforth was born at Mount Carmel, Ill., September 13, 1857, and was educated at McKendree College at Lebanon, Ill., where he was graduated with distinction June 14, 1876. He was admitted to the bar at Spring-

field, Ill., December 8, 1879, and came to St. Paul September 14, 1880, where he has since been in practice.

Henry P. Goodenow is a native of St. Paul, and is thirty-one years of age. He was admitted to the bar in March, 1880, and has since been a member of [271] the firm of Williams & Goodenow, which has enjoyed a profitable and growing practice.

Alfred S. Hall is thirty (sic) years old and is a native of Anne Arundel county, Md. He came to Minnesota in 1858, and was educated at the St. Paul High School and was admitted to the bar of the Supreme Court in 1880. He was for several years associate judge of the Municipal Court of this city and afterwards assistant city attorney. Judge Hall is a genial and agreeable companion, attentive to the interests of his clients, and enjoys the esteem of his associates.⁷³

Frederick Nelson is thirty-nine years old and is a native of Kongslena, Sweden, where he attended the College of Skara. He was admitted to the bar at Clinton, Ky., in 1879, and came to Minnesota in 1880. He held the office of special judge of the Municipal Court from 1883 to October, 1885, and upon the death of Justice Hanft in June, 1887, was appointed by the common council his successor, which position he has since held by unanimous election by the people.

Thomas D. O'Brien is a native of Wisconsin and is twenty-nine years of age. He came to Minnesota in May, 1863, and was admitted to the bar of the Supreme Court April 17, 1880. For several years he acted with efficiency as clerk of the Municipal Court, but more recently as assistant corporation attorney of the city of St. Paul. Mr. O'Brien is a fluent and pleasing speaker, a careful student and an upright and conscientious gentleman. He is now practicing his profession in partnership with his brother, Hon. C. D. O'Brien.⁷⁴

⁷³ Alfred S. Hall was born in Maryland in 1856, which would have made him thirty-four years old in 1890. See Warren Upham & Rose Barteau Dunlap, *Minnesota Biographies, 1655-1912* 289 (14 Collections Minn. Hist. Soc., 1912).

⁷⁴ Thomas Dillon O'Brien served on the Minnesota Supreme Court from 1909 to 1911. He was defeated in the November 1910 election, the results of which were:

David F. Simpson (R.).....	135,035
Edwin A. Jaggard (R.) (inc.)	129,536
Thomas D. O'Brien (D.) (inc.)	95,429
Arthur H. Snow (D.).....	66,911

This was a top-two election for terms beginning January 2, 1911. This was the last partisan election.

Decades later, Thomas D. O'Brien wrote an engaging memoir of his firm: *There Were Four of Us or, Was It Five* (St. Paul Dispatch & Pioneer Press, 1936). Only 500 copies were

Maurice F. Propping was born at Germania, Potter county, Pa., in 1859, and attended Real School at Rochester, N. Y., where he was admitted to the bar October 7, 1880, on his twenty-first birthday. He immediately came to Minnesota and practiced his profession for some time in partnership with Jacob Mainzer, but recently as a member of the firm of Propping & Markham. Mr. Propping is energetic and faithful in his practice, which is consequently increasing in extent and importance.

Harry V. Rutherford is thirty-three years of age and was born at Boston, Mass. He attended Trinity College at Hartford, Conn., and was there admitted to the bar in 1878. He removed to St. Paul in July, 1880, where he has since been in practice. Mr. Rutherford is a gentleman of ability and character, urbane in his deportment and zealous and faithful in the cause of his clients.

Hiram F. Stevens was born at St. Albans, Vt., September 11, 1852. He was educated at the University of Vermont and Columbia College Law School. He practiced law at St. Albans until December, 1879, when he removed to St. Paul and was admitted to the courts of this State early the following year. A further sketch appears in another part of this work.⁷⁵

Gebhard Willrich is a native of Hanover, Germany, and is thirty-five years of age. He attended the gymnasium at Aldenberg and at Kiel in Germany [272] and was admitted to the bar in St. Louis, Mo., in 1876. Mr. Willrich removed to St. Paul in 1880, and has since enjoyed a successful and increasing practice. He was elected to the Legislature from St. Paul in 1888.

Daniel A. Dickinson is a native of Vermont, and was born October 28, 1839. He was graduated from Dartmouth College in 1860, and served in the United States navy as assistant paymaster from 1863 to 1865. In 1868 he removed to Minnesota and located at Mankato, where he practiced his profession with increasing success until 1875, when he was elected judge of the Sixth Judicial District, which position he occupied until June 27, 1881, when he was appointed to succeed Judge Cornell as associate justice of the Supreme Court, which position he still holds. Upon his accession to the bench of the Supreme Court he removed to St. Paul where he has since resided. As a *nisi prius* judge, Judge Dickinson was noted for the clearness and impartiality with which he presided, and his elevation to

printed. It is hoped that someday this short memoir can be posted on the MLHP where it can be read, enjoyed and admired by others.

For his memorial proceedings at the supreme court, see "Thomas D. O'Brien" in *Testimony: Remembering Minnesota's Supreme Court Justices* 50-53 (Minnesota Supreme Court Historical Society, 2008).

⁷⁵ For Stevens's biographical sketch, see pages 75-79. He compiled the two volume *History of the Bench and Bar of Minnesota* (Legal Publishing and Engraving Co., 1904), but died before it was published. It will be posted on the MLHP at a later date.

the Supreme Court met with universal approbation His subsequent career has justified these high opinions and no one more thoroughly possesses or deserves the reputation of a wise and honorable jurist.⁷⁶

Hartwig H. Herbst is forty-one years of age, and a native of Posen, Prussia. He was graduated at Chicago High School and Ann Arbor University. Mr. Herbst removed to Minnesota in May, 1870, and to St. Paul in 1879. He was admitted to the bar at Ann Arbor in 1881, and has since given attention to matters pertaining to commercial law

Edwin R. Holcombe was born at Galena, Ill, and is thirty years of age He was educated at the St. Paul High School and afterwards attended the Law Department of Washington University at St. Louis. He returned to Minnesota in 1873 and was admitted before the Supreme Court of the State in 1881, since which time he has been in practice in this city.

Oscar M. Metcalf is forty years of age and was born at Gilson, N. H. He was educated at Dartmouth College and admitted to the bar of Oxford county, Me., December 7, 1876. He removed to St. Paul in October, 1881.

Edward H. Ozmun is a native of Rochester, Minn., and is thirty-one years of age. He was educated at the literary department of Michigan University, and was graduated from the law department of that institution in 1881, after which he came to St. Paul and was admitted to the bar in December of that year. He was soon appointed assistant general counsel of the Northern Pacific Railroad Company, which position he held until April 1, 1885, during this time familiarizing himself with the various branches of railroad law and acquiring an extensive and valuable experience. He has since been in private practice and is rapidly making his mark in the profession.

Howard H. Cleveland was born at Mankato, Minn., June 1, 1859, and died at St. Paul October 14, 1888. He was educated at the Law School of Columbia College, New York City, and at the school of political science, graduating with the degree of LL. B. *cum laude*. He was admitted to the bar at St. Paul [273] July 17, 1882, and at once entered upon a lucrative practice. Mr. Cleveland was a gentleman of clear perception, thorough application and strict integrity, and in his short professional career won the friendship and respect of the bench and bar alike. His untimely death was greatly lamented and his memory will long be deeply cherished by his associates.

Frank Ford is thirty-two years old and was born at Milledgeville, O., and educated at Buchtel College, Akron, O., and at the Law School of the Cincinnati College, where he received his diploma May 31, 1882, and was ad-

⁷⁶ Dickinson served two terms on the court, 1881-1893. He died on February 12, 1902, at age sixty-two. For his bar memorial, see "Daniel A. Dickinson" in *Testimony: Remembering Minnesota's Supreme Court Justices* 96-101 (Minn. Sup. Ct. Hist. Soc., 2008).

mitted to the bar at Columbia June 2d of that year. He removed to St. Paul November 1, 1882, and in 1886 was elected special judge of the Municipal Court of the city of St. Paul, which position he has since held, performing its duties with intelligence and fidelity and a conscientious regard for the rights of all.

Samuel E. Hall is a native of Racine, Wis., and is thirty-two years of age. He was graduated at Racine College in 1877, and attended Columbia College Law School at New York City, and afterwards studied law there for three years. In 1879 he was admitted to the bar of the Supreme Court in that city and practiced there for one year. He removed to St. Paul in October, 1882, and has since been engaged in practice in this city. Mr. Hall is a courteous and upright gentleman, attentive to his duties and faithful to the interests of his clients.

Robertson Howard was born at Washington, D. C., in 1847, and was educated at the University of Virginia and Georgetown College. He began the practice of law in Baltimore, Md., where he continued to reside until 1882, when he removed to St. Paul. He acted as chief editor of the series of national reporters published by the West Publishing Company up the spring of 1887. He has since devoted his entire time to legal practice and the management of important interests committed to his charge.

Edwin A. Jaggard is twenty-nine years old and was born at Altoona, Pa. He was educated at Dickinson College and at the University of Pennsylvania, and was admitted to the bar in Philadelphia in June, 1882. He came to St. Paul in November of that year and has since been in the enjoyment of a lucrative and increasing practice. Mr. Jaggard is proficient in athletic sports and is a leader in social circles. He is a gentleman of high character and urbane deportment and is consequently a general favorite.⁷⁷

Charles G. Lawrence is a native of Homer, N. Y., where he was born thirty-four years ago. He afterwards lived at Nashville, Tenn., and at St. Albans, Vt., where he occupied a responsible financial position and began the study of law, which he pursued at the law department of the Michigan University, where he was admitted to the bar in December, 1881, and removed to St. Paul in April of the following year. He is now a member of the firm of Warner & Lawrence. Mr. Lawrence is a thorough and accurate lawyer and deserves the confidence and success which he enjoys. [274]

⁷⁷ Jaggard served on the supreme court from 1905 to death on February 13, 1911. For his bar memorial, see "Edwin S. Jaggard" in *Testimony: Remembering Minnesota's Supreme Court Justices 192-200* (Minn. Sup. Ct. Hist. Soc., 2008). See also, "Two Tributes to Justice Jaggard" (MLHP, 2011) (published first 1911). For the *Great American Lawyers* series, he contributed "William Mitchell" (MLHP, 2008) (published first, 1909).

Samuel M. Magoffin is a native of Harrodsburg, Ky., where he was born twenty-nine years ago. He attended Center College at Danville, Ky., graduating in the class of 1878. He was admitted to the bar of that State September 18, 1879, and came to St. Paul in June of the following year, where he was admitted to the bar of Minnesota February 18, 1882.

Ralston J. Markoe was born in Waukesha county, Wis., and is thirty-three years of age. He was educated at St. Johns College, Stearns county, Minn., and at Petit Seminaire du Meximieux, France. He was admitted to the bar of the Supreme Court of Minnesota, October 13, 1882, and to the United States Courts two years later. For a time he held important positions under the United States government and was prominent in the Minnesota National Guard, having organized and commanded the troop of cavalry belonging to that organization. He is now in the active practice of his profession.

Timothy R. Palmer was born at Harpersville, Broome county, N. Y., and is thirty-one years old. He received an academic education, and was admitted to the bar at Buffalo, N.Y. He removed to Minnesota in the spring of 1882, and has since been in active practice in this city, giving special attention to commercial law, in which he has a reputation for thorough and attentive work.

Thomas J. Ryan is a native of Ireland, and is thirty-seven years of age. He attended the public school at Hudson, Wis., and was there admitted to the bar January 11, 1882. For five years he held the position of city treasurer of that city, and came to St. Paul May 1, 1882. He has since devoted himself with success to the practice of criminal law.

David Sanford, jr., is a native of St. Paul, where he was born twenty-seven years ago. He attended the University of Minnesota and the Law Department of the University of Michigan, and was admitted to the bar at St. Paul December 12, 1882. He has since practiced in connection with his father, David Sanford.

William A. Barr is twenty-seven years old and is a native of Brooklyn, N. Y. He attended Columbia Law School and was admitted to the bar at Brooklyn September 12, 1882. He removed to St. Paul June 23, 1883, and has since been in practice here, making a specialty of the law of real property, in which he has become proficient and successful.

Morton Barrows is a native of Reading, Mass., and is thirty-three years old. He was educated at the Phillips Academy, Andover, Mass., Harvard College and the Boston University Law School. He was admitted to the bar of Suffolk county, Mass., in June, 1883, and removed to St. Paul in October of that year. Mr. Barrows is a careful, conscientious student, a courteous and accomplished gentleman and a good lawyer.

Ferdinand Barta was born in Vernon county, Wis., in 1857, and was educated at the High School at LaCrosse, Wis., where he was admitted to the bar in November, 1882. He removed to Minnesota in May, 1883, and has been [275] for several years in the practice of his profession in this city. He is a thorough student, a careful adviser and a gentleman of ability and integrity.⁷⁸

Charles H. Benedict is a native of Buffalo, N. Y., and is thirty-seven years of age. He attended Lehigh University at Bethlehem, Pa., and Hobart College at Geneva, N. Y. He was admitted to the bar in New York in 1876, and in Utah in the same year, where he served as assistant United States district attorney. He came to Minnesota in 1878 and was for some time county attorney of Wabasha county. Since his removal to St. Paul he has been in active practice. Mr. Benedict is a member of the governor's staff, is president of the anti-tariff league of Minnesota, and is active in several charitable and religious organizations.

William C. Bennett was born at Lima, N. Y., and is thirty years old. He was graduated at Syracuse University in the class of 1879, and admitted to the bar at Buffalo, N. Y., in June, 1883. He removed to Minnesota in July following and has since been in practice in connection with the care and management of important real estate interests with which he has become familiar.

William M. Carson is a native of Baltimore, Md., and is thirty-six years of age. He attended the College of New Jersey, the law school of the University of Maryland and Johns Hopkins University of Baltimore. He was admitted to the bar at Baltimore in May, 1876, and removed to Minnesota in April, 1883.

Simon P. Crosby is thirty years old, and was born at Dexter, Penobscot county, Me. He was graduated at the Maine State College at Orono in 1879, and was admitted to the bar at Bangor May 3, 1883. He immediately came to St. Paul and has been engaged in active and successful practice since.

Charles Davison is a native of Davenport, Ia., and is thirty-one years of age. He was educated at Knox College, Galesburgh, Ill., and at Albany Law School, where he was admitted to the bar in May, 1879. He came to St. Paul in October, 1883, and has since practiced his profession here as a member of the firm of Berryhill & Davison.

Thomas T. Fautleroy was born at Winchester, Frederick county, Va., in 1862, and was educated at the University of Virginia. He was admitted to the bar of that State October 8, 1883, and immediately removed to St. Paul.

⁷⁸ Barta died on July 22, 1928, at age seventy. For a biographical sketch, see "Ferdinand Barta (1857-1928)" (MLHP, 2013).

Mr. Fauntleroy is a courteous and accomplished gentleman, attentive to the interests of his clients and diligent and efficient in his practice. He is a careful student, a ready and impressive speaker, and a gentleman of firm and upright character.

William Foulke is a native of Morgan county, Ohio, and was educated at Mount Pleasant, O., and West Chester. Pa. He was admitted to the bar at McConnelsville, O., September 8, 1868. He served as mayor and municipal judge of Malta College, Ohio, and as prosecuting attorney of Morgan county for two terms. Mr. Foulke removed to St. Paul June 1, 1883, where he has since resided and been engaged in the management of important interests. [276]

J. F. George was born at Carmel, Hamilton county, Md., in 1858, and was graduated at Asbury University (now Du. Pau University) with the degree of A.M. in 1881. He was admitted to the bar at Noblesville, Hamilton county, Md., in 1882, and removed to St. Paul the following year. He is an energetic and successful practitioner and a genial and accomplished gentleman.

William George is a native of Baltimore, Md., and was educated at the academy and Law School of the University of Virginia and the Law School of the University of Maryland. He was admitted to the bar in Baltimore and removed to St. Paul in October, 1883.

Louis M. Hastings was born at Baltimore, Md., in 1855, and was graduated at the head of his class in 1871 at Loyola College (the Jesuit University in that city) and was a law student at the University of Maryland, where he was admitted to the bar in 1882. He removed to St. Paul in January, 1883, where he has since been in practice. He is the author of a work known as "Hastings's Minnesota Citations," which is a reference manual of the State reports.

John H. Ives is a native of Burlington, Ia., and is thirty-four years of age. He was admitted to the bar at Hudson, Wis., in 1875, and occupied the position of district attorney of Barron county in that State. He removed to St. Paul in 1883 and has successfully conducted his practice in this city, devoting himself largely to the criminal branch of the profession. He was elected to the Legislature from St. Paul in 1888.

J. Bailey Jett is fifty-six years old and was born in Westmoreland county, Va., where he attended Rappahannock Military Institute and William and Mary College. He was admitted to the bar of his native county in 1857, and served as a representative in the Legislature of Virginia in 1860 and 1861, and for four years as judge of the county courts of the district of King

George and Stafford, and for eight years as State's attorney for Stafford county. He removed to St. Paul in the spring of 1883.⁷⁹

F. S. Kirkpatrick is twenty-seven years of age and was born at Lynchburg, Va. He attended Washington and Lee University at Lexington and the University of Virginia. He was admitted to the bar at Lynchburgh in 1883, and came to St. Paul the same year. He is now engaged in practice in partnership with Judge Alfred S. Hall.

John P. Knowles is a native of Providence, R. I., and is twenty-nine years of age. He was graduated at Brown University, in the class of 1880, and was a student at the University of Michigan Law School, and at the law school of the Boston University, where he was graduated in the class of 1883. He was admitted to the bar at Rhode Island, July 22, 1882, and came to St. Paul July 2, 1883, where he was admitted to the bar of Minnesota October 19th of that year.

H. C. McCarthy was born in the State of New York in 1846, and was educated at Lowville Academy, in that State. He was admitted to the bar at Syracuse in 1869, and removed to St. Paul in 1883. [277]

Marcus D. Munn is thirty years old, and was born at Southington, Conn., and was graduated at Yale College in 1881, where he remained two years as a tutor in the scientific department. He was admitted to the bar at New Haven, Conn., and removed to St. Paul in 1883. He has acted for several years as assistant county attorney with great ability and advantage to the public. Mr. Munn is a thoroughly equipped lawyer, honest and independent in thought and action, a forcible speaker, and influential with court and jury. His record gives promise of increasing influence and usefulness.

Samuel Morrison is a native of St. Paul, where he was born April 15, 1858. He was educated at the grammar and high schools of the city and at the Institute of St. Paul in New York City. He studied law in the office of Hon. C. K. Davis, and was admitted before the Supreme Court at St. Paul, April 17, 1882. He was elected at the last State election judge of Probate of Ramsey county for the ensuing term. A full sketch of his life appears in another part of this work.

John W. Pinch is a native of Cornwall county, England, where he was born in 1849. He attended Ripon College and Columbia Law School at New York City. He was admitted to the bar at Fond du Lac, Wis., in 1877, and at Escanaba, Mich., the following year. In April, 1883, he came to St. Paul, where he was admitted to the Supreme Court of Minnesota, and has since practiced his profession in partnership with John W. Twohy.

⁷⁹ Jett died in St. Paul on November 23, 1913, aged eighty-one.

Darius F. Reese was born in Fulton county, Ill., and is thirty-two years old. He was educated at Hedding College, Ill., and was admitted to the bar of that State in June, 1880. He removed to St. Paul in June, 1883. Mr. Reese has been specially active in political affairs of the city and State. He is a fluent and impressive speaker, and a general favorite among his acquaintances.⁸⁰

W. J. Romans is thirty years old and was born at Freeport, Harrison county, O. He was educated at Ohio Wesleyan College at Delaware, and Valparaiso College, Md., and was graduated at Cincinnati Law School in 1883, where he was admitted to the bar. He removed to St. Paul in September of that year.

Harris Richardson is thirty years of age, and is a native of Lowell, Wis. He was graduated at Yale College in the class of 1881, and at the Law Department of the State University of Wisconsin, at Madison, in 1883, where he was admitted to the bar in June of that year. He came to Minnesota the following August, and has since practiced his profession as a member of the firm of Kerr & Richardson. Mr. Richardson is an indefatigable student and practitioner, and is possessed of good judgment and clear perception. His cases are thoroughly prepared, and forcibly presented, and as a result he has attained in a short period a leading position at the bar.

John S. Sanborn was born in Coffeerville, Miss., thirty-seven years ago, and was educated at the Phillips Academy at Andover, Mass., and at Yale University in the class of 1871. He was also graduated at the law department of the University of Cincinnati, in the class of 1873, and was there admitted to the bar in April of that year. He removed to St. Paul in October, 1883.

James Schoonmaker is thirty-one years of age, and was born at Woodbourne, N. Y. He attended Alfred University, at Alfred Center, N. Y., and the law school at Madison, Wis., where he was admitted to the bar June 20, 1883. He located at St. Paul August 6th of that year, and is now special judge of the Municipal Court of St. Paul.

Benjamin J. Shipman is thirty-five years of age, and was born at East Had-dam, Conn. He was graduated at Yale Law School, in the class of 1876, and admitted to the bar at New Haven in June of that year. He came to St. Paul in December, 1883, where he has since been in practice. Mr. Shipman occupies the position of Master in Chancery in the United States Circuit Court, and Commissioner in Admiralty of the United States District Court of

⁸⁰ Darius Franklin Reese served as Clerk of the Minnesota Supreme Court, 1895-1903.

this State, the duties of which he has discharged with ability and satisfaction.

Richard A. Walsh is a native of St. Paul, where he was born twenty-six years ago, and was educated in its public and high schools. He studied law in the office of Colonel C. D. Kerr, now one of the judges of the District Court, and was admitted to the bar of the Supreme Court October 12, 1883.

Henry B. Wenzell was born in Massachusetts, and is thirty-five years of age. He was graduated at Harvard College, with the degree of A. B. in 1875, and from Harvard Law School, with the degree of L.L.B. in 1882. He came to St. Paul the same year, and was here admitted to the bar in 1883. Mr. Wenzell is a gentleman of refined and cultivated tastes and scholarly acquirements.⁸¹

David D. Williams was born at Norwalk, O., and is thirty-one years old. He was admitted to the Supreme Court of that State at Columbus, in May, 1883, and came to Minnesota the following July.

Frederick M. Catlin is a native of Erie, Pa., and is twenty-eight years old. He was graduated from Cornell University in June, 1882, with the degree of A.B., and was admitted to the bar at Erie, in January, 1884. He removed to St. Paul May 3d of that year, where he has since been in active practice.

Frank E. Chipman is twenty-seven years old, and was born at Beverly, Essex county, Mass., where he attended the High School, and afterwards the Massachusetts Agricultural College. He came to St. Paul in November, 1882, and was admitted to the bar March 24, 1884. He is at present commissioner for the United States Court of Claims, and is a careful and exact practitioner, and a courteous and reliable gentleman.

Henry B. Farwell was born in the township of Ridott, Stephenson county, Ill., and is forty-three years of age. He was educated at Lombard University, at Galesburgh, Ill., and at Michigan University, at Ann Arbor, Mich., and the law school of that institution. He practiced for ten years at Rockford, Ill., filling the position of justice of the peace and municipal judge. He removed [279] to St. Paul October 1, 1883, and was soon after admitted to the bar of this State, where he has since been in diligent and lucrative practice.

Emerson Hadley is a native of Marion, Mass., and is thirty years of age. He attended Phillips Academy at Andover, Mass., and was graduated at Harvard University in the class of 1881, and afterwards at Columbia University Law School in New York City, where he was admitted to the bar in 1884, and immediately came to Minnesota. He is now a member of the firm of

⁸¹ Henry Burleigh Wenzell was Reporter of the Supreme Court from 1895 to 1931. He died in Washington County on October 23, 1936, aged eighty-three.

Rogers, Hadley & Selmes, and is an able and industrious lawyer and an estimable gentleman.

Walter Holcomb is thirty-four years of age and a native of Hartford, Conn.; he was graduated in the class of 1877 of Yale Sheffield Scientific School and admitted to the bar at Litchfield in August, 1881. He came to St. Paul in 1884, and is engaged in a successful practice.

Oscar E. Holman was born at Allentown, Pa., and is thirty-five years of age. He attended Muhlenburg College in that State, where he was graduated in 1874, and admitted to the bar in April, 1876. He removed to St. Paul in March, 1884, and has since pursued his profession with diligence and advantage to himself and his clients. At the last election for that office he was chosen corporation attorney of the city of St. Paul.

James J. McCafferty is thirty-four years old and was born at Lowell, Mass. He attended the Holy Cross College at Worcester in that State, and Boston University Law School. He was admitted to the bar at Worcester in October, 1873, and was afterwards a member of the board of education and of the Massachusetts Legislature. He removed to St. Paul in June, 1884, where he has since been in practice. He has been for several years United States commissioner for the district of Minnesota, in which position he has displayed aptitude and ability.

Elmer E. McDonald is a native of New Richmond, Wis., and was admitted to the bar of Dane county June 22, 1883. He removed to St. Paul June 10, 1884, where he has since resided. Mr. McDonald has become prominent in local political matters, and wields a marked influence in that direction.

Cholwell Knox was born at Rinebeck, N. Y., and is forty-nine years old. He attended the University of Michigan and was admitted to the bar at Ann Arbor in March, 1863. He resided for several years at Niles in that State, having been mayor of the city and holding other important positions. He removed to St. Paul in January, 1884.

Dan W. Lawler is a native of Prairie Du Chien, Wis., where he was born in 1859. He attended Georgetown College at Washington, D. C., and Yale Law School at New Haven, Conn., where he was admitted to the bar in 1883. Mr. Lawler removed to St. Paul in 1864, and was appointed assistant United States district attorney for Minnesota in January, 1886, which office he held until June, 1888, when the pressure of his private practice necessitated his res-[280]-ignation. He is an eloquent and impressive speaker and proficient in his profession.⁸²

⁸² Lawler died on September 15, 1926, aged sixty-seven.

James W. Lusk was born at Cherry Valley in the State of New York, and is forty-seven years old. He was admitted to the bar of the Supreme Court of Wisconsin in 1864, and was for some time county judge of Sauk county in that State. He removed to St. Paul in August, 1884, and is now the senior member of the firm of Lusk & Bunn. Judge Lusk has long been regarded as an able and influential lawyer, particularly in the management of railroad and insurance cases.

Robert T. Quisenberry is thirty-four years of age and is a native of Carlisle, Nicholas county, Ky. He was educated at Center College at Danville, in that State, and at the University of Virginia. He was admitted to the bar at Danville in 1880, and came to St. Paul in December, 1884

Bishop H. Schriber is a native of Cleveland, O., and is twenty-five years of age. He was admitted to the bar of the Supreme Court of Michigan March 21, 1884, and arrived in St. Paul April 9th of that year. Mr. Schriber is one of the most active and successful of the younger practitioners.

Cordenio A. Severance was born at Mantorville, Minn., in 1862. He was educated at Carlton College and admitted to the bar in June, 1883, at Mantorville. He removed to St. Paul the following year, and is now a member of the firm of Davis, Kellogg & Severance. Mr. Severance enjoys a wide acquaintance among public men of the State and is industrious and sagacious.⁸³

Frederick. C. Stevens was born at Boston, Mass., January 1, 1861; was graduated from Rockland High School, Rockland, Me., in 1877; from Bowdoin College, Brunswick, Me., in 1881 ; read law with Hon. A. W. Paine, of Bangor, Me., and was graduated from the law department of the University of Iowa in 1884, after which he came to St Paul. Mr. Stevens was elected to the House of Representatives from St. Paul in 1888, in which he held an influential position.

John Twohy, Jr., is a native of Copper Harbor, Keweenaw county, Mich., and is thirty-four years of age. He was admitted to the bar at L'Anse, Baraga county, Mich., in 1882. He was county clerk of Keweenaw county from January 1, 1879, until December 31, 1882, and prosecuting attorney of the same county for the term commencing January 1, 1883. He arrived in St. Paul in October, 1884.

⁸³ Severance (1862-1925) was president of the Minnesota State Bar Association in 1911, and president of the American Bar Association in 1921-1922. For a sketch of him in a collection of portraits of the presidents of the ABA, see James Grafton Rogers, "Cordenio Arnold Severance," (MLHP, 2008) (published first, 1932). He died in California in May 1925, aged sixty-two.

William G. White was born at South Hadley, Mass., and is thirty-four years of age. He was graduated from Harvard Law School in 1875, and admitted to the bar at Springfield, Mass, the following year. He came to St. Paul May 10, 1884, and soon became actively engaged in practice, which he has pursued with success.

Henry L. Williams was born in Boston, Mass., in 1857, studied at the Free Academy and Baldwin Seminary, at Newburgh, N. V., and took a partial col-[281]-legiate course in New York City; was admitted to the bar in 1878 in New York City, and practiced law there until September, 1884, when he removed to St Paul. He was elected to the Legislature from St Paul in 1888.

Martin H. Albin is thirty-two years of age, and is a native of Frederick county, Va. He attended Randolph Macon College, in that State, and the University of Michigan; was admitted to practice in Virginia in 1884, and immediately came to St. Paul, where he began practice in April, 1885.

Humphrey Barton is a native of McConnellsburg, Fulton county, Pa., and was graduated from Indiana State Normal School of Pennsylvania; admitted to the bar at Bedford, Pa., March 10, 1885, and became a resident of St. Paul the following May.

Charles Bechhoefer is twenty-five years of age, and is a native of Woodbury, Bedford county, Pa. He attended the High School at Altoona, in that State, and the law school of the University of Michigan, at Ann Arbor, where he was admitted to the bar March 12, 1885, and came to St Paul July 4th of the same year.⁸⁴

A. G. Briggs is twenty-five years of age, and was born at Arcadia, Trempealeau county, Wis., and attended the University of Wisconsin; was admitted to the Supreme Court of that State June 22, 1885, and immediately came to St. Paul.⁸⁵

George E. Budd was born at Lockport, N. Y., and is twenty-four years of age. He attended Michigan University where he was admitted to the bar March 8, 1885; he came to St. Paul June 1st of that year.

Charles W. Bunn is a native of Halesville, Wis., and is thirty-four years of age. He attended the State University and Law School of Wisconsin, and was admitted to the Supreme Court of that State at Madison in June, 1875. He was for several years in successful practice at LaCrosse, and came to Minnesota in August, 1885, where his talents and experience at once

⁸⁴ Bechhoefer served on the Ramsey County District Court, 1923-1931. For his bar memorial see, "Judge Charles Bechhoefer (1864-1932)" (MLHP, 2010).

⁸⁵ Asa M. Briggs died on August 31, 1945, aged eighty-two.

secured him a leading position at the bar. Mr. Bunn is a close and accurate pleader, safe and conscientious adviser, and a clear and cogent advocate.

William F. Carroll was born in Cincinnati, O., and is thirty years of age. He was admitted to the bar in 1879 at Chicago, and came to St. Paul December, 1885.

Walter L. Chapin was born January 27, 1863, at Boston, Mass., but came to St. Paul in 1869. He was educated in the public and high schools. He studied law in the office of McMillan & Beals, and was admitted to the bar at St. Paul in February, 1885.

Frank W. M. Cutcheon was born at Dexter, Mich., and educated at the university of that State where he was admitted to the bar in 1884, and removed to St. Paul in the following year. He is now a member of the firm of Flandrau, Squires & Cutcheon, and an active, intelligent and successful practitioner.

W. G. DeCelle is twenty-nine years of age and is a native of Shoreham, [282] Vt., and was a graduate of the University of Vermont, in the class of 1881 was admitted to the Supreme Court of that State at Montpelier, in October, 1884, and came to St. Paul the following spring.

Winslow W. Dunn is twenty-six years of age, and was born at White Bear Lake, Minn. He attended the common schools of this State and Indiana, and was admitted to the Supreme Court of Minnesota in October, 1885.

Edmund S. Durment is a native of Indiana, and is twenty-eight years of age. He was educated at the Missouri School of Mines and Metalurgy, at Rollo, Mo., at Drury College, at Springfield, Mo., and at the law school of Columbian University, Washington, D. C. He removed to Minnesota in August, 1885, and was admitted to the bar of the Supreme Court in October of that year. He is a member of the firm of Lawler & Durment.⁸⁶

Cornelius H. Fautleroy is twenty-eight years old, and was born in Winchester, Va. He attended the Shenandoah Valley Academy from 1869 to 1876, and entered the University of Virginia the following year. He was assistant professor of Greek there from 1881 to 1885, and was graduated in 1884, and admitted to practice before the Supreme Court of Virginia, at Richmond, July 15, 1885, and came to St. Paul the following November.

Hartwell P. Heath is thirty-two years old, and a native of Richmond, Va. He attended the University of Virginia and Columbian University Law School, of the District of Columbia, where he was admitted to the bar January 8, 1878.

⁸⁶ Durment died on November 29, 1916, aged fifty-six.

While in Washington Mr. Heath was assistant United States Counsel of the French and American Claims Commission, and assistant attorney of the department of justice. He removed to St. Paul in the fall of 1885.

Jared S. How is thirty years of age, and was born at Haverhill, Mass. He attended Highland Military Academy, Exeter (Phillips Academy), Harvard College and Harvard Law School. He arrived in St. Paul August 13, 1883, and was admitted to the bar of the Supreme Court in April, 1885. He is a member of the firm of Eller & How, and contributes his share to the large and successful practice of that firm.⁸⁷

Henry Johns is thirty years old, and was born at Johnstown, N. Y. He came to Minnesota in 1867, and was admitted to the bar at Washington, D. C., June 16, 1879. After a few years spent in practice at Red Wing, Mr. Johns removed to St. Paul in 1885. He is an energetic and successful practitioner, and in the local political field has few superiors in organizing and conducting successful campaigns.

Leavitt K. Merrill is a native of St. Paul, where he was born twenty-seven years ago. He attended Brown University, Providence, R. I., and the University of Michigan, at Ann Arbor, and Yale Law School, at New Haven, Conn. He was admitted to the bar in July, 1885, at St. Paul, and has since given constant attention to a large and increasing practice.

Owen Morris is thirty years old, and was born at Llanddaniel, Anglesea, [283] Wales, and came to Minnesota in 1869, and was graduated from Carlton College, Northfield, in the class of 1881. He served as a member of the House of Representatives of the Minnesota Legislature in 1883, and was admitted to the Supreme Court October 16, 1885, and is now a member of the prominent firm of Cole, Bramhall & Morris.

Grier M. Orr is thirty-two years old, and is a native of Pike Furnace, Clarion county, Pa. He was graduated at Heidelberg College, Tiffin, O., in the class of 1878, and admitted to the bar at Columbus in that State, June 1, 1883, upon graduating from the Cincinnati Law School. He came to St. Paul January 1, 1885, and is now actively engaged in practice.⁸⁸

Cornelius B. Palmer is forty-eight years of age, and a native of New York City. He attended Claverack College and Albany Law School, and was admitted to the bar at Poughkeepsie in that State July 10, 1861; he served for some time as deputy and acting collector of internal revenue of the

⁸⁷ How died in California on June 1, 1928, aged seventy.

⁸⁸ Orr (1850-1939) served as Judge of the Municipal Court in St. Paul, 1895-1903; and Judge of the Second Judicial District, 1903-1930. He was the first judge of the Juvenile Court in Ramsey County.

tenth collection district of New York. Mr. Palmer came to St. Paul in June, 1885.⁸⁹

S. G. L. Roberts is twenty-eight years old, and was born at Dover, Del., but removed to Maryland in 1864. He attended private schools in Baltimore, and the Baltimore City College and the Columbian University of Law in Washington for three years, studying in the office of Hon. A. G. Riddle, attorney for the District of Columbia. He was there admitted to the bar in 1883, and came to St. Paul in 1885.

Otto K. Sauer is twenty-five years old, and is a native of St. Paul. He attended Michigan University at Ann Arbor, and was admitted to the bar at St. Paul in July, 1885. His wide acquaintance has brought him a profitable clientage.

John E. Stryker is twenty-six years of age, and was born at Catskill, N. Y. He is a graduate of Philips Academy, Yale College and Columbia Law School, and studied at the University of Berlin one semester. He came to Minnesota in 1885, and was admitted to the bar at St. Paul July 6th of that year.⁹⁰

Oscar A. Turner is twenty-eight years old, and is a native of Salisbury, Md., and was admitted to the bar at Baltimore in June, 1885, and came to St. Paul the following month.

C. W. Withee is a native of Greenville, Me., where he was born in 1857. He attended the Maine State Seminary and the Nichols Latin School of Lewiston, and was admitted to the bar at Houlton, Me., in 1880. He has served as justice of the peace and in other official capacities. He came to St. Paul in April, 1885.⁹¹

Wade Hampton Yardley is twenty-six years old, and was born at Lock Haven, Pa., where he attended the Central State Normal School; he also studied at the University of Pennsylvania Law School, and was admitted to the bar in Philadelphia July 11, 1835, and removed to St. Paul in October of that year. He has been actively engaged in athletic sports, but not to the neglect of his practice.⁹² [284]

Charles N. Akers is thirty-eight years old, and was born at Jacksonville, Ill. He came to Minnesota in October, 1859, and afterwards attended the

⁸⁹ Palmer died on June 2, 1924, in Lake of the Woods County, Minnesota.

⁹⁰ Stryker (1862-1940) wrote "William Mitchell," a sketch of the jurist published in Hiram F. Stevens, 1 *History of the Bench and Bar of Minnesota* 65-71 (1904); it is posted separately on the MLHP.

⁹¹ Charles W. Withee died in St. Paul on December 13, 1911, aged sixty-three. In Stevens's chapter, his name is "C. W. G. Withee." However, his death certificate does not have a "G" and it has been omitted here. See Death Certificate 1911 MN 22205.

⁹² For his bar memorial, see "Wade Hampton Yardley (1861-1934)" (MLHP, 2011).

University of Wisconsin. He was admitted to the bar in 1876, at Red Wing, Minn., and served as county attorney of Goodhue county, and as alderman of the city of Red Wing prior to his removal to St. Paul, which occurred in 1886.

Richard K. Boney is twenty-nine years old and was born at Madison Parish, La. He attended Mississippi College, Virginia Military Institute, the University of Virginia, and the Law School of the University of Louisiana, where he was admitted to the bar in 1880, and arrived in St. Paul in 1886.

Charles P. Brown is a native of Lynn, Mass., and is fifty-three years of age. He attended Brown University at Providence, R. I., and was admitted to the bar in Michigan in 1861, he came to St Paul in December, 1886.

Charles Butts is thirty-one years of age and was born at Plainview, Minn. He attended the University of Minnesota, and was admitted to the bar at Winona in March, 1879, having studied law in the office of Hon Thomas Wilson, of that city

Leon T. Chamberlin is twenty-six years old and was born at Clyde, Wayne county, N Y, and came to Minnesota April 17, 1864, and was graduated at the University of Minnesota in 1884, studied law at the St Louis Law School, and was admitted to the bar in February, 1885. He arrived in St Paul in 1886.

Lyman S. Cotton is fifty-six years of age and was born at Truxton, Cortland county, N. Y. He was educated at Richfield Academy, Western Reserve College, and at the Law School in Paris, France. He was admitted to the bar at Cincinnati, O., in 1870, and removed to St Paul in 1886.

Marcellus L. Countryman is a native of Hastings, Minn., and is twenty-six years of age. He attended the Law Department of Washington University in the post-graduate course, and was admitted to the bar at Hastings in 1885. He removed to St. Paul in 1886.

Jay P. Davis was born December 25, 1859, at Biddeford, Me., where he attended the High School, Chauncey Hall High School at Boston, and Harvard College. He removed to Minnesota in the fall of 1879, and for several years filled a responsible railroad position. He was admitted to the bar at St. Paul January 27, 1886, and is at present deputy clerk of the District Court.

Leonard J. Dobner is a native of Lake City, Minn., and is twenty-six years of age. He is a graduate of Hamline University, and was admitted to the bar of St. Paul in 1886. He has been a useful and influential member of the board of education of the city of St. Paul.

Phillip Gilbert is twenty-eight years old, and was born at Coldwater, Branch county, Mich. He attended the Law Department of the University of Michigan at Ann Arbor, where he was admitted to the bar March 12, 1885, and removed to St. Paul May 10th of the following year. [285]

Alfred E. Hawes is forty-one years of age and was born at Columbus, Wis. He was graduated from the Law Department of the University of Michigan in the class of 1870, and soon after formed a co-partnership for the practice of law with Congressman Chipman and Judge Dewey at Detroit, Mich., where he remained until 1886, having been admitted to the bar of Michigan at Detroit in April, 1870. He removed to Minnesota in January, 1886, and is now the senior member of the firm of Hawes, Lomen & Scofield, whose practice is lucrative and extensive.

Joseph M. Hawthorne was born at Hemmingford, Province of Quebec, Canada, and is twenty-eight years old. He was educated at Hatby Academy in the Province of Quebec, and at the University of Wisconsin at Madison. He was chief clerk of the United States Land Office at St. Croix Falls from May, 1880 to May, 1884. In the winter of 1885 he was one of the clerks in the Wisconsin Assembly at Madison, where he was admitted to the bar in June, 1886. He removed to St. Paul in August of the same year.

Sylvester Kipp is forty-three years of age and is a native of Bovina, Delaware county, N. Y. He attended Delaware Academy at Delaware in that State, and was admitted to the bar at Binghamton in May, 1868. He removed to Minnesota the following August and settled at Henderson, in Sibley county, where he was for twelve years county attorney. In 1886 he removed to St. Paul.

Orrin Kipp is forty years old and was born at Bovina, N. Y. He attended the academy at Deposit, N. Y., and came to Minnesota in February, 1869. He was admitted to the bar at Henderson in 1874, and removed to St. Paul in 1886.

John H. Knox was born at Watertown, N. Y., in August, 1847, and was graduated in 1868 from Hamilton College in that State. He was admitted to the bar at Utica in 1869, and arrived in St. Paul in 1886.

George W. Lewis is a native of Red Wing, Minn., and is thirty-one years old. He was educated at the University of Minnesota and admitted to the bar at Millbank, Dak., in 1884. He arrived at St. Paul in 1886.

Putnam W. Locke was born at Dana, Mass., and is forty years of age. He was educated at New Salem Academy, and admitted to the bar at Cambridge in December, 1870. He removed to St. Paul in November, 1886.

Mr. Locke is a thorough and successful advocate, and is attentive and faithful to the interests of his clients.

Gudbrand J. Lomen is thirty-four years old and was born at Wasburn, near Decorah, La. He attended the Norwegian Luthern College and was admitted to the bar at Iowa City in June, 1875. He came to Minnesota in January, 1876, and was clerk of the District Court of Houston county from 1878 to 1886, removing to St. Paul in the latter year, and is now a member of the firm of Hawes, Lomen & Scofield. [286]

James E. Markham was born July 21, 1857, at Rochester, N. Y., where he attended the public schools of the city. He was also educated at Genesee Valley Seminary, Belfast, N. Y., and admitted to the bar at Buffalo, June 13, 1879. He removed to St. Paul May 1, 1886, where he has practiced with deserved success.

Charles B. Marvin is twenty-nine years of age and was born at Burlington, Vt. He attended Columbia College, New York, and was admitted to the bar of Hampshire county, Mass., in 1883, and removed to St. Paul in November, 1886.

Elmer D. Matts is twenty-five years of age and was born at Paoli, Dane county, Wis. He attended the High School at Madison and was graduated at the University of Wisconsin in that city, where he was admitted to the bar in June, 1886. He removed to St. Paul the following month where he has been since in practice. Mr. Matts is a gentleman of high character and is a fluent and impressive speaker.

E. Howard Morphy is thirty-one years of age and is a native of Brantford, Province of Ontario, Canada. He was educated at Osgoode Hall, Toronto, and there admitted to the bar in May, 1880. In 1882 Mr. Morphy removed to Winnepeg, and was for four years successfully engaged in practice there. He arrived in St. Paul in July, 1886. In addition to his large and increasing practice, Mr. Morphy holds the position of British vice-consul.⁹³

Ernest Schroder is forty-one years old and is a native of Bremen, Germany. He attended the University of Gottingen and was admitted to the bar in Bremen in 1871. He removed to St. Paul in October, 1886.

Ambrose Tighe is twenty-nine years of age and is a native of Brooklyn, N. Y. He is a graduate of Yale College, attended the law school there and Columbia Law School, N. Y., where he was admitted to the bar in 1880. He removed to St. Paul in 1886, and has practiced here successfully since. He

⁹³ For his bar memorial, see "Edward Howard Morphy (1856-1934)" (MLHP, 2011).

is recognized as an able and conscientious lawyer, and a gentleman of literary and artistic acquirements and tastes.⁹⁴

Allen P. Weld was born at North Yarmouth, Me., and is forty-nine years old. He attended Dartmouth College and the Law School at Albany, N. V., where he was admitted to the bar in 1867. He removed to St. Paul in 1886.

Henry C. Wood was born October 3, 1863, at Philadelphia, Pa. He was educated at Union College, Schenectady, N. Y., where he received the degree of A.B. in 1883, and received the degree of L.L. B. from Columbia Law School in 1886. He was admitted to the bar at Washington, D. C., June 21, 1886. He at once removed to St. Paul, where he has filled the position of assistant United States district attorney.

Frederick W. Zollman is twenty-eight years of age and was born at Le Sueur, Minn. He was educated at the common schools at St. Paul and at the Northwestern College at Naperville, Ill., where he was graduated June 15, 1881, and was admitted to the bar at St. Paul November 11, 1886.⁹⁵ [287]

W. Almont Gates is thirty-four years old and was born at Middlefield, O. He was graduated from Oberlin College in 1878, where he received the degree of A.M. in 1882. He was admitted to the bar at Columbus in 1881, and came to Minnesota the same year. He has been village attorney of Sauk Center in this State, and in 1887 removed to St. Paul, where he is now a member of the firm of Tyler & Gates.

Edward B. Graves was born at Rutland, Vt., and is twenty-eight years of age. He was educated at Yale College and Law School, and admitted to the bar at New Haven in June, 1884. He came to St. Paul in September, 1887.⁹⁶

Adam C. Hickman was born at Wellsville, O., and is fifty-one years old. He was graduated at Allegany College, Meadville, Pa., and at Ohio State and Union Law College at Cleveland, O. In July, 1863, he was admitted to the bar at Akron, O., and removed to Minnesota in October of the following year. He was for several years in successful practice at Owatonna, Minn., where he served as superintendent of public schools of the county and as judge of Probate, and State senator. He is a director of the State Normal School and a trustee of Hamline University and of Pillsbury Academy. Mr. Hickman removed to St. Paul in 1887.⁹⁷

⁹⁴ Tighe, born May 8, 1859, died in St. Paul on November 11, 1928, aged sixty-nine.

⁹⁵ For his bar memorial, see "Frederick William Zollman (1860-1933)" (MLHP, 2011).

⁹⁶ Edward Graves died on December 2, 1930, at age seventy-one.

⁹⁷ Adam Clark Hickman (1839-1920) was probate judge of Owatonna, 1869-72, and later practiced law in St. Paul for many years. He was Professor of Pleading and Practice at the University of Minnesota College of Law, 1896-1913.

Robert C. Hine is twenty-nine years old and was born at Stamford, Conn. He was educated at Yale College and Columbia Law School of New York City, where he was admitted to the bar in March, 1883. He arrived at St. Paul in July, 1887.

James M. Hutchinson is twenty-four years old and is a native of Madison, Wis., where he attended the University of Wisconsin. He also studied at Columbia College, New York City, and at the University of Heidelberg in Berlin. He was admitted to the bar of Wisconsin June 23, 1887, and arrived at St. Paul September 9, of the same year.

William H. Bliss was born October, 1844, at Western Reserve, O. Engaged in business pursuits from the age of seventeen to twenty-four. Studied law in St. Joseph, Mo., from 1868 to 1871 under his father, then one of the Supreme judges of the State. He was admitted to the bar September, 1871, and settled in St. Louis to practice law. He was appointed assistant United States attorney November, 1872, and made district attorney July, 1876, which office he held until January, 1887, when he tendered his resignation and resumed general practice in St. Louis and Washington, D. C. Desiring a change of climate, he fixed upon St. Paul as his future permanent home, and came to this city where he was soon afterwards appointed attorney for the St. Paul and Duluth Railroad Company, and has also a connection with the Northern Pacific as associate counsel impending litigation.

John E. Jaques was born at Dubuque, Ia., and is twenty-seven years old. He attended Epworth Seminary in that State and was admitted to the bar of Sully county, Dak., and removed to St. Paul October 1, 1887. [288]

Frank B. Kellogg was born at Potsdam, St. Lawrence county, N. Y., December 22, 1856, and removed to Minnesota in October, 1865. He received a common school education and studied law at Rochester, Minn., where he was admitted to the bar in December, 1877. He was for three years city attorney of Rochester and for five years county attorney of Olmsted county. He removed to St. Paul in 1887 and became a member of the firm of Davis, Kellogg & Severance, whose practice is of great extent and importance.⁹⁸

Robert J. Knox is thirty-one years old and was born at Rome, Oneida county, N. Y. He attended Hamilton College at Clinton, N. Y., and Columbia College Law School at New York City. While a resident of Elmira, N. Y., he

⁹⁸ Kellogg (1856-1937) was a prominent St. Paul lawyer, confidant of President Theodore Roosevelt, one term U. S. Senator, 1917-1923, Secretary of State, 1925 -1929, recipient of the Noble Peace Prize in 1929, and member of the World Court, 1930-1935. He was also president of the American Bar Association in 1921-1922. For a sketch of him in a collection of portraits of the presidents of the ABA, see James Grafton Rogers, "Frank Billings Kellogg," (MLHP, 2008) (published first, 1932). For a different view, see Roger G. Kennedy, "Frank Billings Kellogg" (MLHP, 2008-2011) (published first, 1969). See also, "Frank Kellogg and the Roosevelt-Taft Break" (MLHP, 2015)(published first, 1912).

was admitted to the bar at Ithaca in May, 1882, and in March, 1887, arrived at St. Paul.

Charles M. MacLaren is thirty-nine years of age and is a native of Pittsburgh, Pa. He attended the military department of Michigan University and was admitted to the bar in 1871 at Grand Rapids in that State. He came to St. Paul in 1887.

William H. R. McMartin was born at Durham, in the province of Quebec, and is thirty-three years of age. He came to Minnesota in the spring of 1858, and was clerk of the District Court of Dodge county from January 1, 1882, until January 1, 1887. He was admitted to the bar at Mantorville, October 12, 1885, and removed to St. Paul in 1887. He has recently been appointed justice of the peace for the Sixth ward of the city.

T. Dwight Merwin is thirty-eight years old, and was born at New Milford, Conn. He attended the Hopkins Grammar School at New Haven, and was graduated from Yale College in 1877. He was admitted to the bar at Hartford in 1879 and served as clerk of the United States Senate Committee on Civil Service and Retrenchment during the Forty-seventh Congress. In October, 1887 he removed to St. Paul and is conducting a practice of magnitude, giving special attention to patent law.

Stanley C. Olmstead was born at Bloomfield, Ontario county, N. Y., and is thirty-four years of age. He attended the academy at his native place and the Genesco State Normal School. He was admitted to the bar April 11, 1880, at Rochester, N. Y., and acted for several years as clerk and counsel of the village of Clifton Springs in that State. He arrived at St. Paul June 21, 1887.

Albert B. Ovitt is thirty-two years old and was born at Fairfield, Franklin county, Vermont. He came to Minnesota in 1868. He attended the University of Minnesota and Law School of Michigan University and Columbia College School of Political Science and History. He was admitted to the bar in 1876 in Minneapolis and has been clerk of the Probate Court of Hennepin county and president of the Young Men's Bar Association of Minneapolis. He was the attorney for the Minnesota Humane Society and delegate to the [289] National Association in 1880. In 1882, while abroad, he was tendered but did not accept the position of vice-consul at Marseilles, France.

Frank G. Peters is a native of Syracuse, N. Y., and is twenty-six years of age. He was graduated from Yale University, including the law school, and came to St. Paul in August, 1887, where he was admitted to the bar the following October. Mr. Peters is the secretary of the Board of Park Commissioners of the city of St. Paul, where his legal knowledge and accurate business habits have proved of great benefit.

Edward J. Scofield is a native of Caledonia, Minn., and is twenty-three years of age. He studied in the law department of the University of Michigan, graduating in the class of 1887, and was admitted to the bar at Caledonia, in October, 1886. He became a resident of St. Paul in 1886, and is now a member of the law firm of Hawes, Lomen & Scofield.

Webb K. Scott was born at Bucyrus, O., and is twenty-six years of age. He attended the Michigan State University and Cincinnati Law College, and was admitted to the bar at Columbus, O., in February, 1885. He removed to St. Paul in 1887, and has given particular attention to the practice of mercantile law.

Alexander Ramsey Speel is thirty-one years of age, and was born at Harrisburg, Pa., but came to Minnesota in September, 1872. He attended Ma-calester College from October, 1872, to June, 1874, and Lafayette College at Easton, Pa., from September, 1874, to June, 1878. From this time until August, 1880, he served in clerical positions in the departments at Washington, and thereafter until February, 1886, was agent of the quartermaster's department, United States Army, stationed in the Southern States. He returned to St. Paul in February, 1886, and was admitted to the bar December 12, 1887. He is a member of the firm of Willis, Nelson & Speel.

Charles H. Taylor is twenty-five years old, and was born at Wilmington, Vt. He came to Minnesota in 1870, and attended Carlton College at Northfield, graduating in the class of 1885. He was admitted to the Supreme Court at the April term, 1887, and is now a member of the law firm of Thompson & Taylor.

Nels M. Thygeson was born in Martell, Pierce county, Wis., and is twenty-six years of age. He attended the River Falls Normal School and the University of Wisconsin, and was there admitted to the bar in 1887, and came to St. Paul in October of that year.⁹⁹

Francis B. Tiffany is thirty-three years of age, and was born in Springfield, Mass. He attended Harvard College, where he received the degree of A.B. in 1887, and that of LL.B. at Harvard Law School in 1880. He was admitted to the bar of Suffolk county at Boston in 1881, and came to St. Paul in 1887.

John L. Townley is thirty-five years of age, and was born at Ludlowville, Tompkins county, N. Y. He was educated at Groton Academy, and at Mo-[290]-ravia High School in that State. He came to Minnesota in April, 1880, and was admitted to the bar at Faribault, in May, 1882. He enjoyed a lucrative practice in that city, serving as its mayor in 1887, and at

⁹⁹ Thygeson died on May 1, 1930.

the end of his term removed to St. Paul, where his talents and industry have been recognized by an increasing clientage.

Milton R. Tyler was born March 18, 1835, at Essex, Chittenden county, Vt. He was graduated at the University of that State in the class of 1858, and was admitted to the bar at St Albans, Vt., in 1860. While a resident of Vermont he was for three years probate judge of Orleans county, for five years city judge of the city of Burlington and for two years city attorney of the same city. He came to Minnesota in January, 1882 settling at Fergus Falls and in 1887 removed to St Paul. Judge Tyler is one of the trustees of the insane hospitals of the State of Minnesota.¹⁰⁰

Levi M. Vilas was a native of Chelsea, Vt. He was graduated at the University of Wisconsin in 1863 and at Albany Law School the following year, where he was admitted to the bar. He settled in Eau Claire, Wis., where he was city attorney in 1872 and mayor in 1876. From 1878 to 1887 he was district attorney of Eau Claire county. He removed to St Paul May 1, 1887. After his accession to the bench he showed marked adaptability, and the vigor and promptness with which he discharged the business of the court, afforded great relief and satisfaction to the bar and the public. He died in August, 1889.¹⁰¹

Charles W. Willett is a native of La Crosse Wis., and is twenty-nine years old. He attended the Connecticut Military Institution at Suffield Brown University and law department of Yale University at New Haven, where he was admitted to the bar in June, 1883. He was city clerk of New Haven from December 1, 1885, to January 1, 1887, and deputy coroner of New Haven county from August, 1885, to December, 1887, and removed to St. Paul in the latter month.

Edward B. Young is a native of Newton, Mass., and is twenty-four years of age. He was graduated at Harvard University, and removed to St. Paul in August, 1885, where he was admitted to the bar in October, 1887. He is a general favorite, and is laying sure foundations of future success in his profession.¹⁰²

Thomas Henry Goodwin is a native of Maidstone, England, and is twenty-five years of age. He was educated at Cranbrook College, and in the Incorporated Law Society of London, where he was admitted to the bar in 1888, and shortly there-after removed to St. Paul, where he is now in practice.

¹⁰⁰ Tyler died in St. Paul on March 16, 1907, two days shy of his seventy-second year.

¹⁰¹ Vilas (1844-1889) served on the Second Judicial District Court only six months, from his appointment on February 18 to his death on August 25, 1889.

¹⁰² For his bar memorial, see "Edward Blake Young (1864-1927)" (MLHP, 2013).

William C. Hubbell is twenty-nine years old, and was born at New York City, where he attended the college of the city of New York, and the law school of Columbia College. He came to Minnesota in 1882, but returned to New York, where he was admitted to the bar in May, 1886, and where he served [291] as assistant to the counsel to the corporation of that city until June, 1888, when he returned to St. Paul, and was admitted to the bar of this State in September of that year.

John McKean is a native of Glasgow, Scotland, where he was born in 1860. He attended Yale Law School of Yale University, three years, taking the degree of M.L., and was admitted to the bar at New Haven in 1886. He removed to St. Paul in April, 1888.

Leedom Sharp is a native of New York City, and is twenty-eight years of age. He was educated at Swarthmore (Quaker) College, University of Pennsylvania and Columbia Law School. He was admitted to the bar at Philadelphia in 1881, and removed to St. Paul in 1888.

Adam Dixon Warner was born May 22, 1858, at Osnabruck Center, county Stormont, Ontario, Canada. He attended the High School at Cornwall, and the collegiate institute at St. Catharine's, Ont. He came to St. Paul in November, 1883, where he engaged for several years in real estate operations. After a brief but diligent course of study he was admitted to the bar June 5, 1888.

This article would not be complete without a reference to **James H. Howe**, the learned and accomplished attorney of the Chicago, St. Paul, Minneapolis and Omaha Railroad Company. He has been for several years a resident of the city, whither he came from Wisconsin where he was prominent in social and professional life. He served with credit during the war, and is a gentleman of high legal and literary attainments.

It is also proper to refer to **James McNaught**, who succeeded W. P. Clough as general counsel of the Northern Pacific Railroad Company, coming from Washington Territory, where he had already attained an enviable position at the bar. He is ably assisted by **John C. Bullit, Jr.**, who came from Philadelphia to St. Paul several years ago, and has since been connected with the Northern Pacific Railroad Company. During his stay in this city he has rapidly progressed in knowledge of the legal principles and practice of the important branch of law in which that great corporation is particularly interested.

Mention should be made of the **Ramsey County Bar Association**, which was organized more than twenty years ago, and has had a harmonious, though not very vigorous existence. **H. R. Bigelow** was for many years its president, and he was succeeded by **I. V. D. Heard**, who now holds that

position. The **St. Paul Bar Association** was organized a few years ago, and has been active and influential in affairs affecting the bench and bar of the county. The present officials are **H. L. Williams**, president; **E. H. Ozman**, secretary; and **George C. Squires**, treasurer.

In drawing this hasty and imperfect sketch to a close, the writer regrets that it has been impossible for him, within the limits to which this article is [292] necessarily restricted, to do justice to the subject. Both lack of information and want of space have prevented him from adding interesting matter relating to other members of the bar, and he is aware that many, perhaps of the most worthy, are omitted.

The high standing which the pioneers of the bar established for it has been steadily maintained. Integrity and professional honor have been recognized and rewarded, while double dealing and the meretricious arts which distinguish the “shyster” from the lawyer have received condign reproach.

The bench has deserved and received the respect and cordial support of the bar, and through the vicissitudes which have marked the growth of our city from a frontier trading post to a metropolis, the bar has stood shoulder to shoulder in the common cause of advancing her interest and honor. Many a noble deed and generous act, unheralded to the world, have found origin and expression in the intercourse of its members, who have well maintained the ancient honor and advanced the ‘usefulness of their noble profession.



THE COURTS.

As previously stated in this article the organic act lodged the judicial power of the Territory of Minnesota in a Supreme Court, District Courts, Probate Courts, and justices of the peace. The constitution has preserved this repository of the judicial authority with the addition of the words “and such other courts, inferior to the Supreme Court, as the Legislature may from time to time establish by a two-thirds vote.”

The Supreme Court.—Although the Supreme Court is not a court of Ramsey county, yet, as it has always been held in this city, we will give its organization from the beginning. In the days of the Territory it was composed of a chief justice and two associate justices, a clerk and a reporter, and its organization remained the same after the admission of the State until 1881, when two additional associate justices were provided.

The **chief justices** have been as follows during the Territory: Aaron Goodrich, June 1, 1849, to November 13, 1851; Jerome Fuller, November 13, 1851, to December 16, 1852; Henry Z. Hayner, December 16, 1852, (never presided); William H. Welsh, April 7, 1853, to May 24, 1858.

Associate justices during the Territory: David Cooper, June 1, 1849, to April 7, 1853; Bradley B. Meeker, June 1, 1849, to April 7, 1853; Andrew G. Chatfield, April 7, 1853, to April 23, 1857; Moses Sherburne, April 7, 1853, to April 23, 1857; R. R. Nelson, April 23, 1857, to May 24, 1858; Charles E. Flandrau, April 23, 1857, to May 24, 1858.¹⁰³

Clerks during the Territory: James K. Humphrey, January 14, 1850, to 1853; Andrew J. Whitney, 1853 to 1854; George W. Prescott, 1855 to May 24, 1858.

Reporters during the Territory: William Hollinshead, appointed July 7, [293] 1851; Isaac Atwater, appointed March, 1852; John B. Brisbin, appointed February 28, 1854; M. E. Ames, appointed March 20, 1856; Harvey Officer, appointed November 27, 1857.

Chief justices under the State: Lafayette Emmet, May 24, 1858, to January 10, 1865; Thomas Wilson, January to, 1865, to July 14, 1869; James Gilfillan, July 14 1869, to January 7, 1870; Christopher J. Ripley, January 7, 1870, to April 7, 1874; S. J. R. McMillan, April 8. 1874, to March 10, 1875; James Gilfillan, March 10, 1875, to present date.

Associate justices under the State: Charles E. Flandrau, May 24, 1858, to July 5, 1864; Isaac Atwater, May 24, 1858, to July 6, 1864; S. J. R. McMillan, July 5, 1864, to April 7, 1874; Thomas Wilson, July 6, 1864, to January to, 1865; John M. Berry, January 10, 1865, to November 8, 1887; George B. Young, April 16, 1874, to January 11, 1875; F. R. E. Cornell, January 11, 1875, to May 23, 1881; Greenleaf Clark, from March 14, 1881, to January 12, 1882; William Mitchell, from March 14, 1881, to present time; D. A. Dickinson, from June 27, 1881, to present time; C. E. Vanderburgh, from January 12, 1882, to the present time; and L. W. Collins, from November 16, 1887, to present time.¹⁰⁴

Clerks of Supreme Court under the State: Jacob J. Noah, May 24, 1858, to January 15, 1861; A. J. Van Vorhes, January 15, 1861, to January 13, 1864; George F. Potter, January 13, 1864. to January 14, 1867; Sherwood Hough,

¹⁰³ Most of these dates are wrong. For the correct dates of the terms and periods of actual service of the territorial justices, see Douglas A. Hedin, "Documents Regarding the Terms of the Justices of the Territorial Supreme Court: Parts One-Three" (MLHP, 2009-2014).

¹⁰⁴ For the results of elections of justices since statehood, see "Results of Elections of Justices to the Minnesota Supreme Court, 1857-2010 (MLHP, 2012-).

January 14, 1867, to January 7, 1876; S. H. Nichols, January 7, 1876, to January 5, 1887; J. D. Jones, January 5, 1887, to present time.

Reporters of the Supreme Court under the State: Harvey Officer, May 24, 1858 to January 30, 1865; William A. Spencer, January 30, 1865, to June 15, 1875; George B. Young, June 15, 1875, to present time.

The attorneys-general of the Territory and State have been as follows:

Territory, Lorenzo A. Babcock, June 1, 1849, to May 15, 1853; Lafayette Emmett, May 15, 1853, to May 14, 1858.

State, Charles H. Berry, May 24, 1858, to January 2, 1860; Gordon E. Cole, January 4, 1860, to January 8, 1866; William Colville, January 8, 1866, to January 10, 1868; F. R. E. Cornell, January 10, 1868, to January 9, 1874; George P. Wilson, January 9, 1874, to January 10, 1880; Charles M. Start, January 10, to March 11, 1881; William J. Hahn, March 11, 1881, to January 5, 1887; Moses E. Clapp, January 5, 1887, to present time.¹⁰⁵

The District Court.—The territory comprising the county of Ramsey, except that portion west of the Mississippi River which was annexed from Dakota county in 1874, was part of the county of St. Croix, Wis. Such judicial proceedings as were had prior to June 1, 1849, the date of the organization of the territorial government of Minnesota, were under the jurisdiction of the Territory of Wisconsin.

On the 11th day of June 1849, the governor of the Territory of Minnesota [294] issued a proclamation dividing it into judicial districts and making an assignment of judges, upon whom devolved the duty of holding the District Courts until the adoption of the State constitution in 1858. The first district comprised all of the territory east of the Mississippi River, and **Chief Justice Aaron Goodrich** was assigned to that district. The first term of court was opened August 13, 1849, at Stillwater. He was succeeded November 13, 1851, by **Jerome Fuller**, who presided until 1853, and he by **William H. Welsh**, who served until the organization of the State in 1858, at which time Ramsey county was erected into the second judicial district.

At the first State election, **E. C. Palmer** was elected judge, and presided from May 24, 1858, to December 31, 1864. He was succeeded by **Westcott Wilkin**, who has held the position by successive elections until the present time.

In 1867 the **Court of Common Pleas** of Ramsey county was created, and **William Sprigg Hall** was appointed its first judge. He served until his death, which occurred February 25, 1875, when he was succeeded by **Hascal R. Brill**. The same year an additional judge of the Court of Common Pleas was provided, and **Orlando Simons** was appointed to the position.

¹⁰⁵ For the results of elections of generals since statehood, see “Results of Elections of Attorneys General, 1857-2010” (MLHP, 2013-).

In 1876 the Court of Common Pleas was merged in the District Court and Judges Brill and Simons were transferred to that court, to which positions they have been re-elected at the expiration of their respective terms. In 1887 an additional judge was provided and **William Louis Kelly** was appointed to the position and elected for the term of seven years at the State election held November, 1888. By act of the Legislature of 1889, two more judges were added and **Charles D. Kerr** and **Levi M. Vilas** were appointed to the positions thus created. The five judges last named still remain upon the district bench, the labors of the court being divided between them to suit their own and the public convenience. This court possesses general original jurisdiction in all cases, except those pertaining to the estates of deceased persons and persons under guardianship, and appellate jurisdiction from the Probate Courts and justices of the peace, and in some instances upon removals from the Municipal Court. It holds ten general terms a year, one at the beginning of each month, except July and August, and special terms on each Saturday.

As illustrative of the increase of business of the District Court it may be stated that at the January term, 1880, the number of civil cases, including tax cases, was forty-two; at the September term 1888, of the same court, the number of civil cases, including tax cases, was 1,251, and the number of criminal cases 156.

The **clerks of this Court** have been as follows: James K. Humphrey, Andrew J. Whitney, George W. Prescott, R. F. Howsworth, Albert Armstrong, A. R. Kiefer, R. W. Bell, and R. T. O'Conner.

The **sheriffs of Ramsey county** have been the following persons, acting in the order in which their names are given: C. P. V. Lull, George F. Brott, A. M. Fridley, A. V. Tullis, James Y. Caldwell, D. A. Robertson, John Grace, Christopher Becht, James King, Frederick Richter, and E. S. Bean. [295]

The office of **county attorney of Ramsey county** has been filled by the following named attorneys in the order given: W. D. Phillips, D. C. Cooley, I. V. D. Heard, Henry J. Horn, Harvey Officer, S. M. Flint, W. W. Irwin, C. D. O'Brien, E. G. Rogers, and J. J. Egan.

City attorneys of St. Paul: I. V. D. Heard. C. J. Pennington, S. M. Flint, Henry J. Horn, Harvey Officer, W. A. Gorman, William P. Murray, and Oscar E. Holman.

Probate Court.—The Probate Court of Ramsey county possesses the Jurisdiction conferred by section seven, article six of the constitution, which is very similar to that exercised by such courts under the Territory. It embraces the estates of deceased persons, and persons under guardianship. It is a court of record, having a clerk and seal and is always

open to the transaction of business. It has been presided over by the following named **Judges**: 1849, Henry A. Lambert; 1853, William H. Welsh; 1853, Samuel M. Tracy; 1854, Jesse M. Stone; 1855, Richard Fewer; 1856, Alexander C. Jones; 1858, John Penman; 1860, I. V. D. Heard, *ex officio*, being district attorney; 1860, John F. Hoyt; 1862, R. F. Crowell; 1863, E. C. Lambert; 1865, R. F. Crowell; 1869, Oscar Stephenson; 1873, Hascal R. Brill; 1875, Oscar Stephenson; 1877, Henry O’Gorman; 1883, William B. McGorty; 1887, E. S. Gorman; 1889, Samuel Morrison, the present incumbent, of whom a full sketch appears elsewhere.

Municipal Court.—In 1875 the Municipal Court was established in the City of St. Paul. It was given a clerk and seal and jurisdiction in all criminal matters which were before entertained by justices of the peace, with civil jurisdiction to the extent of two hundred dollars. The same act made the then city justice judge of said court until his successor should be elected and qualified.

S. M. Flint thus became the first judge of this court and presided over it until the election in the fall of 1880, when **Walter T. Burr** was elected. The term of office of the judge of this court was fixed at four years. There were also two special judges, whose term of office, powers, and duties were the same as those of the judge.

This court has transacted an immense amount of business, civil and criminal. It makes a watch-house delivery every morning, and the income from fines and Costs largely exceeds the expenses of the court.

Judge Burr was succeeded in 1885 by **H. W. Cory**, the present incumbent. The **special judges** have been R. B. Galusha, James F. O’Brien, Thomas Robinson, W. B. McGorty, Alfred S. Fall, James Schoonmaker, and Frank Ford, the last two being the present incumbents.

At the last term of the Legislature the civil jurisdiction of this court was increased to five hundred dollars; an additional judge was provided and the special judges were dispensed with. The method of practice was also regulated, and simplified. Judge Burr was appointed to the position thus created. [296] This court has practically superseded justices of the peace, but the county still has several of those judicial officers.

Justices of the Peace.—Among those who have administered the law are the following: B. W. Lott, John A. Wakefield, Orlando Simons, Nelson Gibbs, Joseph LeMay, Truman M. Smith, Fleet F. Strother, Thomas Howard. H. M. Dodge, B. A. M. Froiseth, Archibald McElrath, Oscar F. Ford, E. C. Lambert, Eugene Burnand, Theodore F. Parker, E. H. Wood, S. V. Hanft, Frederick Nelson, F. C. Burgess, and W. H. R. McMartin, the last three of whom are the present incumbents.

Federal Court.—United States Circuit Courts.—Prior to the admission of the State, all the Federal judicial power was vested in the Territorial courts, and administered by them. The organization of these courts has been heretofore given. When the State was admitted on May 11, 1858, it was constituted a judicial district of the United States with a District Court possessing circuit powers. By the act of July 15, 1862, it was made part of the Ninth Circuit; and by the same act the District Court was deprived of its circuit powers, and Circuit Courts were appointed to be held in the district by the associate justice of the Supreme Court of the United States, who was assigned to the Ninth Circuit, together with the district judge of the district, either of whom made a quorum.

Hon. R. R. Nelson was appointed judge of the United States District Court on the admission of the State, and still holds the position. He appointed **George W. Prescott** clerk of the District Court, and **W. B. Gere** having been appointed United States marshal of the district, and **Eugene M. Wilson** United States district attorney, the court was fully organized.¹⁰⁶

Justice Samuel F. Miller of the Supreme Court of the United States, having been assigned to the Ninth Circuit, presided at the first Circuit Court ever held in the district in October, 1862, assisted by Judge Nelson. At this term **H. E. Mann** was appointed clerk of the Circuit Court. He filled the position until July 1, 1883, when he was succeeded by **Oscar B. Hillis**, the present incumbent.

The business of the Federal Courts having increased with the growth of the country beyond the power of the judicial force to cope with it, a circuit judge was added to each circuit by act of April 10, 1869, with the same powers as the Supreme judges when doing circuit duty. In pursuance of this act, **Hon. John F. Dillon**, of Iowa, was appointed to this circuit, and filled the position up to the end of the June term of 1879, about which time he resigned to accept the law professorship of Columbia College in New York.¹⁰⁷ Judge Dillon was succeeded September 1, 1879, by **George W. McCrary**, who held the position until 1886, when he was succeeded by **David J. Brewer**, of Kansas, who is the present incumbent.

The district of Minnesota is now in the Eighth Judicial Circuit, and two terms [297] of the Circuit Court are held annually in the city of St. Paul, one in June and one in December. These terms are held by either the justice of the Supreme Court, the circuit judge or the district judge in the absence of either of the others, or it may be held by either of the circuit judges assisted by the district judge, or by the two circuit judges.

¹⁰⁶ For a biographical sketch, see "Eugene M. Wilson (1833-1890)" (MLHP, 2008).

¹⁰⁷ See "Judge Dillon's Farewell" (1879) (MLHP, 2014), for an account of the bar association's farewell ceremony on June 27, 1879.

By the act of April 10, 1869, it is made the duty of the justice of the Supreme Court to attend at least one term of the Circuit Court in each district of the circuit to which he is allotted during every period of two years, but the business of the Supreme Court has become so large of late years, that the judges find it impossible to comply fully with this requirement.

The **District Court of the United States for the district of Minnesota**, since it was divested of circuit powers as above stated, is in all particulars the same as the other United States district courts throughout the country. Judge Nelson has presided over it from the day of its organization. Its first clerk was **George V. Prescott**, who was succeeded by **James W. Taylor**, who was followed by **William A. Spencer**, the present incumbent. This court holds two terms in each year, one at Winona on the first Monday of June, and one at St. Paul on the first Monday of October.

United States Circuit Court Commissioners. —The Circuit Courts have commissioners attached to them who perform duties analogous to those of a justice of the peace under the State system. They are examining and committing magistrates for the Circuit and District Courts, take acknowledgements and depositions, and perform other similar duties. Of these officers there have been in Ramsey county since the admission of the State into the Union, the following: Jacob J. Noah, Edmund Rice, James W. Taylor, Orlando Simons, Horatio E. Mann, William A. Spencer, R. F. Crowell, J. R. Jenks, James J. McCafferty, Benjamin J. Shipman, and Ambrose Tighe.

Bankrupt Court.¹⁰⁸—The constitution of the United States reserves to the Federal government the right to pass uniform bankrupt laws throughout the United States. On March 2, 1867, such a law was passed by Congress. The jurisdiction in bankruptcy cases is conferred on the United States District Courts, but as the act authorizes the appointment of registrars in bankruptcy in each district, with certain judicial powers, such registrars properly fall under the head of courts. This act was repealed, taking effect September 1, 1878, as to future cases, but continuing to the courts jurisdiction and administration upon estates pending therein. On the passage of the bankrupt act in 1867, **Albert Edgerton**, esq., was appointed registrar in bankruptcy with his office at St. Paul. He still holds the office and is engaged in winding up some unfinished business.

An important arm of the Federal judiciary is the **United States marshals** and the **United States district attorneys**. Since Minnesota has been in the Union there have been the following named **marshals** of this district: W. B. [298]

¹⁰⁸ See generally, Robert J. Kressel, "History of the United States Bankruptcy Court, District of Minnesota" (MLHP, 2010); and "Referees and Judges of the Bankruptcy Court for the District of Minnesota, 1898-2014" (MLHP, 2010-).

Gere, C. F. Buck, Charles Eaton, Augustus Armstrong, Robert N. McLaren, H. R. Denny and William W. Campbell; and the following **United States district attorneys**: Eugene M. Wilson, George A. Nourse, Henry L. Moss, C. K. Davis, W. W. Billson, D. B. Searle, and George N. Baxter. △



Part 2

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STEVENS, HON. HIRAM F. Mr. Stevens is a native of St. Albans, Vt., born September 11, 1852. His remote ancestors on both sides, were the earliest settlers of New England. His father, Dr. Hiram Fairchild Stevens, sr., was a prominent physician, and at one time was president of the Vermont State Medical Society. He had been a member of both houses of the Vermont Legislature, and was a well-known citizen of the State. He died in January, 1866, at the age of forty years, from disease contracted in the military service in the latter part of the War of the Rebellion, while on duty as surgeon in the malarious district about City Point, Va. His widow, the mother of the subject hereof, whose maiden name was Louisa I. Johnson, is still living at St. Albans.

Dr. Stevens was a gentleman of fine scholastic attainments, and designed giving his son a liberal education, but his untimely death, followed by large financial losses—the effect of endorsements for friends—prevented the accomplishment of this design. His son, Hiram P., was the eldest of four children, and upon the death of his father was compelled to leave school and go to work in a store. In time, however, by teaching at intervals and working on a farm during vacations, he was enabled to complete his education at the University of Vermont, having previously been graduated from Kimball Union Academy, Meriden, N. H. After leaving college he read law in the office of the late Judge John K. Porter, of New York City, and was graduated from Columbia Law School in 1874. The same year he was regularly admitted to the bar in Franklin county, Vt., and engaged for some years in active practice at St. Albans as a member of the legal firm of Davis & Stevens. He was admitted to practice in the United States District Court of Vermont in March, 1876, and soon attained considerable reputation in his profession.

In December, 1879, Mr. Stevens came to St. Paul, where he has made his permanent home. He continued his profession here, and soon after his arrival became a member of the firm of Warner, Stevens & Lawrence. In December, 1886, he left the firm and became the counsel of the St. Paul Real Estate Title Insurance Company, which position he still holds. His character as a general lawyer is well known and is very high, but he is considered a thorough master of the law of real estate, of which it may be said he has made the study and investigation thereof a specialty. He is a careful pleader, very effective as an advocate, and clear and forcible in his presentation of a case before either the court or the jury.



Mr. Stevens is thoroughly devoted to his “jealous mistress”— the law. He is still a student and employs every means of advancement and embraces every opportunity for improvement. He was one of the constituent members of the American Bar Association at its formation at Saratoga, N. Y., in August, 1878, and has been since its inception a member of its general council. He was also an original member and the first secretary of the Vermont State Bar Association, organized in October, 1878; was one of the original members of the St. Paul Bar Association, and was prominent in the

inauguration of the Minnesota State Bar Association, organized in June, 1883, and was its first, and is its present secretary.

The legal attainments and abilities of Mr. Stevens have been fully recognized by his brethren of the bar, and by the general public. In February, 1887, he was unanimously recommended by the bar association to Governor McGill for appointment to the position of district judge for this district, and the recommendation was cordially endorsed by the press of the city and by hundreds of the best citizens, without party or class distinction.

In addition to the rank and real distinction lie has attained as a lawyer Mr. Stevens is prominently identified with the material interests of his adopted city. For many years lie has been a leading member of the Chamber of Commerce, and has served several terms as one of the directors. His efforts as a member of the chamber in behalf of the general welfare of the city have attracted the attention and received the universal approval of his fellow-citizens. In January, 1888, he was appointed by Mayor Smith one of the park commissioners of the city, vice Greenleaf Clark, resigned, and is now vice-president of the board. It goes without saying that he has filled every position to which lie has been called efficiently and acceptably. He has inaugurated and advocated very earnestly certain reforms in the affairs of the city, and his course in this regard has been generally endorsed and warmly approved. When the new Union Railroad depot shall be built, and when there shall have been established thorough reform in the management and operation of the Street railway system Mr. Stevens will have accomplished two results for which he has zealously labored.

He is a prominent member of the Masonic fraternity. He was at one time a member of the Grand Lodge of the State of Vermont, and at present is the prelate of Damascus Commandery of Knights Templar, in St. Paul. While in Vermont he was for five years a member of the National Guard, serving in the "Ransom Guards," a company distinguished for its proficiency in drill and general standing.

In politics Mr. Stevens is a positive Republican, a believer in the cardinal principles of his party, although not always in full accord with its temporary policies. He preserves his independence of thought and action, and can hardly be considered an "offensive partisan." And yet he has performed what in political parlance is called some "valuable work" for his side. As long ago as in 1876 he was at the head of a Hayes and Wheeler Club in Vermont. In 1886 he was chairman of the Ramsey County Republican Committee, and although the county was decidedly Democratic, the Republicans that year, under the leadership of his committee, elected five out of the seven representatives and a majority of the important county officers. In 1888 he was nominated by the Republicans, *nem. con.*, as a

candidate for representative for the Twenty-seventh Senatorial District, unopposed of the old Second and Sixth wards. His candidacy was practically endorsed by the Democrats, and he was elected almost without opposition, receiving 3,552 votes to about 500 cast in the aggregate for representatives of labor, socialistic, and prohibition organizations. His plurality, 3,237, is one of the largest ever received by a representative in the history of the State. He was voted for very freely by the most orthodox among the Democrats, even though it was "presidential year" and party spirit was running high. The large vote he received was certainly a very flattering testimonial of the esteem in which he is held by his fellow-citizens, and a tribute to his general worth of no little significance.

Mr. Stevens's services in the Legislature of 1889 added largely to his reputation, and were of great value to his constituency and the State. Upon the organization of the house he was appointed chairman of the judiciary committee. He soon took rank as one of the ablest and most influential members of the General Assembly and maintained his station to the close of the session. He originated certain practical and valuable measures of statutory reform which attracted general attention and favor, and were enacted into laws. He was the author of the proposed constitutional amendment allowing five-sixths of a jury in civil actions to return a verdict, and he introduced and pressed to enactment the bill for the sanitary inspection of factories; the bill creating a pension fund for disabled policemen and their widows; the bill requiring employers of females to furnish seats for their employees; he was also largely instrumental in securing the passage of the present law of mechanics' liens; the bill for the revision of the probate code; the Australian election law, applying to cities of 20,000 population and upward; the re-apportionment bill, for which he fought steadily and conducted to a successful issue in the face of much opposition, and by the terms of which the representation of Ramsey county was doubled in the Senate and increased forty per cent. in the house, and he championed many another measure which became a law largely through his efforts and influence. Always courteous and gentlemanly he was held by his fellow-members in general esteem and received their respectful attention whenever he took the floor for any purpose. Frequently he extricated the house from a state of confusion and embarrassment by a plain proposition or statement briefly put, and only in the fewest instances were his suggestions declined or his points decided against. He was a very hard worker, kept his committee well in hand and busily employed, and always advocated active and frequent sessions. He addressed the house somewhat rarely, but always when occasion demanded, and so was listened to and his remarks given consideration. Upon the whole he conducted himself with propriety, served faithfully and efficiently, and received the highest encomiums upon his course from the press of the cities of St. Paul and Minneapolis and through-out the State generally, and established himself

better than ever in the confidence and favor of his constituents and the general public.

Mr. Stevens was married January 26th, 1876, to Miss Laura A. Clary, daughter of Joseph E. Clary, esq., of Massena, N. Y. Mrs. Stevens is a lady of culture and accomplishment as well as of many natural graces, and presides over her husband's cheery and beautiful home on Sherburne avenue with rare tact and taste.

It is quite too early to write a proper biography of Hiram F. Stevens. Though he has already attained a position in life of enviable prominence, and made for himself a reputation of rare value, his future is one of exceeding promise for usefulness and distinction. What is here set down may, therefore, be of service to the future historian of St. Paul in chronicling the life and career of one of its best citizens and strongest men, though his work is already well worthy of admiration and emulation.¹⁰⁹



GORMAN, GENERAL WILLIS ARNOLD. This distinguished soldier-citizen, whose name is so prominently and inseparably connected with the history of his adopted State, if not with that of his country, and whose memory is still honored by thousands of the people of St. Paul, who knew him best and admired him most, was born near Flemingsburg, Ky., January 12, 1814. He was the only son of David L. and Elizabeth Gorman. He received a thorough primary and collegiate education, studied law and at the early age of twenty years was admitted to the bar. In August, 1835 he removed from Kentucky to Bloomington, Ind., where he soon established a reputation and secured good clientage in the practice of his profession, and where he resided for many years.

Very early in his manhood General Gorman entered public life. At the age of twenty-three years, in 1837, he was elected a representative in the Indiana Legislature and re-elected for several terms. He was a Democrat in politics, and a politician in the correct sense of the term. Gifted with that species of oratory which seems to pertain naturally to every well-bred Kentuckian, he was one of the most effective, as he was one of the youngest, advocates of the principles of his party, and one of the most marked and efficient members of the Legislature. His talents, his abilities, and his public services attracted general attention, and before he had reached the age of twenty-five years a distinguished career was predicted for him.

¹⁰⁹ Stevens died on March 9, 1904, aged fifty-one. At the time of his death he was writing and editing *History of the Bench and Bar of Minnesota*, but died before it was completed. It was published posthumously in two volumes in 1904. Many excerpts are posted on the MLHP.

General Gorman was a patriot. He demonstrated his devotion to his country by fighting for it whenever the occasion demanded. When the Mexican War broke out he promptly resigned his seat in the Legislature, abandoned his law office, and enlisted as a private in the Bloomington company, which was attached to the Third Indiana Regiment of Infantry. Upon the organization of the regiment, in June, 1846, he was chosen its major. Soon after his regiment proceeded to Mexico and became a part of the army under the immediate command of General Taylor, and February 22 1847, it was conspicuously engaged in the battle of Buena Vista. This memorable engagement was precipitated on the American side by Major German, who, under the orders of General Taylor opened the battle by an assault with his battalion of riflemen upon the enemy a flank. In the hard fought conflict which followed his horse was shot, and falling with Major Gorman, severely injured him, though he continued to remain with and direct his command until the battle was over and the victory won. For his bravery and gallant conduct at Buena Vista, Major Gorman won the general admiration of his comrades and associates, and was highly complimented in orders by the general in command.

He continued in service under General Taylor until in May, 1847, when, its term of enlistment having expired, his regiment was mustered out and returned home. But the war was still in progress and Major Gorman immediately entered upon the work of recruiting another regiment. This was speedily made up, and on its organization was designated the Fourth Indiana Infantry, and Major Gorman was unanimously elected its colonel. Again he went to Mexico and with his regiment participated in the capture of Huamantla, his command being the first to enter the city and raise the Stars and Stripes. Subsequently he participated in the engagements at Atlixco, Puebla, Tlascala, Elpinal, and elsewhere, and for a time, just prior to the close of hostilities, he was civil and military governor of the captured city of Puebla.

At the close of the war Colonel Gorman returned to his Indiana home, and re-engaged in the practice of his profession. In 1848 he was elected by the Democratic party to the lower house of the National Congress, taking his seat upon the opening of the Thirty-first Congress, in the first year of the administration of President Taylor. In 1850 he was re-elected, serving in all two terms or four years. He sat in the Grand Council of the republic, therefore, when Clay, Webster, Calhoun, Benton, Cass, Douglas, and their compeers were among its members and when the greatest and most important measures of public moment were under discussion. He advocated the celebrated Clay Compromise of 1850, and took a prominent part in all the debates of that period, winning for himself no small share of commendation and renown.



Upon the accession of President Pierce, in 1853, he appointed Colonel Gorman governor of the then Territory of Minnesota, to succeed Alexander Ramsey. Governor Gorman arrived at St. Paul on the thirteenth of May, assuming his office two days later. The Hon. Robert A. Smith, now mayor of the city of St. Paul, was his private secretary. The position was one fraught with grave responsibilities and demanding executive qualities of a high order. Practically the foundations of the future State government were then being laid, and public affairs needed close and wise supervision. But

Governor Gorman rose superior to every occasion and met every demand upon his time and talents. Local distractions and personal animosity were to be removed and subdued, and plausible though hasty and ill advised measures of legislation were to be defeated by the influence of the executive. Governor Gorman was vigilant in guarding the interests of the people and in providing for their future permanent welfare.

It was during his administration, says a former biographer, that the celebrated land grant question came up, and the governor took a firm stand for the interest of the people. He recommended that in the distribution of the lands among the railroads the State should receive at least three per cent. of the gross earnings of the roads in lieu of general taxation. Over this question a bitter opposition was raised against him, and it was charged that his recommendation, if adopted, would prevent the building of railroads, retard the development of the Territory, etc. The first bill introduced was to grant land to the Northwestern Railroad Company. This he vetoed, because it did not secure to the State such a bonus, in lieu of taxation, as he thought the State should have. The most extraordinary influences were brought to bear upon him to induce him to change his decision, but he held fast to his integrity and determination, and in the end a compromise was effected. The policy he inaugurated was afterward carried out, and to the exertions of Willis A. Gorman, more than to any other influence, is due the present system of tax regulation by which the State of Minnesota receives its income of three per cent. upon all the land grants within her borders.

Governor German's term of service as governor extended over a period of four years. In April, 1857, he was succeeded by Hon. Samuel Medary. Governor Gorman's administration was almost above criticism and absolutely free from scandal of any sort. Personally his rule of conduct was outlined in his first message to the Council and House of Representatives, wherein, in recommending a general policy to these bodies, he said

“Give the people the largest political rights consistent with the Constitution of the United States and the organic act of the Territory. Enforce the strictest obedience to the laws. Be guided by the safest economy in all public expenditures. Let your action be controlled by the rule that the right is always expedient. Encourage a high morality among the people. Guard the weak against the strong. Give equal rights to all and exclusive privileges to none.”

Governor Gorman went out of office with the best wishes and general esteem of the people, and, liking the country, he determined to make it his future home, and accordingly located in St. Paul, where he opened a law office. In the June following his retirement from office he was elected a member of the Constitutional Convention as a delegate from the county of

Ramsey. In that body his large experience in public service was of great value, and he took a prominent and influential part in framing the fundamental laws of the State. The insertion of those provisions of our constitution placing corporations under the control of the Legislature was largely the result of his efforts, and, as the printed debates show, he championed these and other wise and salutary measures upon every occasion when they were presented

In 1859 he was elected representative from Ramsey county, but the Legislature was not convened. In the presidential campaign of 1860 he stumped the State for the regular Democratic candidates, Douglas and Johnson.

Upon the commencement of the Civil War, Governor Gorman announced himself as an unconditional Unionist and as is elsewhere noted¹¹⁰ he was one of the very first and the most prominent citizens of the State to offer his services to the government after Sumter fell. He was commissioned colonel of the First Minnesota Infantry on the 20th of April 1861, and in the following June went with his regiment to Washington. In the battle of Bull Run he and his regiment were conspicuously engaged and attracted much notice by their gallantry where, near and at the close of the battle, panic and unsoldierly conduct among other regiments prevailed. On returning to Washington, after the battle, Colonel Gorman was placed in command of an Infantry brigade composed of the First Minnesota, the Eighty second and Thirty-fourth New York, and the Fifteenth Massachusetts regiments. On the 17th of September following, he was upon the recommendation of General Scott, then commander in chief, appointed brigadier general of volunteers, his being among the first promotions made from the volunteer service. His brigade took part in the battle of Balls Bluff, his old regiment, the First Minnesota, having the advance in the crossing at Edwards' Ferry, and covering the Federal retreat after the defeat. General Gorman was second in command of the division, and was frequently in full command by the absence of General Stone.

During the Peninsular campaign, as the spring of 1862, General Gorman's brigade formed a portion of General McClellan's column which advanced on Richmond, and bore a conspicuous part in the operations before Yorktown and especially in the battle of Fair Oaks, when it stood the brunt of the fight the first day. An attack of fever compelled General Gorman to relinquish his command for a part of the remainder of the campaign, but he rejoined his brigade in time to go with the army to the relief of General Pope at the second battle of Bull Run.

¹¹⁰ See chapter on the War History of the city.

He accompanied the army under General McClellan on its march to intercept the Confederates under General Lee at the time of the first invasion of Maryland, and participated in the battles of South Mountain and Antietam. In the latter engagement the casualties of the battle gave him command of the Second Division of the Second Army Corps, and in this command he continued until the reorganization of the Army of the Potomac after the removal of General McClellan. He was then ordered to report to General Curtis at St Louis, Mo., who assigned him to the command at Helena, Ark., for service in the Department of the Southwest.

In the fall of 1864, owing to failing health, he was compelled to retire from the military service, and upon the acceptance of his resignation he returned to St. Paul for rest and recuperation of which he was very much in need. After a season of rest he again engaged in the practice of his profession. In 1869 he was elected city attorney, and re-elected in 1871, 1873, and 1875, and held that office at the time of his death. It is needless to state that his service was faithfully rendered and of large value to the city.

General Gorman died at his residence in the city of St. Paul, May 20, 1876. He met death as he had often faced him, bravely and without fear. He was conscious that his end had come, and a few hours before his dissolution he took leave of the members of his family, addressing each personally with tender affection and touching eloquence, and to some near friends who gathered about his bedside he spoke with something of the old ring in his voice and the old light in his eyes. He died in the faith of the Catholic Church.

The decease of one who had been so prominent and influential in military and civil affairs, who had labored so incessantly for the public welfare, and who had done so much in shaping the affairs of State was a public affliction. The journals of the day paid just and fitting tributes to the character and ability of him who had so well deserved the confidence and affection of the people whom he had served so faithfully and so well. One of St. Paul's ablest journalists, whose political affiliations were antagonistic to those of Governor Gorman, wrote as follows of the deceased:

“General Gorman was a very agreeable gentleman, and in all the relations of life a warm hearted, kind and generous man. . . . He had a large circle of private friends who will deeply deplore his loss, while the public at large, among whom he had many enthusiastic admirers, will greatly regret the calamity which has deprived the community of one of its most talented and distinguished citizens, and his party of one of its most eloquent and powerful champions.”

Appropriate action was taken over the sad event by the Common Council and all the other departments of the city government, and by the Bar Association, and the judges of the District Court of Ramsey county, and resolutions of warm eulogy of Governor Gorman were unanimously adopted. At the meeting of the Bar Association, in the course of his remarks in moving the adoption of the resolutions, General John B. Sanborn said:

“A long personal acquaintance with our departed brother, both in public and private life, including a high regard for his many extraordinary qualities of head and heart, and for the many and great services rendered the public, impels me to utter a few words of tribute to his memory. . . . Few men of any profession are gifted with so pleasant and attractive diction as was he. No audience that he addressed ever grew weary or restless in the least. His power to entertain and interest others by public speaking was by no means the least of his many gifts. Love of country was with him a passion. No private interests and no personal sacrifice would deter him from doing that which he considered best for the public welfare. At all times having the clearest views and strongest convictions upon all public and political questions, yet so great was his attachment to the government and its institutions, that whenever a majority of his fellow-citizens decided in the manner prescribed by the constitution that the government must be administered upon different principles from those he entertained, he was ready to sacrifice all that men hold dear to sustain such administration. No patriotic sentiment seemed to afford him more pleasure than that expressed in the familiar quotation he was wont to repeat: ‘My country—may it always be right; but my country—right or wrong.’ Considering his life and character in all its bearings we must conclude that it is worthy of imitation and perpetual remembrance. He has gone to the grave, wearing upon his brow chaplets of honor gathered in two wars, and in a civic wreath, upon which the future historian will inscribe in imperishable characters the words ‘patriotism, justice, and virtue.’”

The Hon. C. K. Davis, in seconding General Sanborn’s motion, said in part:

“Many a man by adhering to the plane and level of one profession arrives at that dull and uninteresting perfection which leaves nothing, for panegyric but commonplace, and absolutely nothing for censure.

“This father of our bar was not of these, he was a soldier, a statesman, and a lawyer. He ran those careers, and each with honor. He has received the cavil and the praise incident to each, and at the end of each has been met with honor by those who sent him forth.

“When the War for the Union began the first gun fired by the hands of Confederate traitors aroused all the patriotism of his nature. It is not for me to tell you who heard and saw all that he did then, to recite his stirring appeals for the perpetuity of the Union of our fathers, how he forgot party, how utterly he abhorred the timorous and vacillating cry of peace, when there was no peace; how at his call was marshalled with electric quickness the first regiment, the pride and glory of the State, whose record under his command is written ineffaceably in the history of those dark and doubtful days, when liberty stood stabbed and tottering among her pretending sons.

“As a statesman he was prominently identified as a member of Congress with the compromise measures which were so fully discussed in 1848 and 1850. He bore a conspicuous and most honorable part in shaping the frame of our present State government. His administration while governor of the Territory was marked by independence, ability, and honesty. He was never accused of being the tool, or property of any ring or clique. Those who remember most distinctly and with some feeling, the warm contests of that period do not charge him with betrayal of any trust.

“Among his acts as a member of the Constitutional Convention he was accustomed to recur with honorable pride to his efforts in aiding to establish the policy of this State in regard to the common school fund.

“In his profession he had no superior as an advocate. His devotion to a client knew no bounds, and he brought to the trial of any case in which he was engaged resources and tact which made him a most dangerous antagonist. When he had mastered the legal principles involved in a case his presentation of them to the court was marked with great power of reasoning and precision of statement.

“He was a lovable man. There was no kinder neighbor. No man ever heard him derogate by a malignant word the fair fame of man or woman. He preserved through his long and difficult career that purity of mind which is so often lost under the influence of great success or great disappointments. He never did or counseled a mean act. His position on any question could be ascertained for the asking. His large generosity expanded in the praise of other men; he had none of that spirit of detraction which speaks to their detriment. Who is there of us who would be more missed than he is?”

Upon the day, of the obsequies all of the public offices were closed, and business was almost universally suspended. It was a day of mourning for the entire city. The services at the Cathedral were conducted by Bishop John Ireland, who paid a touching tribute to the worth of his departed

friend. The edifice was thronged with United States, State, county and city officials and citizens of all classes, all brought there by one common sorrow and to do honor to the memory of their former associate and friend.

The funeral procession was the most imposing ever seen in the city of St Paul. Among the escort were veterans of the Mexican War, members of General Gorman's old regiment—the famous First Minnesota—members of the Grand Army of the Republic, and representatives of various civic organizations, and of the different county and city departments while hundreds of citizens in carriages swelled the escort as it proceeded to Oakland Cemetery, where gentle hands and loving hearts laid away all that was mortal of Willis Arnold Gorman, the funeral rights being fittingly closed by the firing of volleys of musketry by a detachment of United States troops, over the grave of the soldier who loved his country so well. So lived and so died one of Minnesota a most famous men.

“Lives of great men all remind us
We can make our lives sublime,
And, departing leave behind us
Footprints in the sand of time.”¹¹¹

In personal appearance General Gorman was well proportioned and commanding. His chivalrous bearing and graceful, courtly manners impressed all with whom he came in contact, and yet his will power was very strong and he could be decided and emphatic. He was a man of undoubted courage and of a high sense of honor and there was not upon all of his life record a single stain. He was regarded as an able lawyer and was very successful in his practice. He was a ready debater, and an eloquent and forcible speaker. Upon the hustings he was especially popular and effective; but he was equally at ease whether addressing the populace, a jury or a court, a legislature or a congress.

General Gorman was twice married. His first wife, to whom he was married at Bloomington, Ind., in 1838, was Martha Stone. Of this marriage there were born five children, viz.: Captain Richard L. Gorman, now president of the Board of Public Works of the city of St. Paul; Captain James W. Gorman, who was assistant adjutant-general on his father's staff from September, 1862 until his death, which occurred at Indianapolis, Md., February 19, 1863, from disease contracted in the service; Louisa G., who became the wife of Hon. Harvey Officer, of St. Paul, and died March 4, 1870; Hon. Ellis S. Gorman, recently judge of Probate of Ramsey county, and a well-known attorney; and Martha B., now Mrs. Wood. The surviving children all reside in St. Paul. The mother died during a temporary residence at Bloomington, Md., March 1, 1864. In April, 1865, General Gorman was married in St. Paul, to Miss Emily Newington, but to this union no children were born.

¹¹¹ Excerpt from “A Psalm of Life” by Henry Wadsworth Longfellow, published in 1838. The poem is subtitled “What the heart of the young man said to the psalmist.”

DAVIDSON, COLONEL J. H. Colonel James Hamilton Davidson was born at Burlington, Lawrence county, O., January 25, 1839. His father, James Davidson, is a native of Pennsylvania, and is of Scotch-Irish ancestry on the paternal side, from his great-grandfather, who is supposed to have come to America in the early part of the eighteenth century. His grandfather's name was John, and his great-grandfathers William, which are common family names and a large connection of Davidsons scattered throughout the country, both north and south. James Davidson, father of the subject of this sketch, came to Lawrence county, O., with his father, John Davidson in 1801, then being a child but a few months old, and is still living in the old homestead. At that early date the country was almost an unbroken wilderness and could only be reached by flat-boats descending the Ohio River. James Davidson married Mary Frances Combs who was born at Romney, West Virginia, and was of Irish descent.

James H. Davidson was reared to early manhood on a farm in his native county, spending the summers in farm work and in working in an old fashioned carding machine factory, and his winters in attending the district school, where he received a good common school education. In the fall of 1857 he entered the Ohio Wesleyan University, from which he graduated in the classical course in 1861. The rebellion had then broken out and on October 10, 1861, he crossed the Ohio river to Cynthiana, Ky., and enlisted as a private soldier in the Union Army, Company B, Fourteenth Regiment of Kentucky Volunteer Infantry.

Having been lieutenant of a military company in college, and captain of the "Fayette Gray," a militia company, he already had considerable knowledge of tactics and military drill, and so was immediately placed in charge of the drill exercises of Company B, and on November 10th, (only a month after enlistment) he was promoted to the position of first lieutenant of the company. The ensuing fall and winter he served in the valley of the Big Sandy, in the mountains of Eastern Kentucky and West Virginia, and he participated in the battle of Middle Creek, Ky., where the late President Garfield whipped Humphrey Marshall, and won the stars of a brigadier-general, on January 10, 1863. In this engagement Lieutenant Davidson volunteered to lead his company (which he was then commanding) in assaulting the enemy, strongly posted on a high ridge across Middle Creek, under Lieutenant-Colonel Monroe of the Twenty-second Kentucky. The assault was eminently successful, and the colonel still has in his possession a Belgian rifle captured by him from a rebel and presented to him on the field of battle by General Garfield as a war trophy. His promotions were steady and rapid enough to demonstrate his soldierly qualities and ability. June 5, 1862, when but twenty-three years of age, at Cumberland Gap, he was promoted to the captaincy of his company. In 1863, during the summer, at the request of Brigadier-General Speed S. Fry, he was detailed by Adjutant-General Boyle of Kentucky, to drill the officers of new

regiments then being organized at Camp Dick Robinson under General Fry. He remained on this duty till December 23, 1863, when he was elected and commissioned major of the Forty-ninth Regiment of Kentucky Volunteer Infantry. In 1864 he was detailed by General S. G. Burbridge, commanding the District of Kentucky, as assistant superintendent of the organization of colored troops in Kentucky, with headquarters at Lexington, Ky. About this time the secretary of war, requiring the services of regular army officers with their respective commands in the field, dissolved an examining board which had been sitting in Lexington and organized a new board composed of volunteer officers, and by special order designated Colonel Davidson as president of such board. In December, 1864 he was commissioned by President Lincoln, colonel of the One Hundred Twenty-second United States Colored Troops. He continued to hold this rank and to command his regiment in the field from January 1, 1865, till his honorable discharge from service, January 17, 1866, at New Orleans, La.

The earlier years of his service were with the Army of the Ohio and the Army of the Cumberland, until the winter of 1864-5, when he was ordered to take his regiment to the Richmond front and report to the commander of the Army of the James. After some time in the front of Richmond he was placed in command of the fortified lines around Norfolk and Portsmouth. In the early spring of 1865, under instructions of the war department, he built and organized the depot of Prisoners of War at Newport News, Va., and continued in command of that prison until after the fall of Richmond when he joined the Twenty-fifth Corps under General Godfrey Weitzel at City Point, and proceeded with that corps to Texas in July, 1865. At various times and for brief intervals he was on detached duty as judge advocate, president of examining boards, assistant superintendent of the organization of colored troops, and late in the service was detailed by General Sheridan as an assistant commissioner of the Freedmen's Bureau for Texas. He, however, did not actually enter on duty in the latter capacity as his regiment was consolidated and he mustered out of service in January, 1866.

After his discharge he returned to his old home in Southern Ohio, and spent the summer on the farm, but in September of that year he came to St. Paul with his family, and almost immediately entered the law office of Allis & Williams, as a law student. He was admitted to the bar in the spring of 1867, but did not immediately engage in the practice of law. He was offered and accepted the position of city editor on the *Press*, now *Pioneer Press*, and beheld this position until the spring of 1870. He discharged his editorial duties to the acceptance of his employers, and proved himself a sprightly and versatile writer, becoming well known to the newspaper fraternity of the State, for all of whom he still has the warmest fraternal feelings. He attained a reputation for clearness, force, and reliability as a journalist, which has served him well in his subsequent career.



In the spring of 1870 he retired from journalism to engage in the active practice of the law. For some years he conducted his practice alone, but later he formed a partnership with Henry L. Williams, under the firm name of Williams & Davidson, which was afterwards enlarged by the addition of a third partner under the name of Williams, Davidson & Goodenow, which continued till the close of 1882. During his professional career he was eminently successful and was for a time the general solicitor of the Northwestern Union Packet Company and later of the Keokuk Northern Line Packet Company and several other steamboat corporations. He also

became the legal adviser and attorney of the late Commodore William F. Davidson and had charge of his extensive legal business.

During this time he became widely and favorably known as an admiralty lawyer, and was retained on the one side or the other of many of the most important maritime suits on the Mississippi River and its tributaries, and was admitted to practice in nearly all of the States bordering on the Mississippi River, and in the Supreme Court of the United States. He was frequently employed in legal controversies in St. Louis, New Orleans, Milwaukee, Chicago, Madison, Cincinnati and Washington and was unusually successful in the profession, excelling as an advocate.

In the meantime prosperity in his chosen profession had led him to a very general knowledge of real estate, and he invested all his earnings and his credit in real property. His interests in this direction had become so large that at the end of 1882 he determined to devote his whole time and energy to real estate business. About this time he purchased a large summer hotel and springs, (a summer resort) at Palmyra, Wisconsin, which he owned and managed until recently. In 1885 he organized "The Davidson Company," in connection with the late Commodore Davidson, who was interested with him up to the date of his death in 1887, after which time he continued in business on his individual account. He still owns a large amount of property in the city of St. Paul and its suburbs and elsewhere, and is active and aggressive in the development of all the material interests of the city.

He was very active in the organization of the St. Paul Real Estate Board, and was its first secretary. He is a prominent member and a director of the St. Paul Chamber of Commerce; president, director, and the largest stockholder in the Palmyra Manufacturing Company, a Chicago corporation. He is also a director in the St. Paul Bethel Association, and retains his early interest in the Young Men's Christian Association. His large interest in the Palmyra Manufacturing Company, which is developing a new and economical system in the use of steam known as the "Prosser System" compels him to spend considerable time at his office in Chicago and at the factory at Palmyra, Wisconsin. He is quite confident that Mr. Prosser has made some valuable discoveries and inventions and has backed his judgment by investing largely in the patents and in furnishing capital for the development of the new system. He is also a member of the military order of the Loyal Legion and of the Grand Army of the Republic, and is a Royal Arch Mason. In politics he is a Republican, but in no sense a politician, though he usually takes some part as a campaign speaker in every presidential contest. It is said that he excels as an orator, but since his retirement from the profession of law it is only on rare occasions that his forensic powers are called into active play.

Colonel Davidson was married at Delaware, O., July 1, 1861, to Miss Abbie Ashley Lamb, who is a native of Heath, Franklin county, Mass. They have but two children, Miss Daisy W. Davidson, their daughter who is traveling and studying in Europe—having spent last winter in Berlin—and their son, Earnest H., is attending the public schools of St. Paul.

Colonel Davidson, like many other young men, came to St. Paul absolutely penniless and had a hard struggle for a few years, but after a varied experience as journalist, lawyer, real estate agent, and general business man, has attained a competency and is now content to enjoy the accumulations of a quarter of a century of hard work and to take life reasonably easy.



BELL, CHARLES NASH, was born at Weybridge, Addison county, Vt., March 12, 1847. His parents, William Dennis Bell and Rosamond, (nee Johnson) Bell, are both of hardy New England stock and are now (1889) living in the old home in Weybridge and in the same large farmhouse in which the father has resided for seventy-nine years. The home is within less than one mile of Middlebury College, from which Mr. Bell graduated in 1868, having, as is usual in such cases with New England boys, taught school in the winter seasons during his course of study, to help, in part, pay the expenses of his education. He was then just of age and left his boyhood home with good health, a good education and an empty purse: the best patrimony any loving parents can bestow. For the first year after his graduation he had charge of the academy at Chester, Vt., one of the early feeders of New England colleges.

In the fall of 1869 he came West, the Mecca of New England energy, and for the year following was principal of the public schools of Elkhorn, Wis. Subsequently he engaged in the study of law in the office of Williams & Sales, of Janesville, Wis., at which city he was admitted to practice in the year 1871. In the fall of that year he took up his residence and opened an office at Mankato, Minn., where he practiced his profession until in July, 1874, when he came to St. Paul and formed a law partnership with Judge Edward C. Palmer, one of the oldest and best read attorneys in the city, under the name of Palmer & Bell. This firm continued until 1879, when it was dissolved, and since that time Mr. Bell has been actively engaged in the practice of his profession in St. Paul without a partner.



He has been an active member of the Chamber of Commerce of St. Paul, and during the years 1879 and 1880, was a member of the city council. It was during this period that the Northern Pacific Railroad Company secured its terminal rights and franchises in St. Paul, that the Union Depot Company was organized, and many of the city ordinances were passed under which St. Paul has since grown to be the railroad center of the Northwest. An inspection of the printed council proceedings for these years shows that Mr. Bell was a diligent and active member of the council, for which his training as a lawyer especially fitted him. It is admitted that few of our citizens are more thoroughly versed in our county and municipal legislation and affairs. During the years 1885 and 1886, he was a member of the board of county commissioners of Ramsey county. It was during the first year of this term of office that the county commissioners of Ramsey county located, permanently between the two cities, the Agricultural Society of the

State and all its attendant features, by donating to the State, for all time, in trust for the use of the society and all kindred enterprises, the old Ramsey county poor farm, of two hundred acres.

Mr. Bell was an earnest champion of this project, and was one of a committee appointed by the county board to draft the legislation and look after the details and carrying out of the conditions attending this gift. It will be remembered that one of the conditions attending this donation was that the State Legislature then in session should at once accept the trust and appropriate \$100,000 to fit and furnish the grounds for the use of the Agricultural Society, and the other purposes for which the gift was made. Mr. Bell does not now hesitate to declare that the conditions inserted in the deed of donation and in the legislation then had will necessarily preserve this property for the uses and advancement of the agricultural interests of this State. Under the impetus of this gift and State aid, the State Agricultural Society of Minnesota has become one of the strongest and most successful societies of its kind in the Union, Mr. Bell was one of the organizers and charter members of the Board of Trade of St. Paul which was organized in 1880,

In the practice of his profession Mr. Bell has given the most of his attention to probate and real estate law and the law governing corporations, and he possesses not only the favor and respect of his brethren at the bar, but the confidence and esteem of the general public. In this city, which has so many good lawyers, he is regarded as one of the best.

Mr. Bell has never been married. He is in politics a staunch Republican, in religion undemonstrative, and his faith in the great future in store for his adopted city and State is unbounded.¹¹²



FLANDRAU, HON. CHARLES. Charles Eugene Flandrau was born in New York City, 1 July 15, 1828. His paternal ancestors were Huguenots, who, after the noted revocation of the edict of Nantes, left La Rochelle, France, and joined a colony of their brethren who came to America, settled in Westchester county, N.Y., and founded the town of New Rochelle. His father, Thomas Hunt Flandrau, was born at New Rochelle, and his mother, whose maiden name was Elizabeth Macomb, was a half-sister of General Alexander Macomb, who was commander-in-chief of the United States Army from 1828 to 1841, being succeeded by General Scott.

¹¹² Bell died in St. Paul on February 7, 1908, a few weeks shy of his sixtieth year.

Thomas H. Flandrau was a graduate of Hamilton College, N. Y., and a gentleman of culture, natural talent, and many acquirements. When a young man he left New Rochelle and located at Utica, N. Y., where he studied law in the office of Judge Nathan Williams, an eminent and well-known practitioner. After his admission to the bar he formed a partnership with that gifted and accomplished, but somewhat erratic, American statesman, Aaron Burr, formerly vice-president, etc., and removed to New York City, where he practiced with Colonel Burr for many years. In 1824 or 1825 he married Elizabeth Macomb, and shortly afterwards returned to Oneida county, N. Y., where he continued in the practice of his profession until his death, which occurred January 2, 1855.

The youthful education of Charles E. Flandrau was received at Georgetown, D. C.; but at the tender age of thirteen he decided to enter the United States Navy, and, backed by some friends, applied to Hon. George E. Badger, of North Carolina, then secretary of the Navy, for a warrant as midshipman. He was one year too young, however, and the appointment could not be made. Still bent on a seafaring life he immediately shipped "before the mast" in the United States revenue cutter *Forward*, on which vessel he served for one year, and then shipped in the revenue cutter *Van Buren*, where he served for another year. He then made several coasting voyages in merchantmen, continuing in this occupation for about three years. Abandoning his intention of becoming a sailor, he, at the age of sixteen, left the sea and returned to Georgetown and again entered school. Some months later, however, he left school and went to New York City to "seek his fortune." He found employment in the metropolis in the large mahogany mills of Mahlon Bunnell, corner of Pike and Cherry streets, and here he remained for three years, becoming very proficient in every branch of the business. He then went to Whitesboro, N. Y., entered his father's office, and commenced the study of law. After two years of continuous and close application to study he was admitted to the bar in Oneida county, January 7, 1851. He entered into partnership with his father at Whitesboro, and so continued until the fall of 1853, when he determined upon removing to and permanently locating in the then young Territory of Minnesota.

In the latter part of November, 1853, Judge Flandrau, in company with Horace R. Bigelow, esq., landed in St. Paul. They were admitted to the bar and immediately opened an office for the practice of law on Third Street, under the firm name of Bigelow & Flandrau. At that date Minnesota lawyers had a goodly portion of spare time on their hands from the demands of their profession. The former law partner and intimate associate of Judge Flandrau, Hon. Isaac Atwater, in a well written sketch of the subject hereof, which has heretofore been published,¹¹³ thus describes the situation and

¹¹³ "Magazine of Western History," for April, 1888. (The entire two-part article—"The Bench and Bar of Ramsey County: Parts I & II" — is posted separately on the MLHP).

narrates certain incidents in the early career of Judge Flandrau in Minnesota.

“The practice of law in Minnesota in early days was neither arduous nor specially remunerative. Some business was furnished by the United States land offices, but commerce was in its infancy, and the immense and profitable business furnished the profession by the railroads was then wholly unknown. . . . It so happened that during the winter of 1853-4 certain capitalists in St. Paul engaged the services of Mr. Flandrau to make explorations in the Minnesota Valley and to negotiate for the purchase of property connected therewith, and especially of the “Captain Dodd Claim,” at what was then called Rock Bend, now St. Peter. His report was favor-able to the purchase, and he was so impressed with the prospective advantages of the country that he decided to locate in the valley himself. St. Peter was then unknown. Traverse des Sioux was the only settlement in the vicinity, and consisted of a few Indian traders and their attachés and a number of missionaries. Here he met Stuart B. Garvie, a Scotchman, who had just been appointed clerk of the District Court of Nicollet county by Judge Chatfield, and occupied an office with him. Of course their law business was very limited. The young men were frequently at their wits end for devices to “keep the wolf from the door.” Indeed they did not wish to keep him from the door in a literal sense. Instead of an enemy the wolf became their friend. They placed the carcass of a dead pony within easy rifle shot of the back window of their office, and this proved a fatal attraction to the prairie rovers. Every night many of them fell victims to the rifles of the young lawyers, who skinned the carcasses and sold the hides for seventy-five cents apiece.”

But happily this state of affairs did not last long. According to Judge Atwater, immigration began to pour into the Minnesota Valley with the opening of the season of 1854. In June of that year the first house was, built in St. Peter, and for the next few years the settlement of the country progressed rapidly. Judge Flandrau continued to reside at Traverse des Sioux until 1864. In 1854 he held the offices of notary public, deputy clerk, and later was district attorney for Nicollet county. In 1856 he was elected a member of the Territorial Council for a term of two years, but served through but one session and resigned the following year. In 1857 he was elected a member of the Constitutional Convention, and served in the “Democratic branch,” presided over by General Sibley.

August 16, 1856, Judge Flandrau was appointed by President Pierce the United States agent for the Sioux Indians of the Mississippi. The agencies of these Indians were on the Minnesota River at Redwood, and on the Yellow Medicine River, a few miles from its mouth. The following March he took an

active part in the pursuit of Ink-pa-du-ta and his band of Sioux Indians, (the perpetrators of the Spirit Lake and Springfield massacres), and was chiefly instrumental in restoring to freedom and friends the unfortunate captives, Mrs. Margaret A. Marble and Miss Abbie Gardner. The news of the massacre at Spirit Lake was received by Flandrau at the agency on the 18th of March, and the next day he started with a company of regular soldiers from Fort Ridgely, sent out by Colonel Alexander, and com-manded by Captain Barnard E. Bee¹¹⁴ in pursuit. The snow was very deep, the distance to be traveled one hundred and twenty-five miles, several days had elapsed since the perpetration of the outrages, and so the march was arduous, harassing and ineffective. The two captive white women were recovered by friendly Indians sent out for the purpose by Mr. Flandrau, and it was he, in conjunction with Rev. Briggs, who issued the somewhat celebrated "Territorial bond" to obtain money wherewith to reward those who brought back Mrs. Marble. He received Mrs. Marble in person and brought her to St. Paul, and equipped, sent out, and rewarded the Indians who recovered Miss Gardner. Subsequently he headed an expedition of soldiers and volunteers that killed "Roaring Cloud," a son of Ink-pa-du-ta, and made his squaw a prisoner.

Later in the year 1857 he resigned his position as Indian agent, and July 17th was appointed by President Buchanan associate justice of the Supreme Court of the Territory of Minnesota. He held several terms of the District Court in various counties in his district; but owing to the brief period intervening between his appointment and the admission of the State, only one general term of the Supreme Court was held—January, 1858—at which he occupied a seat on the bench. He frequently held night sessions of his court and did all in his power for the accommodation of the attorneys and litigants and the expedition of business, never allowing his personal convenience to interfere with the public interest, and he became very popular with the bar and the communities with which he came in contact.

At the convention of the Democrats in 1857 for the nomination of State officers, under the constitution which had been framed the same year, Judge Flandrau was nominated for associate justice of the State Supreme Court for the term of seven years. The entire Democratic ticket was elected, and on the ratification of the constitution by Congress, and the admission of the State early in 1858, he qualified and entered on the discharge of the duties of his office.¹¹⁵ His record as a jurist is chiefly to be

¹¹⁴ Captain Bee was a South Carolinian, and on the outbreak of the Civil War entered the Confederate service. He was made a brigadier-general, and was killed at the head of his brigade in the first, battle of Bull Run. It was he who gave "Stonewall" Jackson his sobriquet.

¹¹⁵ The results of the election for the state supreme court on October 13, 1857, were:

Isaac Atwater.....	18,199
Charles E. Flandrau.....	18,110
John M. Berry.....	17,052
Harrison A. Billings.....	17,026

found in the first nine volumes of the Minnesota reports. His opinions speak for themselves. At almost every term he wrote more than his equal share of opinions. The first Supreme Court of Minnesota had much important work to do. At that time the State was very new and pleadings and practice were in a transitional condition. The code had but recently been adopted. Each of the older States had its own precedents and line of decisions, and as these were often conflicting, Minnesota had as yet uniformly followed none of them. The court had not even the benefit of a systematic line of decisions of the Territorial bench. In many instances the court was forced to select from former decisions of other courts certain principles which should govern it in its rulings, but in many other cases it was of more importance that the law should be definitely settled than the principles adopted in its settlement. The construction of a large number of statutes was also to be determined for the first time, and from these causes more than ordinary labor was imposed on the court compared with the number of cases on the calendar.

As his former associate on the Supreme bench, Judge Atwater, well says, Judge Flandrau must ever be remembered and commended as one of the founders of the system of jurisprudence of the State, both in the constitutional convention and on the Supreme bench. While in the latter position he was the author of some notable decisions and opinions. In November, 1858 he delivered a dissenting opinion from the decision of a majority of the court in the case of the Minnesota and Pacific Railroad vs. Governor H. H. Sibley, which attracted general attention, and has often been the subject of comment. The railroad company had mandamus the governor to compel him to issue and deliver certain bonds to its agents, and when the case had come before the Supreme Court. Judge Flandrau sustained the position of the governor, that the State had a right to an exclusive lien upon the roads, lands and franchises of the railroad companies to the amount of the State bonds issued to them, and that trust deeds should be filed accordingly. The adverse decision to Judge Flandrau's opinion, with other causes, led to the well-known repudiation action of the State, with its consequent stigma and the long controversy which resulted, which was finally terminated by the assumption by the State of the greater part of the indebtedness.¹¹⁶

In July, 1860, however, the court, by the unanimous opinion of its members, refused a peremptory writ of mandamus compelling the governor to deliver certain bonds, on the ground that the court would not undertake to compel the governor of the State to the performance of any duty devolving on him as the chief executive and properly pertaining to such office. "In all such

Douglas A. Hedin, "Results of the Elections of Justices to the Minnesota Supreme Court, 1857-2014" (MLHP, 2010-).

¹¹⁶ M. and P. R. R. Co. vs. Sibley, 2 Minn. Rep., p. 13, *et seq.* (The majority opinion was by Chief Justice Emmett).

matters,” said the court, “the executive is of necessity independent of the judiciary.”¹¹⁷



¹¹⁷ Chamberlain vs. Sibley, 4 Minn. Rep., p. 309. (The opinion was by Chief Justice Emmett).

The language of Judge Flandrau's decisions is always plain, simple, and clear, but uniformly terse, vigorous, and decided. The decisions themselves are models of perspicuity and judicial soundness. It ought to be borne in mind that all of these decisions were rendered before the author had reached the age of thirty-six years, and many of them while he was yet under thirty.

October 25, 1858 Judge Flandrau was appointed by Governor Sibley judge-advocate general of the State, a position he held during the governor's administration. But distinguished and valuable as was Judge Flandrau's service in the civic departments of the State of Minnesota, it is in her military history that his name will always be, perhaps, most conspicuously placed, and his military services will doubtless be best remembered, and these in connection with the rising of the Sioux Indians, in August, 1862.

The outbreak of the savages on the 18th of August was as sudden as the leap of a panther, and far more deadly and cruel. The news reached Judge Flandrau at his residence at Traverse des Sioux at 4 o'clock the following morning, brought by a courier from New Ulm, thirty-two miles away. Flandrau knew the Indian character thoroughly, and knew these Indians particularly well. Appreciating the situation instantly he put all his women and children into a wagon and sent them to Minneapolis, ninety miles distant. He then proceeded to St. Peter, a mile away, where a company of one hundred and fifteen volunteers, some of whom were mounted, was at once raised, armed, and equipped as well as possible. On the organization of the company Judge Flandrau was chosen captain, and by noon he was in the saddle, at the head of his company, and on the way to the rescue of the town of New Ulm.

History tells the story. The distance, thirty-two miles, was compassed just in time. Already two hundred savages had attacked the place and a considerable portion of it was on fire. Flandrau and his men galloped in, charged upon and drove off the Indians, extinguished the fires, and calmed the terror-stricken people. The citizens hailed Flandrau as their savior and deliverer, and he was unanimously chosen commander-in-chief of all the forces engaged in the defense of the town. With consummate skill and judgment he prepared to receive the enemy, who he knew would soon be upon him, and with rare bravery he decided to stand and fight, no matter about the odds, and "let hap what may hap." He put the hastily organized men under his command under the best discipline possible, and prepared and strengthened his defenses. In the heart of the town a circular barricade was constructed, within which was placed the women and children.

Three days of preparation, then came the attack. On the morning of the 23d about seven hundred well armed Indians, a majority of whom had been

beseiging Fort Ridgley, attacked New Ulm and Flandrau with his three hundred men mostly armed with hunting rifles and fowling pieces. After two days of continuous fighting, hard and hot, during which the greater part of the town was burned, and the whites had ten men killed and fifty wounded, the Indians, whose loss was presumably greater, retired. The following morning, his ammunition and provisions nearly exhausted, and still menaced by a largely superior force of savages, who, like wolves repulsed from a sheep-fold, were lying in the prairies licking their wounds, Judge Flandrau broke up his zereba, and himself evacuated the town, taking with him one hundred and fifty-three wagon-loads of women, children, sick and wounded, and a large company on foot, and marched in the direction of Mankato, which was reached in safety.¹¹⁸

The rescue and defense of New Ulm will ever be prominently mentioned among the notable incidents of the history of the Northwest. As to the citizens, it may be said that they who were at Lucknow had no more perilous experience, and of the defenders and rescuers, from the leader to the humblest follower, none were braver that rode with the "light brigade" or fell at Marathon. Judge Flandrau's connection with the incident was conspicuously creditable and distinguished, but withal something remarkable, not to say singular. Never before in the history of our country has a judge of a Supreme Court figured as a dashing military leader, leaving the woosack for a dragoon's saddle, exchanging his pens and books for a sword and pistols, and riding forth to deliver a beleaguered town with such expedition, that only a regular cavalryman, armed, mounted, and on the *qui vive* might equal the time.

Judge Flandrau continued in the service for some time after his deliverance of New Ulm. August 29th Governor Ramsey authorized him to raise troops, appoint officers over them, and to generally perform whatever service he deemed best for the defense of the Southwest frontier. On the 3d of September he was commissioned by the governor a colonel of State militia, and was given a letter and warrant of authority by General Pope, then in command of the department. He raised and organized several companies of men, and as commander of the Southern frontier posted them in a succession of picket posts from New Ulm to the Iowa line. In October, after the Indians had been driven from the State, and the State and United States forces had been fully organized and were in complete control and command of the situation, he turned over his command at South Bend to Colonel Montgomery, of the Twenty-fifth Wisconsin, and resumed the discharge of his official duties.

¹¹⁸ For a more particular account of the defense of New Ulm see Beard's history and other publications relating to the Sioux War of 1862.

In the spring of 1864 he resigned his position on the Supreme bench, and going to the then Territory of Nevada, he located in the practice of law with his former associate, Judge Isaac Atwater, at Carson and Virginia City. A year later he went to Washington to attend to the business of the firm before the departments, intending to return to Nevada; but his family were averse to the proposed change of residence, and having received a favorable offer of partnership from Colonel R. H. Musser, of St. Louis, a very accomplished lawyer, he accepted it and located in that city late in the year 1865. In less than a year, however, he returned to Minnesota, and early in 1867 joined his former partner, Judge Atwater, in the practice at Minneapolis. The same year he was elected city attorney of Minneapolis, and in 1868 was chosen the first president of the board of trade of that city under its original organization. In 1870 he removed to St. Paul and formed a partnership with Messrs. Bigelow & Clark. The firm, by reason of changes in its membership, is now Flandrau, Squires & Cutcheon, and has always been ranked as one of the strongest in the profession in the Northwest. Its practice and general business are very large, its clientage most respectable, and its success most marked. Judge Flandrau, the senior partner, performs his full share of the work done, and is besides the president of the Ramsey County Bar Association. He is in the full vigor of his intellectual and physical strength, and in appearance resembles almost any other character except a veteran lawyer and jurist, which he is.

In politics Judge Flandrau is one of the Democratic old guard, whose members have cherished and preserved the ancient faith as it was delivered by Thomas Jefferson, with the same zeal and devotion manifested by the Israelites for the ark and the shekinah. He has never changed his belief in the righteousness and wisdom of the old time cardinal principles, and while keeping in line with his party on the questions of the day, has never accepted a theory in, contravention of them. And yet while he is a Democrat in whom there is neither variableness or shadow of turning, he invariably applies to every candidate of his party the Jeffersonian test of honesty, capability, and devotion to the constitution, and if the candidate is lacking in these essentials he is not voted for. On more than one occasion he has protested against the action of his party, in an orderly and dignified manner, but has never been denounced as a bolter or considered a “mugwump.”

In 1867 he was the candidate of the Democratic party for governor of Minnesota against General William R. Marshall, but, owing to the large Republican majority in the State, he was defeated.¹¹⁹ In 1869 he was the

¹¹⁹ The vote for governor on November 5, 1867, was:

William R. Marshall (Republican).....	34,874
Charles E. Flandrau (Democratic).....	29,502

1915 Blue Book, at 102.

Democratic candidate for chief justice of the Supreme Court, but the adverse circumstances were again too powerful to be overcome, and he was defeated by Judge Ripley.¹²⁰ It is needless to state that neither of these nominations were sought by Judge Flandrau, for he never was an office-seeker or a place hunter; but his loyalty to the party whose principles he believed in, and which had honored him in the days of its prosperity, impelled him to obey its call for service, when its only reward must be the consciousness of duty performed.

Personally Judge Flandrau is universally popular. Of large brain and kindly heart, he is most interesting and instructive in conversation, courteous and genial in deportment, and affable and agreeable at all times. His talents are of a high order. He is an attractive and forcible speaker, a fluent and correct writer, and a gentleman of ripe scholarship and large information. His social qualities are really accomplishments, and these, added to his exalted traits of character, have given him legions of friends and admirers. He is public-spirited to an eminent degree, and has always done much in behalf of the material interests and general welfare of his residence community. In all the relations of life, whether as sailor boy, cabinetmaker, lawyer, jurist, official, military leader, soldier, citizen, and man, he has always been faithful and true, and upon his life work, eventful and varied as it has been, there is not in any part the mark of wrong or the suspicion of evil doing.

Judge Flandrau has been twice married. His first wife, to whom he was married August 10, 1859, was Isabella Ramsay Dinamore, daughter of Colonel James Dinsmore, of Boone county, Ky., and a most beautiful and accomplished lady. She died June 30, 1867, leaving two daughters, now Mrs. Tilden R. Selmes, of St. Paul, and Sarah Gibson Flandrau who is unmarried and resides with her father. Subsequently, February 28, 1871, he married Mrs. Rebecca Blair Riddle, a daughter of Judge William McClure, of Pittsburg, Pa., and to this marriage there have been born two sons, Charles E. Flandrau, Jr., aged sixteen, and William Blair McClure Flandrau, aged thirteen, both with their father.



¹²⁰ The vote for chief justice on November 2, 1869, was

Charles G. Ripley (Republican).....	25,899
Charles E. Flandrau (Democrat).....	22,206
E. O. Hamlin.....	1,440
Write-in.....	492

Douglas A. Hedin, "Results of Elections of Justices to the Minnesota Supreme Court, 1857-2014" 19 (MLHP, 2010-).

SANBORN, HON. WALTER H. In the year 1754 Eliphalet Sanborn settled on "Sanborn's Hill," Epsom, N. H., on the homestead which has been in the possession of his descendants ever since, and is now owned by General John B. Sanborn and the subject of this sketch. Eliphalet Sanborn was a soldier for the colonies in the War of the 'Revolution, and his son, the Hon. Josiah Sanborn—who inherited the homestead—served in the New Hampshire Legislature, in both the house and the Senate, for the period of twenty-two years. Walter H. Sanborn was born on the historic old farm of his ancestors at Epsom, N. H., October 19, 1845. His father is Hon. Henry F. Sanborn, who served two terms, or four years, in the New Hampshire State Senate when that body was composed of but twelve members. His mother, née Eunice Davis, was a granddaughter of Thomas Davis, another soldier of the Revolution who was under Prescott at Bunker Hill, in the rank of General Gates's army at the surrender of Burgoyne, and participated in the battle at White Plains and served to the close of the war.

Walter H. Sanborn was reared to early manhood on the manor lands of his family, working upon his father's farm during the spring and summer months and attending the district school in autumn and winter. As a boy he was a declaimer and debater at the district spelling schools and in the rural lyceums of his neighborhood, and in the winter of 1861, when but sixteen years of age, he taught a three months' term of school for a compensation of \$20 a month, paying \$14 a month for his board.

In September, 1863, at the age of seventeen, he left the farm to be prepared for college at Meriden, N. H., but his scholastic attainments were already somewhat extensive and thorough, and after a stay of but twenty-four hours at Meriden he went directly to Dartmouth College, and was examined and admitted on condition that he should make up the preparatory year in addition to the regular college "work." His collegiate career was remarkable. The first year he accomplished the regular course and made up the required term of preparation; the second year he was one of the first five in his class, and the third year he led the class and was one of the contestants selected for the public debate in the college on the occasion of the junior exhibition. To graduate from an institution of the character of Dartmouth College is held to be creditable; to graduate at the head of one's class is considered a distinction. The last year in college Mr. Sanborn was the leader of his class, and was graduated at its head, (class of 1867), with the highest honors, delivering the valedictory address. Included in the four years of his attendance at college he led his class, taught school for three months every winter, and in the last year taught a six months' term, and did the work of five years.

After his graduation he was for three years principal of the High School at Milford, N. H., and in his spare hours during nights and vacations he was engaged in, the study of law under the instruction of the Hon. Bainbridge

Wadleigh, subsequently a United States senator from New Hampshire. In the spring of 1870 he came to St. Paul, where he continued his legal studies with his uncle, General John B. Sanborn, and was admitted to the bar in the Supreme Court of Minnesota in 1871. On the first of May of the latter year he formed a law partnership with General Sanborn, and has since been actively and successfully engaged in the practice. He has worked diligently and faithfully, and has achieved not only an enviable reputation, but much of real distinction in his profession, so that he has come to be regarded as one of the strongest and most efficient member of the bar of Minnesota.



The *causes célèbres* in which he has been engaged have been rather numerous. In 1881 he was one of the counsel for the defense in the

impeachment trial of Hon. E. St. Julien Cox, before the Senate of Minnesota, and made for the respondent a law argument noted for its strength, its comprehensive character, and its general ability. In 1886 he argued before the Supreme Court of the United States an important case,¹²¹ in which he gained for his client, the plaintiff, a judgment for more than \$40,000, which was collected in cash. He was counsel for Hon. O. B. Holman, in his contest for the office of city attorney of St. Paul, in the *quo warranto* case against Hon. William P. Murray in the State Supreme Court, and obtained an unanimous opinion of that court in favor of his client.¹²²

Among his brethren at the bar he is universally respected and held in personal favor and esteem. He has held the position of treasurer of the State Bar Association since 1885. In the winter of 1889 Governor Merriam requested the lawyers of St. Paul to recommend to him four of their number, two of whom were to be appointed judges of the District Court of Ramsey county. Walter H. Sanborn was one of the four chosen, but it was determined that one of the new judges should be a Democrat, and from the first it had been universally conceded that Hon. C. D. Kerr, a Republican, should be one of the appointees. Mr. Sanborn was therefore not commissioned but left to continue his large legal practice, in which, it must be admitted, there are more of real practical benefits and profitable results to be gained than in the judgeship, (with the inadequate salary and inconsiderable emoluments) and about as many chances for distinction.

He is an earnest, zealous Republican, and has performed some very valuable services for his party. He is a ready, fluent speaker, and his 'services as a public orator are frequently in demand, Public speakers universally agree that Independence Day addresses are the most difficult of construction and delivery. This peculiar field of patriotic eloquence has been so often gleaned that only a genius can find grain or flowers therein. In 1879 Mr. Sanborn delivered in St. Paul a Fourth of July oration which was very highly commended, and was given publication in full by the city press.

Mr. Sanborn is very prominent in Free Masonry, and has filled and now occupies important positions in that order. In 1886 he was elected B. C. of Damascus Commandery No. 1, of St. Paul, the oldest organization of Knights Templar in the State, the strongest in the Northwest, and one of the best in the country, and he has been twice re-elected to that position. In 1888 he was elected deputy grand commander of the order in the State of

¹²¹ *Hobbs vs. McLean*, 117 U. S., 567 (1886). McLean was represented by Walter Sanborn and Charles E. Flandrau. Hobbs was sued in his capacity as assignee of the estate of a bankrupt government contractor; other defendants were John B. Sanborn, Charles King and Edward F. Brownell.

¹²² The case is *State ex rel. Holman v. Murray*, 41 Minn. 123, 42 N.W. 858 (Minn.1889). For Murray's side of the story, see his biographical sketch on pages 174-176.

Minnesota, and in June, 1889, he was chosen grand commander of the State, and now fills that position.

With the official and municipal affairs of his adopted city he has been intimately connected and prominently identified. In 1878 he was elected a member of the City Council of St. Paul, and served two years. In 1885 he was again elected, this time from the St. Anthony Hill District, the wealthiest and perhaps the most influential aldermanic district in the city, and in 1888 was re-elected. Since his connection with the council he has been instrumental in causing the construction of a line of cable railway through his district, has caused that territory to be boulevarded and its streets to be graded and paved, so that it is now the most attractive and beautiful in the city. In June, 1888 he was elected vice-president of the council. Uniformly at his post, and always active and intelligent in the discharge of his official duties, for the accomplishment of which he is peculiarly well equipped, no other member of the city government has more influence upon our municipal legislation and regulation.¹²³



CLOUGH, W. P., Esq. William Pitt Clough, esq., second vice-president of the St. P., M. and M. Railroad, was born in Cortland county, N. Y., March 20, 1845. In 1848 his parents removed to Erie county, Pennsylvania, and here he was reared to early manhood. He completed his education at the Northwestern State Normal School, at Edinboro, Pa., the largest institution of its character in the State, pursuing a complete classical course. After

¹²³ In 1892, two years after the publication of this sketch, Walter Henry Sanborn was appointed to the Eighth Circuit Court of Appeals. A biographical sketch was published that year by a St. Paul journalist, George Thompson: "Walter H. Sanborn" (MLHP, 2012). He served on the appeals court thirty-five years. He took senior status in 1919. A testimonial dinner was given by the St. Louis Bar Association on April 8, 1927; and after his death on May 10, 1928, memorial services were held for him by the Ramsey County Bar Association. These proceedings are collected in "Walter Henry Sanborn (1845-1928)" (MLHP, 2011-12). See also, Thomas H. Boyd, "Walter Sanborn and the Eighth Circuit," 26 *Ramsey County History* 22 (Summer 1991).

Judge Sanborn's cousin, John Benjamin Sanborn, Jr. (1883-1964), served as a state district court judge, 1922-1925, and a federal district court judge in Minnesota from 1925 to 1932, when he was nominated and confirmed for a seat on the Eighth Circuit. He took senior status in 1959, but served until death in 1964. See "Memorial Proceedings for John B. Sanborn, Jr. (1964)" (MLHP, 2012). Justice Charles E. Whittaker and Judge Gunnar H. Nordbye each contributed "A Tribute to John B. Sanborn," 44 *Minnesota Law Review* 197-204 (December 1959). The most thorough study of him is Thomas H. Boyd's "The Life and Career of the Honorable John B. Sanborn, Jr.," 23 *William Mitchell Law. Rev.* 203-312 (1997).

leaving school he alternately taught school and studied law for a period of four years, and then spent two years in the oil regions of Pennsylvania.



In 1867 he came to Minnesota, locating at Rochester, where the following spring he was admitted to the bar, and where he was engaged in the practice of his profession until in June, 1872. He then removed to St. Paul, where he has since resided. He soon came to occupy a leading position at the bar of this city, and in 1880 was appointed counsel of the Northern Pacific Railway Company. This position he occupied until in June, 1887, when he entered the executive department of the Manitoba railway system, as assistant to the president. On January 1, 1888 he was appointed to his present responsible position in the affairs of that great corporation. He has never been in what is commonly termed public life, nor has he been a seeker for public notoriety of any sort. But he is nevertheless justly regarded as a gentleman of very strong natural and acquired abilities, and of very superior attainments and accomplishments. In 1873 he was the

Democratic candidate for attorney-general, but the nomination was made during his absence from the State, and came to him unsolicited and undesired.¹²⁴

Mr. Clough was married in Erie county, Pa., May 29, 1867, to Miss Dacia A. Green, and of this marriage there are two daughters.



ESPY, MAJOR JOHN. Major Espy is a native of the beautiful and historic Wyoming Valley, so renowned in song and story. This lovely vale seems to have been always appreciated for its beauties and natural delights. It has the charms of Cashmere and the history of Glencoe. Even in antiquarian times, before the white men came, it was coveted by many an Indian tribe, and numerous wars, some of which lasted for years, were waged for its possession by the red men. Simultaneous with the first white settlements began that series of desperate and bloody conflicts between the Connecticut and Pennsylvania claimants to the territory known as the “Pennamite Wars.” These conflicts lasted for several years, but in the end both factions united in defense of a common interest, and many of their members fell fighting side by side in the terrible massacres by the British and Indians under Brandt and ‘Butler in 1778. On the paternal side both factions of the claimants numbered within their ranks representatives of Major Espy’s ancestry.

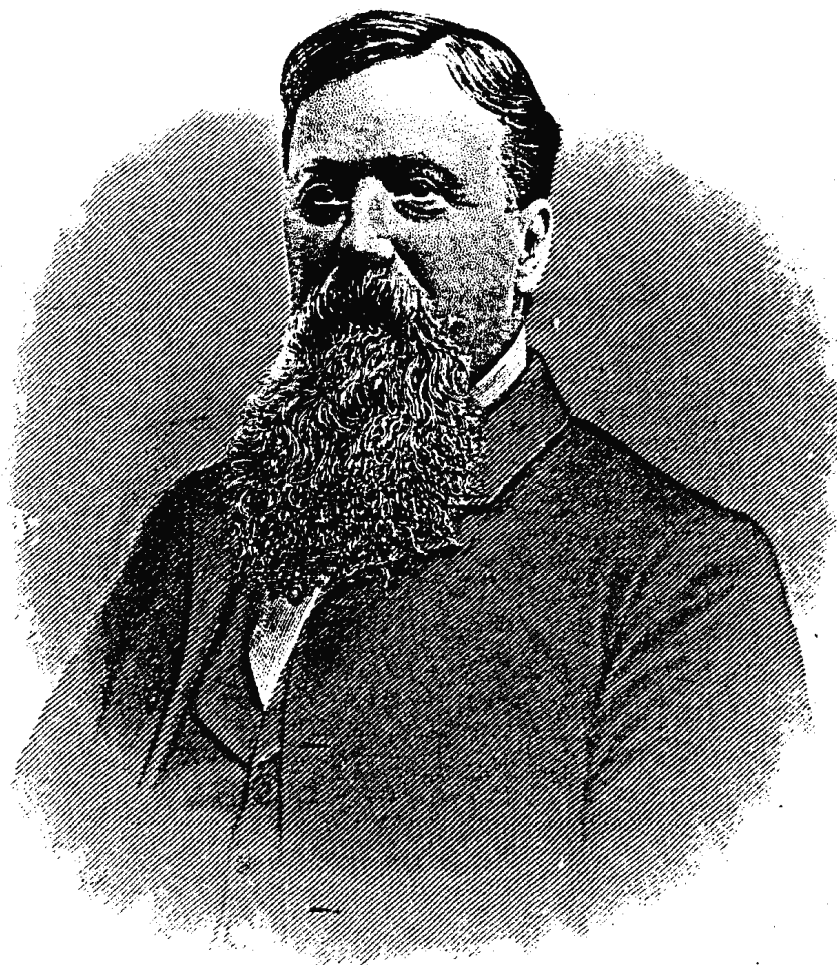
Henry Ward Beecher has said: “To be born well is half the battle of life.” Major Espy has reason to feel proud of’ his ancestors. Some of them attained great distinction, and of one of them, James Espy, a renowned meteorologist, M. Arago, the eminent French savant, declared: “France has its Cuvier, England its Newton, America its Espy.” The progenitors of the paternal branch of his family in America were George Espy, a native of the north of Ireland, who, as early as in 1729, settled in Derry township, Lancaster county, Pa., where he died in March, 1761; and Josiah Espy, who was born in the north of Ireland in 1718, and died in Hanover township, Lancaster county, Pa. George Espy, son of Josiah Espy, was born in Hanover township, Lancaster (now Dauphin) county, Pa., in 1749, and died

¹²⁴ The results of the election on November 4, 1873, were:

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

Douglas A. Hedin, “Results of Elections of Attorneys General, 1857-2014” 16 (MLHP, 2013-)
Clough died on August 17, 1916, at age seventy-one.

in Luzerne county, Pa., in April, 1814. He married Mary Stewart, a sister of Captain Lazarus Stewart, and was commissioned a justice of the peace for the district composed of the townships of Hanover and Wilkesbarre in old Colonial days. John Espy, son of George Espy, was born in 1779, and died March 25, 1843 in Hanover township, Luzerne county, Pa. In noting his death the county newspaper said: "He was a man of honorable feelings, hospitable, and generally beloved." He married, April 5, 1809, Lavina Inman, who was born in 1787, and died in Luzerne county, Pa., in 1876, and who was a daughter of Colonel Edward Inman, of the War of the Revolution. James Espy, eldest son of John and Lavina Espy, was born in 1811, and died in 1872. In 1841 he married Mary A. Miller, (born December 26, 1818, died February 16, 1878), who was a daughter of Barnet and Mary (De Witt) Miller. Barnet Miller was a son of Andrew and Christiana Miller, of New Jersey, and Mary De Witt was the daughter of Peter De Witt and Hannah Hill, who were of French nativity.



The subject hereof, John Espy, was the second son of James and, Mary A. Espy, and was born at Nanticoke, Luzerne county, Pa., September 21, 1842. March 23, 1868 he married Martha M. Wood, who was born in Wilkes Barre, Pa., March 12, 1843. Her father, John B. Wood, was a successful merchant and banker of Wilkes Barre, and her mother, whose maiden name was Sarah Gore, was descended from one of the oldest and most honorable families in America. Her remote paternal ancestors, John and Rhoda Gore, settled at Roxbury, Mass., in 1635, and her great-grandfather and five of his sons fought against the British and Indians in the Wyoming massacres. To Major and Mrs. Espy have been born four children, viz: John B. W., born January 23, 1869; Lila Wood, born June 23, 1872; Maude M., born February 11, 1875; and Olin, born July 29, 1877.

The greater portion of the childhood of Major Espy, from the, age of three to fourteen, was spent under the care of his paternal grandmother, Lavina Inman Espy, the relict of John Espy, heretofore mentioned. She was in many respects a remarkable woman, inheriting from the revolutionary sire a noble courage and a spirit of determination and self-reliance seldom met with. She was withal a lady of intelligence, strong mental gifts, a splendid memory, and possessed a kindly, generous nature, and a heart overflowing with maternal and womanly affection. She largely molded the character of her grandson and his destiny, and he yet feels for her memory the most profound veneration and the deepest respect. In the year 1860, at the age of seventeen, Major Espy entered upon his life career on his own account. His capital consisted of a good common school education, habits of industry, and an ambition to succeed. Coming to the great West, where he deemed there was more opportunity for youthful endeavor than in his native commonwealth, he located at Burlington, Iowa.

The following spring the War of the Rebellion broke out, and with the blood of a long line of soldiers in his veins he was one of the very first to enlist in the army of the Union. In the month of April he enlisted in Company E, First Regiment Iowa Volunteer Infantry, a three-months' regiment called into service by the first proclamation of President Lincoln. His regiment was hurried into active service and sent to Missouri. It formed a part of the gallant little army of General Nathaniel Lyon which did so much to save the State of Missouri to the Union and for the Union cause generally. Espy was with his regiment in the expedition under General Thomas W. Sweeny to Forsyth, Mo., near the Arkansas line, was at the engagement at Dug Springs, and took part in the memorable battle of Wilson's Creek, Mo., August 10, 1861, where the lamented Lyon fell, and where the First Iowa lost 151 men in killed and wounded. A few days after the battle of Wilson's Creek, the time of the First Iowa having expired, he was mustered out of service.

Returning to Iowa he engaged in employment on a farm, intending to re-enter the service at an early day; but the same fall he met with a serious accident. His left hand was caught in the machinery of one of the first sorghum mills ever set up in the State of Iowa and so badly crushed that he was rendered a cripple for life. This physical disability, much to his disappointment, prevented his again becoming a soldier, and feeling the need of a more advanced education he returned to Pennsylvania, and again resumed his scholastic studies. He was graduated from the New Columbus Academy, (Pa.) in 1863, from Harvey's Institute in 1864, and from the Albany, (N. Y.) Law School in 1866. From the last named institution he received the degree of Bachelor of Laws, and was admitted to the bar of Luzerne county; Pa., April 20, 1868. In March, 1868, as previously stated, he was married.

Engaging upon his professional and business career, he was actively employed from the first. He had a very active and profitable law practice, and was soon drawn into other pursuits. He was for ten years a director of the Wilkesbarre Water Company, and of the Wilkesbarre and Kingston Passenger Railroad. He was one of the incorporators of the Coalville Passenger Railroad and a director in that corporation until his removal from the State. He was also one of the organizers of the Wyoming Camp Ground, a summer resort under religious influence. In 1871 he was commissioned aid-de-camp, with the rank of major, on the staff of General B. S. Osborn, of the National Guard of Pennsylvania, and served in that capacity for ten years. He took an active part in the suppression of the riots at Scranton, Pa., in 1871, at Susquehanna Depot in 1877, and at Hazleton in 1878. In 1871 he became a member of the banking house of J. B. Wood & Co., at Wilkesbarre, and was connected with that institution until its retirement from business in 1877, consequent upon the death of the senior member, Mr. Wood.

In December, 1879 Major Espy located in St. Paul. He was admitted to the bar of Ramsey county, and for a time occupied the same office with Hon. Hiram F. Stevens. Although he has never abandoned his 'profession of the law, yet, owing to his many business interests and the care and attention necessary for their successful conduct, he has done chiefly an office practice. The greater part of his time and attention has been given to the development and improvement of his real estate interests in the city, and in this direction few men have done more for the advancement and general welfare of St. Paul than he. Among the many buildings he has erected, may be mentioned the well-known "Espy Block," on Fifth street. He was given the principal oversight of the erection of the hotel and amphitheater at Mahtomedi, and the construction of the Central Park M. E. Church building devolved mainly upon him. His services in connection with the building of this church are mentioned elsewhere. (See ecclesiastical history, chapter).

Soon after his location in St. Paul Major Espy was induced by certain persons with a knowledge of his capacity and former experience to interest himself in establishing a summer resort within easy access of the city, which should be under the restraining and elevating influence of religion and culture. He prepared the general law now in force regulating the organization and maintenance of these institutions, and placed the bill in the hands of ex-Senator D. M. Sabin, then a member of the Legislature, for passage. Foreseeing that here was a good opportunity to make a judicious investment, as well as to encourage a noble and praiseworthy undertaking, Senator Sabin proposed to certain of his friends in St. Paul and Stillwater to purchase a large tract of land on the borders of White Bear Lake, consisting of about 3,000 acres in a "wild" or unimproved condition. A corporation called the Wildwood Park Association was formed and Major Espy was entrusted with the managements of its affairs. The investment proved very profitable and the general success of the enterprise, as those who know the facts state and as the public understands, is mainly due to the skillful and sagacious management of Major Espy. About this same time Major Espy joined with other prominent Methodists in organizing and establishing Mahtomedi Assembly upon lands donated for that purpose by the Wildwood Park Association.

Major Espy has always been an ardent Republican. In Pennsylvania, and also in his adopted State, he has taken an active interest in the affairs of his party and contributed to its success in several campaigns. In 1884, during the Blaine and Logan campaign, he was secretary of the Republican State Central Committee in Minnesota, and that year was given the largest Republican majority ever cast in the State. He has not been an office-seeker, however, and with the exception of one term as commissioner of Ramsey county, has never held an official position. His business affairs have repeatedly compelled his declination of official honors tendered him by his friends and fellow-citizens, and he has not been kept out of public life for lack of opportunity.

In 1866 Major Espy united with the Methodist Episcopal Church, and has continued a consistent member of that powerful religious organization to the present time. He has made a point of being present at the general and annual conferences and other important meetings of the church, and an active and very efficient worker in its temporal affairs. Though his services in behalf of his local church are adverted to elsewhere, they may be mentioned a little more in detail here. As a member of the board of trustees of the Jackson street Methodist Episcopal Church he was strongly opposed to the remodeling of the old church building at an expense of \$12,000, and urged the disposition of the old building and the purchase of a more eligible site. Urged by his influence this course was determined on, and soon after the purchase of a building lot on Robert street was made. But about this time the boom came upon the city, and the value of both the new lot and the

old church property increased with such phenomenal rapidity that eventually the church authorities were enabled to purchase the fine site and erect thereon the magnificent edifice known as the Central Park M. E. Church, without calling upon the congregation for a single dollar, except the sum of \$7,000 expended for the Robert street lot. Major Espy's efforts in bringing about this result were very conspicuous, and they seem to give him a great deal of pleasure and satisfaction. All in all, Major Espy's life work has been one of activity, usefulness, and of beneficent influence, and in all the relations of life he has ever been true to his fellow men and to his Creator, who is truth itself. His honorable conduct and his genial, sunny disposition, added to his other qualities have secured to him a large following of personal friends, who predict for him many more years of usefulness and honor. He is well situated in life, with an honorable record in the past; a promising future before him; surrounded by an interesting family and a host of friends, with a handsome competence of this world's goods, and with abundant treasures laid up "where neither moth nor rust doth corrupt, and where thieves do not break through nor steal."



HORN, HON. H. J. Hon. Henry John Horn, now one of the oldest practicing attorneys of the city of St. Paul in point of continuous experience and active service, was born in the city of Philadelphia, Pa., March 25, 1821. His grandfather was a German of Dutch ancestry, who came to America and settled in Pennsylvania prior to the War of the Revolution. His parents were John Horn and Priscilla Fentham. His father was by vocation a carriage maker, but became a somewhat noted Democratic politician, and was a great deal in public life. At one time he was naval officer in the custom house at Philadelphia. His brother, Henry Horn, the uncle of the subject of this article, was also a prominent Pennsylvania Democrat, a member of Congress during Jackson's administration, and for one term was collector of the port of Philadelphia.

Mr. Horn was reared to manhood in his native city. His education embraced the higher English branches and the classics, and was very thorough and practical. Soon after leaving school he entered the law office of Hon. Henry D. Gilpin, an attorney-general of the United States under President Van Buren, and pursued an elaborate course of instruction under that distinguished gentleman until his admission to the bar, in Philadelphia, in 1849. Upon his admission he engaged in the practice in his native city, and continued for six years.

In June, 1855 Mr. Horn located in St. Paul, where he has since resided, being engaged from the first, without intermission in the general practice of his profession: At one time he was in partnership with Reuben B. Galusha

and at another with W. W. Billson, who was subsequently United States district attorney. The greater portion of the time, however, he has been without an associate. In the year 1857 he was elected city attorney and served in that position for three years, or until in 1860. In 1864 he was chosen county attorney for Ramsey county, and served for two years. He also served one year as corporation counsel, a special office created for the time, while the late ex-Governor Gorman was city attorney. He has been identified with the interests of the city in various ways, and in early days was a member of the historic military company, the Pioneer Guard, under its first commander, Captain A. C. Jones, who was subsequently an officer in the Confederate service. In 1857-9 he was a member of the Board of Education, and at present is a member of the Chamber of Commerce, one of the trustees of Macalester College, etc. He was from time to time of much service to the city in amending and remodeling its charter; and did good work while on the school board.

As a lawyer Mr. Horn is well and favorably known and universally esteemed not only by his brethren of the bar, but by the community at large. No other member of the bar stands higher in this regard. He has the confidence of all who know him. His learning and ability are very superior, and his methods are the most honorable and dignified. One who has known him long and intimately and is thoroughly acquainted with his traits of character said of him to the writer: "If there is such a thing as an honest lawyer. (!) Harry Horn is certainly one." His legal learning, his industrious conduct of causes, and his fidelity to his clients and to the rights of all have gained for him a large and remunerative practice. He has devoted much time to real estate and corporation practice, and in his knowledge of these specialties stands second to none. He has been the attorney of the City Railway Company since its organization, and has been frequently engaged in important cases, with uniform success. He is still a reader and a student, keeps abreast with the progress of his profession, and spends his leisure hours in conning the pages of classic and standard literature.

Mr. Horn was married in St. Paul, September 1, 1859, to Miss Fanny Banning, a sister of the well-known pioneer banker brothers of this city, and a most estimable lady in every sense. Of this union there were born eight children, five of whom are now living, viz.: Priscilla F., now Mrs. John W. Adams, of St. Paul; Henry J. Jr., a civil engineer; Alexander E., a law student; Lenore and Mabel.



Mr. and Mrs. Horn are members of House of Hope Presbyterian Church, and he has been an elder in that organization for many years. It is pleasant to record of him, in the words of another, that he is a conscientious, kind-hearted, Christian gentleman, of the strictest integrity and probity of character, of humane and benevolent disposition, “always ready to assist a destitute neighbor, and to aid in lifting up stricken humanity.”¹²⁵

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¹²⁵ For a profile of Horn in the *St. Paul Daily Globe* on May 24, 1891, see “Ramsey County Lawyers” 7-8 (MLHP, 2015) (published first, 1891). Horn died on March 20, 1902, almost eighty-one.

KERR, HON. CHARLES D. Charles Deal Kerr, one of the best known lawyers of St. Paul, and at the present one of the judges for Ramsey county and the Second Judicial District, was born in the city of Philadelphia, Pa., September 9, 1835. He comes of a very honorable and somewhat distinguished ancestry. One of his great-grandfathers on his father's side was William Rush, a brother of Dr. Benjamin Rush, one of the signers of the Declaration of Independence. His maternal grandfather was M. Regnaud, a French jurist, who was presiding over the Superior Court of the Island of St. Domingo at the time of the great uprising of the blacks under Toussaint L'Ouverture, and the frightful massacre of the whites which followed. His property on the island was all either destroyed or confiscated by the insurgents, but his life was saved by the fidelity and devotion of a faithful slave, who warned him in time to enable him to make his escape by swimming to a vessel in the harbor, on which he sailed to Philadelphia, where he spent the remainder of his life.

Very early in Judge Kerr's childhood his parents removed from Philadelphia to Jacksonville, Ill., where he grew to young manhood and received his scholastic training and education. His father died soon after coming to Jacksonville, and the widow through misfortune and the dishonesty of certain parties, who had been entrusted with her means, soon found herself in very straightened circumstances, with a family of five little children looking to her for support, maintenance, and rearing. From this time forth, throughout his youth and his early manhood, the career of Judge Kerr was an almost continuous struggle against adverse circumstances. As the eldest son upon him devolved, in a large measure, the support of the family, and this care received his first and best attention. All of his educational and other advantages were acquired under circumstances which would have discouraged many another, and were entirely the results of his own labors and exertions.

In the year 1857, after a long and hard struggle with poverty and other disadvantages, he was graduated from Illinois College, at Jacksonville, having taken a full classical course. Two years later, in 1859, he entered the law office of Hon. Samuel F. Miller, (now one of the justices of the United States Supreme Court) then at Keokuk, Iowa, and during that year and the following was a hard close student of the law. He was an original Republican and took an active part in the presidential campaign of 1860, which resulted in the election of Lincoln and Hamlin. In the spring of 1861 he was admitted to the bar, and was attending his first term of court, as a lawyer, at Carthage, Hancock county, Ill., where he had located when Sumter was fired on.

At the first call for troops he was enlisted and was mustered into service as a private of Company D, Sixteenth Regiment of Illinois Volunteer Infantry, on the 26th of April, 1861. In September following he was commissioned

adjutant of the regiment, and by a series of promotions, all, honorably and worthily attained, finally reached the position of lieutenant-colonel, with which rank he was mustered out July 27, 1865, after a service of four years and three months, nearly all of which was spent in active duty in the field, He was commissioned as full colonel a short time before his muster out, but not in time to have that rank appear on the rolls at Washington before his discharge so that it could receive official notice.



Colonel Kerr's military experience, while in the main very arduous and trying, was more than ordinarily eventful and much of it somewhat conspicuous. His regiment was the first Federal organization from another State to enter the State of Missouri, and performed invaluable service during the summer of 1861 in guarding the Hannibal and St. Joseph Railroad, and in repressing numerous organizations of secessionists in Northern and Central Missouri. The regiment, too, won the esteem of all parties in Missouri, not only for its general good soldierly conduct) but for the gentlemanly and honorable bearing of its officers and men towards all classes of citizens.¹²⁶ Subsequently it was connected with the Army of the Cumberland and the Fourteenth Army Corps, and participated in all of the campaigns and in nearly all of the achievements of those two distinguished military organizations. On December 26, 1863, it re-enlisted for three years more, as one of the first veteran regiments of the Army of the Cumberland. It took part in the engagements about Corinth, Miss., and Murfreesboro, and Chattanooga, Tenn.; in the famous hard-fought Atlanta campaign; in the celebrated "March to the Sea," and through the Carolinas, as well as in numerous engagements and campaigns of the Arms of the West in the early stages of the war.

About two years of Colonel Kerr's military service were spent on staff duty. Prior to the battle of Chickamauga he was on the staff of Brigadier-General James D Morgan, and subsequently, including the battle of Missionary Ridge, the Atlanta Campaign, the March to the Sea, etc., he was with that accomplished soldier and hero, Major-General Jeff C. Davis. He saw a great deal of the war and was a participant in many of the most influential campaigns and decisive engagements. He is one of the few officers who remember clearly what they saw, and he has the capacity in a very accomplished degree to put his recollections on paper. His paper on Sherman's March to the Sea is one of the most entertaining in the collections of the Loyal Legion, and is really a valuable contribution to history.

After his muster out in August, 1865 Colonel Kerr realized that his health had become greatly impaired by the hardships of army life, and he came to Minnesota in the hope that its much lauded climate would bring him relief and restoration. In September he came to the State and located at St. Cloud, where he resumed the practice of his profession, in partnership with Hon. James McKelvey, who afterwards served for sixteen years as judge of the Seventh Judicial District. After Judge McKelvey's elevation to the bench Colonel Kerr was in partnership with Hon. W. S. Moore, now of St. Paul, and later with Hon. L. W. Collins, now one of the justices of the

¹²⁶ The compiler of this sketch was a resident of North Missouri at the time, and knows whereof he speaks.

Supreme Court of Minnesota.¹²⁷ He established an extensive practice throughout the entire northern half of the State, and made for himself an enviable reputation.

In 1873 he located in St. Paul, where he has since remained, actively engaged and almost literally absorbed in his profession. He has won for himself the name of an able and honorable lawyer, and has been very largely successful. He is noted for his careful and thorough methods, spares neither time nor labor in the examination and preparation of his cases, is devoted to the interests of his clients, and, in the language of a brother attorney, he tries a case “for all there is in it, and is very rarely caught napping.” He is of a judicial turn of mind, and brings to the trial of a cause all the law there is on the subject, going carefully over the ground and developing every pertinent and relevant point. As an advocate, while he is not what is sometimes called brilliant, he is an earnest, forcible speaker, unaffected and plain in manner, but interesting and convincing. Since 1885 he has been at the head of the well-known law firm of Kerr & Richardson.

All this, however, as to Colonel Kerr’s characteristics as a practicing lawyer, may be said in the past tense, since he is no longer in the practice. In February, 1888 he was unanimously indorsed by the Ramsey County Bar Association for appointment as one of the two additional judges for Ramsey county and the Second Judicial District, recently authorized by the Legislature. The indorsement was unsolicited, but was in its nature a most exalted compliment to the worth of the recipient, and as such was duly appreciated. On the 14th the appointment was made by Governor Merriam, and at the same time Hon. L. M. Vilas was commissioned as the other judge of the district. Judge Kerr’s elevation was greeted with great satisfaction by his brethren of the bar, by the press of the city, and by all classes generally. With one accord it was agreed that the appointment was most worthily bestowed.¹²⁸

¹²⁷ James M. McKelvy (1835-1884) served on the district bench from to 1866 to 1883, when he resigned. He was succeeded by Loren W. Collins (1838-1912), who served on the district court from 1883 to 1887, when he was appointed associate justice of the Minnesota Supreme court, a post he held until mid 1904, when he resigned to seek the endorsement of the Republican Party for governor. He was not endorsed.

¹²⁸ Kerr won elections in 1890 and 1896. Three incumbents on the Ramsey County bench ran unopposed in the election of November 4, 1890, the results of which were:

Charles D. Kerr.....	20,262
Charles E. Otis.....	19,109
James J. Egan.....	19,251
Write-ins.....	43

The election on November 3, 1896, was a “top three” election, in which Kerr received the most votes:

Colonel Kerr has always performed his full duty as a citizen. He has taken a deep and active interest in municipal affairs, and has been influential in shaping them. For several years he was mayor of the city of St. Cloud. Since coming to St. Paul he has, during the past six years, served two terms as alderman, and one term as president of the Common Council of the city. He was also for two terms a member of the Board of Education, and for one term president of the board. He is also a member of the State Bar Association, one of the members of the Board of Governors of Ramsey County Bar Association, and belongs to Acker Post, G. A. R, and to the Loyal Legion; of the last named organization he was senior vice-commander of the department for the year 1888.

In 1874 Judge Kerr married Miss Mary E. Bennett, of Rochester, N. Y. Surviving this union there are two children, a son and a daughter. The family live in a pleasant home on Summit avenue, in the full possession of all that makes life truly enjoyable and really worth the living.



OTIS, HON. GEORGE LAMARTINE. This formerly prominent and well-known citizen of St. Paul, distinguished for his talents, accomplishments, and abilities, and for his innate nobility of character, died at his residence in his adopted city of St. Paul, Minn., on the evening of March 29, 1883, after a lingering illness.

He was born at Homer, Cortland county, N. Y., October 7, 1829, the son of Isaac and Caroline (Curtiss) Otis, and came of a very old and honorable family.¹²⁹ In his childhood he removed with his parents to Barry county, Mich., near the city of Kalamazoo, where he was reared on a farm until early manhood. He attended college at Kalamazoo, and completed his scholastic education at an academy in the town of Owego, Tioga county, N.

Charles D. Kerr.....	17,480
Charles E. Otis.....	15,813
Olin B. Lewis.....	14,659
James J. Egan.....	12,761
H. W. Corey.....	9,529
R. A. Walsh.....	9,986

1891 Blue Book, at 572; 1897 Blue Book, at 492. Kerr died on December 25, 1896, at age sixty-one.

¹²⁹ The Otis families in America are descended from John Otis, who, about the middle of the 17th century, came to Massachusetts from Hingham, England. In former times in the mother country the name was sometimes spelled Otys, Ottys, and Ottis. James Otis, the famous patriot orator of the Revolution, and the accomplished Harrison Gray Otis were members of the family to which the subject of this sketch belonged. An ancient seat of the family was at Otis Hill, near Hingham, Mass.

Y. Returning home at the conclusion of his academic course, he taught school in the city of Kalamazoo, devoting his leisure hours to the study of law in the offices of Balch & De Toe and Joseph Miller, accomplished and well-known barristers of that circuit. In 1855 he was admitted to the bar at Kalamazoo, and in October of that year came to St. Paul, where he ever afterward resided, engaged continuously in the active and successful practice of the law until sickness and death ended his labors. His close and continued application to business, and especially his arduous labors as leading counsel in the foreclosure of the St. Paul and Pacific Railroad mortgages from which the present St. Paul, Minneapolis and Manitoba Railway system is an outgrowth, seriously impaired his health, and in the summer of 1881 he made a trip abroad, but received only temporary and partial relief, although upon his return home he re-entered his office and resumed his practice. But his continued failing health rendered him an invalid, and within a year from the date of his return from Europe he was compelled to permanently abandon the active duties of life, and thereafter remained in his family home until the end came. His body was buried in Oakland Cemetery according to the rites of the Episcopal Church, and was borne to the grave by some of the most distinguished citizens of the city and State.

In his professional career no man in Minnesota was ever more distinguished than George L. Otis. He was a thorough and most accomplished lawyer, of pleasant but quiet and unpretending demeanor. He readily won the confidence of his fellow men, and his uniform success in the conduct of his causes gained for him a large clientage. He was very studious, industrious and devoted, ever painstaking, cautious and careful, and never slighted the smallest interest intrusted to his care; and it was perhaps these traits of his character which involved much self denial, much labor and privation, that broke his health and brought him to an untimely grave.

In his methods he was very careful and circumspect, making an exhaustive investigation of his cases, thoroughly examining the law and the evidence, consulting every authority, and citing every precedent. He always had the attention of the court, for his legal arguments were uniformly learned, weighty and original. As an advocate he was not showy, nor what is commonly called brilliant. He was, however, cool and collected, earnest, clear and direct, addressing himself to the reason of men rather than to their feelings and passions.

If he excelled in one branch of his profession above another it was as a counselor, and in what lawyers term office work, involving the investigation of causes, untangling and making plain intricate questions of law and fact and solving difficult and complex legal problems. He was entirely loyal to the "jealous mistress." He cared little for common worldly diversions, was

seldom to be found after business hours outside of the precincts of his office and his home, and he despised all forms of show and ostentation. In his personal intercourse he was upon every occasion gentlemanly and polite, and though of a retiring disposition his learning and ability attracted admiration and commanded respect. He was faithful to every trust, was never the subject of calumny or slander, and upon the life record of George L. Otis there never appeared a single blot or stain.

His fellow lawyer and his friend, Hon. C. K. Davis, said of him in this regard: "The basis of his moral organization was integrity. It was stainless. No man ever questioned it. It was the faithful ally of his understanding which made it accurate and unswerving in those matters so frequent in our profession, where the practical rules of life, as prescribed by laws, should be made to coincide with the principles of abstract right. He spoke ill of no man, and he had that dignity of character and bearing which belongs to the possession of the highest moral courage."

Of course his services were in demand by his fellow citizen; and he was frequently in positions of public trust. He was a member of the House of Representatives in the first Minnesota Legislature of 1857-8, and of the State Senate in 1866. In 1867 he was elected mayor of St. Paul, and again elected in 1869, being chosen on both occasions without solicitation or effort on his part. He was for years one of the board of managers of the State Reform School. He was also a member of the board of water commissioners appointed to develop the plan for the system of water-works in St. Paul, and to this subject he gave much attention and, exerted much influence in the consummation of the present efficient and valuable system.

Mr. Otis was a staunch and very earnest member of the Democratic party. His political convictions, like his other opinions, were the conclusions of his investigations and observations, and he adhered with fidelity and loyalty to the fortunes of his party through all vicissitudes. In 1869 he was the Democratic candidate for governor of his adopted State. At that time the Democracy were in a hopeless minority in the State and generally throughout the republic, and his position as a candidate was not to be desired, and one to which he had not aspired. Yet he accepted his nomination as a call to duty. In his letter of acceptance he said:

"It has been a rule of my life thus far never to seek a public office, and this nomination is tendered to me un-sought and entirely unexpected. No man can feel otherwise than complimented and honored when chosen to receive the suffrages of his party for the office of chief magistrate of his State, and it would be affectation on my part to disclaim feelings of pride at being thus elected. Still, were I to consult merely my own inclinations, I should plead private business and

professional engagements as an excuse, and decline; but to the citizen of a free State there are other and higher duties than those merely personal to himself. All the functions of government are initiated through the agency of, parties, and hence party organization and party discipline become a public necessity. All participation in government being through party alliance, no citizen can claim to be absolved from the demands of his party when called upon to perform duty. Yielding to this demand I accept the nomination, fully concurring with the views of the convention, as expressed in its platform of principles, that the dead issues of the past be consigned to oblivion. Let us keep in view the living wants of the present and progressive events of the age; then if we fail, our failure will be temporary, and although in the present canvass we may not command success, we will do more—we will deserve it.”

He was defeated by the Hon. Horace Austin, the Republican candidate, by a comparatively insignificant plurality of less than two thousand votes.¹³⁰ He ran ahead of his ticket, carried his home county by a majority of over 2,000 in a total vote of 3,700, and it was the opinion of the best informed that had he made an active canvass for the office, and performed what is termed in partisan parlance “hard work” in his own interests he would have been elected. But he was not an office seeker or a place hunter, and during the contest he declined to go upon the hustings or to scramble for preferment. Describing his sentiments regarding office holding Governor Davis happily says: “He was averse to public honors; sought for none of them, but was sought by them; he accepted them sparingly, used them honestly, surrendered them gladly, and died entitled to that best of encomiums, that he deserved the distinctions he declined.”

Mr. Otis was an unpretentious believer in the truths of revealed religion, always sincere and consistent. Throughout the long period of his last illness he was sustained by the consolations of his faith, and when he came to go down into the valley of the shadow of death he feared no evil. For more than twenty years he had been a faithful member of Christ’s Episcopal Church in St. Paul. No higher tribute to the purity of his Christian life and character can be desired than that which was bestowed by his prelate and friend, the venerable Bishop Whipple, who in announcing his death, said: “Hon. George L. Otis was one of the foremost men in the State—a quiet, loving, manly man, without reproach, who would grace any

¹³⁰ The previous year, 1868, the Republicans had carried the State by a majority of 16,000. The results of the election on November 2, 1869, were:

Horace Austin (Republican).....	27,348
George L. Otis (Democratic).....	25,401
Daniel Cobb.....	1,764

1915 Blue Book, at 102.

walk in life, He was, with all his ripe wisdom, like Nathaniel of old, 'one in whom is no guile.' For almost twenty years this busy lawyer, a man of business overloaded with care, was the clerk of the vestry.



He, counted nothing little which could bless others or prosper the kingdom of our Lord. He went down to his grave beloved by all who knew him—a man who will be missed and wanted. Our chief justice well said of his friend,¹³¹ ‘no man could ask for greater honor than to die as did George Otis, so honored and beloved.’”

Mr. Otis was very fortunate in his domestic relations. In 1838 he married Mary Virginia Mix, a daughter of Hon. Chas. B. Mix, a former well-known government official, who for several years was commissioner of Indian affairs. Surviving the father are the following children: Caroline M., now the wife of Captain George D. Wallace, Seventh U. S. Cavalry; Martha B., now the wife of Lieutenant W. M. Dickenson, Fourth U. S. Cavalry; Mary C., now the wife, of W. F. Newell; Charles A. and George W. Otis. The widowed mother, a lady of rare virtues and accomplishments, is still a resident of St. Paul.



ERWIN, WILLIAM WALLIS, was born in the town of Erwin, Steuben county, N. Y., July 12, 1842.¹³² Something of his ancestry may be read with interest and may be given with propriety. His paternal great-grandfather, General Arthur Erwin, was an officer of the Patriot Army in the American Revolution, and about the close of that war purchased the Erwin Township within which lies the confluence of the Cohocton and Tioga rivers, there forming by their union the Chemung River, the upper western great arm of the Susquehanna. General Erwin lived at Erwinna, Bucks county Pa., and was assassinated by some squatters whom he dispossessed of some lands in the town of Athens, which town he also owned at the time of his death. General Erwin’s father emigrated from Ireland to America many years before the War of the Revolution. The family had been domiciled in Ireland for about three centuries, and claimed lineage from William de Irwyn, the armor-bearer of Robert Bruce of Scotland. It is certain that the three holly leaves, with the motto, “sub sole sub umbr a virens,” was received by the

¹³¹ Hon. James Gilfillan.

¹³² His last name is sometimes spelled Irwin. See e.g., Charles E. Flandrau, “Bench and Bar of Ramsey County, Minnesota, Parts I & II) 35-36 (MLHP, 2008-2009) (published first, 1888)(“W. W. Irwin deserves special mention as a member of the Ramsey county bar. He is a man of genius in his way; eccentric to the last degree; brilliant in conception and execution; an orator of considerable force. Independent of all social conventionalities, he appears here, there, anywhere, like a comet with no ascertained orbit. He creates amazement by the suddenness of attacks and retreats. His methods differ from those of all other men. His system is his own. He is a success in the line he has adopted in the profession—that of a criminal lawyer. He enjoys a reputation in this *role* that extends beyond the limits of the state. Few criminal trials of any magnitude have taken place in this state or the adjoining territories of late years that Mr. Irwin has not been engaged in for the defence, and his success has been extraordinary.”).

family by reason of their services to Robert Bruce. The Irwyns of Scotland claimed a Scandinavian lineage, and the tradition of the family related that their ancestors, with other Vikings, had seized the Orkney Islands. north of Scotland, and, had slowly passed into a Scottish family. The Scandinavian name of the family is claimed to have been Erinveine.

Mr. Erwin's grandfather was Captain Samuel Erwin, who commanded, a company in the War of 1812, and served with gallantry at Lundy's Lane. Captain Erwin was, in many respects, a remarkable man. It is related that he revenged the murder of his father by blood atonement. He followed the assassins from Pennsylvania to Georgia. There were then no extradition laws by which the murderer could be returned to Pennsylvania and justice avenged. He was a most powerful man, and was known along the Susquehanna by the name of "King of the Susquehanna." He lived at the village of Painted Post, where he reared a large family. His wife was Rachel Heckmann, of Easton, Pa., of one of the old Holland colonist families. Among his sons were William Erwin, born in 1813, and a graduate of Union College, of Schenectady, N. Y., in 1837; the late Hon. Arthur H. Erwin; the late General Frances E. Erwin, of New York; the late Judge John Erwin, of Cleveland, O.; the late Captain Samuel Erwin, and the Hon. Charles H. Erwin, now residing in the old family mansion at Erwin, N. Y. Mr. William Erwin, after his graduation at Union College, studied law and was admitted to the bar, but never entered into a regular practice. He is a man of great learning, logic and research, and the author of many pamphlets and several books upon subjects of Biblical study. In 1839 he married Mary Evans, daughter of Hon. John Evans, a distinguished lawyer living at Wilkesbarre, Pa., and of this union was born the subject of this sketch. Mrs. Erwin is a woman of varied accomplishments. Her children inherit their ambition, from her. She is a noble Christian woman, and has ever been a shining example of womanly virtues. Her only brother is the Hon. Thomas W. Evans, now living at Germantown, Pa., who has been said to be Philadelphia's greatest importer. Her older sister, Elizabeth, was the wife of Judge John Cooper, of Cooper's Plains, N. Y.; her sister, Grace, was the wife of the Rev. Dr. Morgan J. Rheese, of Brooklyn, N.Y.; her sister, Jane, was the wife of the late Dr. Aitken; her sister, Margaret, was the wife of the Hon. Miller J. Fox, of Towands, Pa., a truly distinguished engineer. Her mother's name was Wallis, which name she gave to her son William. The Evanses of Pennsylvania are of the same family as the Evanses of Richmond and Petersburg, Va., are of Welsh origin and are highly connected with the old families of Virginia, Pennsylvania and New Jersey.

Mr. Erwin attended school at the Academy in Plattsburg, N. V.; also at Alfred, N. Y., and he completed the freshman year at Geneses College, at Lima, N. Y. Leaving college to enter the army at the very outbreak of the rebellion, Mr. Erwin, although but eighteen years of age, raised at his own family's expense, a company of volunteers and joined the famous Excelsior

Brigade, then recruited and afterwards commanded by General Daniel E. Sickles. Mr. Erwin's services commenced on the 22d day of May, 1861, as first lieutenant of Company K, Fifth Regiment Excelsior Brigade, known in the records as the Seventh-fourth Regiment, N. Y. Volunteer Infantry. Lieutenant Erwin served with his regiment, which was commanded by Colonel Charles K. Graham, afterwards major-general. Sickles's Excelsior Brigade formed a portion of General Joe Hooker's famous division, commanding which he won his honor and his fame. Lieutenant Erwin was engaged in the winter of 1861-62 in doing picket service on the Potomac River from Budd's Ferry to Port Tobacco, Md. His division joined General McClellan's army in the early spring of 1862, in the investment of Yorktown, Va. General Hooker's division supported the cavalry of General Stoneman in the immediate pursuit of General Magruder upon the evacuation of Yorktown, and bore the brunt of the fierce battle of Williamsburg. During this engagement Captain Martin Willis, the commander of Lieutenant Erwin's company was captured, after which Lieutenant Erwin remained in command of the company until a few days after, the battle of Seven Pines, when he suffered a sunstroke, which was followed with typhoid fever. By the most devoted energies of his father, than whom there never was a more courageous or honest man, Lieutenant Erwin was removed to his home in New York, where he remained totally incapacitated for service until under the surgeon-general's certificate of disability, his resignation was accepted.

After his retirement from the army, Mr. Erwin studied law in the office of his brother-in-law, the late Hon. J. R. Ward, at Elmira, N. Y., and in the winter of 1863-4 attended the Law School at Albany. He was admitted to practice at the General Term of the Supreme Court at Albany, by Judges Peckham, Miller, and Ingalls, on the 5th day of May, 1864. Early in June of that year Mr. Erwin started, in company with his father and his brother, John Evans Erwin, and his uncle, Samuel Erwin, for an overland trip from Nebraska City, Neb., up the Platte River to Julesburg, Col.; then to Lodgepole Creek, Fort Laramie, Upper Platte Crossing, Deer Creek, Independence Rock, and by Landers's Cut-off; over the Wind River Mountains to Blackfoot Creek, and across the Snake River Desert to Bannock and Virginia City, then the leading cities of Montana. Upon the outward trip Mr. Erwin's train encountered the Sioux Indians at every point beyond Fort Laramie.

The last five hundred miles of the journey into Bannock Mr. Erwin and his father made alone, riding, in turn, a single Indian pony. When about forty miles west of Fort Laramie the train of wagons with which the Erwin party were traveling, was suddenly attacked by a band of Sioux Indians, the attack was of short duration, and the Indians being immediately repulsed, hid behind the bluffs. Mr. Erwin relates that he never was so frightened in all his mortal life as on this occasion. To conceal his trepidation he resorted to the artifice of filling a large brier-wood pipe as coolly as possible and

making an extravagant show of calmness, upbraided every man whom he found in any fault; telling one to "put his children in the wagon," that he "ought to be ashamed" to have his children out exposed to danger. He directed another to keep his oxen close up to the wagon in front of him, so that they might corral easily if the attack was renewed, etc. He says, good humoredly, that it is not at all strange that the same night he was elected "fighting captain" of the train, and so remained while the train of one hundred wagons traveled a distance of seven hundred miles.



In the winter of 1864 Mr. Erwin went to Denver with the intention of opening a law office, but abandoned the project and returned to Corning, N. Y.,

where he entered the office of Hon. George B. Bradley and Hon. Amos Kendall, then the most able law firm in all Southern New York. The distinguished jurist, Mr. Bradley, now occupies a seat in the Court of Appeals of the State of New York. Mr. Erwin remained with this firm until Mr. Bradley advised him that he was too good a lawyer to be employed by them, whereupon he opened an office in Corning, and rapidly built up a lucrative practice.

While at the law school at Albany, in 1863-4, Mr. Erwin had entered into a most intimate acquaintance with the late Hon. Gaylord J. Clarke, at that time State prison inspector, with the distinction of being the youngest man ever elected to a State office in New York, having been chosen upon the Seymour ticket of 1862. Mr. Clarke was well known for his accomplished poem; among which are the "Life Leaves" and the "Bivouac." After the State election in 1866 in New York, when to prevent Tammany Hall from obtaining possession of the Democratic party in the State, many of the great Democratic line leaders had supported Hon. Reuben E. Fenton, the Republican candidate, for governor, and had thereby barely defeated Hoffman, the candidate of Tammany, Mr. Clarke determined to abandon a party which he believed should be rather the defender of the Jefferson, Madison, and Monroe doctrine of the Federal Union, than the machine politics of Tammany Hall; and, at his earnest solicitation, Mr. Erwin was induced to remove to the State of Nebraska, where he entered into law practice at Plattsmouth, in Cass county, with Mr. Clarke and Hon. DeForest Porter who had been the famous "boy preacher of Western New York." The intention was to secure the election of Mr. Clarke to the U. S. Senate, to succeed Hon. Thomas W. Tipton in 1868, and the whole scheme would have been successful had not Dr. Miller, the editor of the Democratic Omaha Herald, out of mere partisan revenge, republished certain speeches made by Mr. Clarke in New York, arraiging the general government for an unconstitutional assumption of war powers and containing sentiments which looked to a perpetuation of the Federal Union as of paramount importance to the abolition of local slavery. Defeated in 1868, Mr. Clarke accepted the tempting offer made by W. W. Mills, of Texas, to remove to El Paso, Tex., and identify himself with the interests of that section. Mr. Erwin, although strongly urged to remove to Texas, refused to leave Nebraska until, as he expressed it, in his boyish ardor, he saw "the hide of General Thayer on the political fence."

In 1869-70, when the great struggle for the successorship to General Thayer in the U. S. Senate was made in the counties of Nebraska, Mr. Erwin led the movement in Cass county, which then controlled seven members of the Legislature, a number equal to one-third of a majority of the Republican caucus, to defeat General Thayer. With the aid of Hon. Daniel H. Wheeler, now of Omaha, he succeeded in obtaining the control of the nominating convention at Weeping Water, forcing the Thayer faction to secede and

organize a bolt, while the anti-Thayer faction elected the seven members of the Legislature and announced the name of Ron, P. W. Hitchcock, of Omaha, as their candidate for the Senate, During the interval of Mr. Erwin's residence in Nebraska, after the removal of Mr. Clarke to Texas, and after the appointment of Mr. DeForest Porter, Mr. Erwin's other partner, to the U. S. judgeship in Arizona, Mr. Erwin practiced successfully at the bar with the Hon. Turner M. Marquette, the first member of Congress from Nebraska; Colonel Andrew J. Poppleton, of Omaha; Colonel Shambaugh, Hon. William McClellan, of Nebraska City; and Hon. Samuel Maxwell, late justice of the Supreme Court; and during this period Mr. Erwin was city attorney of the city of Plattsmouth. Among the very many cases in which he was engaged he recalls the defense of George Kerns for the shooting of Scott Kysinger, who was a notorious outlaw in the border warfare of Missouri. Also the defense of Eugene Kellogg for the killing of Robert Palmer, openly on the streets of Plattsmouth.

Considering that his work in Nebraska was accomplished by the election of Mr. Hitchcock, Mr. Erwin chose the head of the Mississippi River and the head of the great lakes as the great future center of political empire upon the American continent, at which locus he claimed he could see, in the great unity of commerce, agriculture and the mines, with the great preliminary interests in lumber, the factors which would make the head of the river and the head of the lakes dominant in American politics. So, in May, 1870, he removed to the city of St. Paul, and during the summer solved in his mind the question of the local center, as between St. Paul and Duluth, believing that, at no great time in the future, a keel-boat canal would be built from the lakes to the head of the Mississippi River, thereby joining the two great water systems of the continent together, with the break of freight between the keel-boat of the lakes and the flat-boat of the river, forever at St. Pau.

Mr. Erwin has always been identified with the Republican party. He opened his office in St. Paul in September, 1870. His office was situated in the topmost story of the Rogers block on Bridge square, in a room rented at seven dollars a month, and his furniture consisted of what had originally been a four legged table, but which had lost one limb and was nailed up against the wall; a copy of the Minnesota Statutes, and fifty cents worth of pens, ink, and paper. In November of the year following he secured the nomination upon the Republican ticket for the responsible office of county attorney and made the most phenomenal run perhaps ever made in the State of Minnesota. His opponent was Hon. Harvey Officer, a man of the greatest favor with both political parties and a son-in-law of the late General Willis E. Gorman. Mr. Erwin's ticket was defeated by an average vote of eight hundred votes, Dr. David Day being the candidate on the ticket for treasurer. The old Fifth ward which was the only reliable Republican ward in the city, gave an average majority of one hundred and thirty-five

votes for every member on the Republican ticket, save Mr. Erwin, who found himself with two hundred and sixteen majority in that ward, credited to his opponent. Mr. Erwin's appeal had, however, been personally to the masses, and he was elected over his opponent in the county, receiving the very surprising majority of three hundred and forty. He went into office January 1st, 1872. During his term of office of two years he was the inventor of the joint system between the city and county, in supplying necessities to the poor. He also succeeded in compromising the suits arising out of the erection of the poorhouse, and successfully defended the suit brought to wrest from the county of Ramsey the poorhouse farm, which is now the State Fair grounds, having lately been the munificent donation of Ramsey county to the State Fair Association. In the administration of his office Mr. Erwin was found to be absolutely just and a most conscientious and uncompromising man. The "road ring," the "poorhouse ring," and the "police ring," found him an inveterate enemy of all frauds practiced against the rights of the people. In the fall of 1873 Mr. Erwin was defeated in his attempted re-election by the Hon. C. D. O'Brien, then a partner of Governor C. K. Davis, and the most popular and influential young Irishman in the city of St. Paul.

In the fall of 1875 Mr. Erwin was a candidate for the State Senate from the old First, Second and Third wards of the city, while opposed to him was Hon. William Pitt Murray. Mr. Erwin was running in the interest of Hon. C. K. Davis, candidate for the U. S. Senate while Mr. Murray, the regular Democratic nominee, received the support of the entire Ramsey faction and succeeded in defeating Erwin by a handsome majority. Mr. Erwin, since his defeat by Mr. Murray, has never permitted his name to go before any political convention, but has steadily practiced law in the city of St. Paul, where he has built up a reputation second to none in the Northwest, especially in criminal defense.

Mr. Erwin has had a most remarkable career as a criminal defender, and his success may be fairly described as phenomenal. He has appeared for the defense in more than one hundred homicide cases, many of which were of national reputation and notoriety. Naturally of a chivalric nature, his sympathies instinctively incline him to champion the cause of the weak and the oppressed; and when the powerful machinery of the law is set in motion against an individual who has infringed upon a human statute, perhaps in obedience to the mandates of a higher law, Mr. Erwin counts it but a duty to accord to the accused the fair trial and the fair play contemplated by the fathers of liberty everywhere. He believes that few men are criminals from mere depravity. Most offenders are such from influences not to be resisted; others are the victims of circumstances not to be controlled; all are entitled to consideration. Mr. Erwin is no respecter of persons in the selection of his clients. He appears for the pariah of society as readily as he would have appeared for Warren Hastings, Aaron Burr, or the defendant in any State

trial or cause célèbre. Had he been in Patrick Henry's place he would have championed the cause of the Baptist preachers as strenuously, and doubtless as effectively, as Patrick Henry did. He is well fitted by Providence to act his part in the establishment of the criminal jurisprudence of the Northwest, which has been completely revamped under the genius of the republic, by which the man the sovereign, is of higher consideration than the law. Mr. Erwin has done as much as any other living man to change the term "prisoner at the bar" to the word "Citizen," and he believes that never again in the grand future which awaits the empire of the Northwest, will the citizen be enslaved to form or rule.

In common with all his family, Mr. Erwin inherits from an ancestry which can be traced back, for more than a thousand years and "in whose halls hangs no picture of dishonor," the strongest personal qualities, soldierly in their tone and knightly. The paramount idea of a true Erwin is justice. They are all gifted with a stubborn personal courage, unyielding for the right, unpurchaseable, devoid of policy, generous in the extreme, and while deeply proud, regard every man as their equal, who so conducts himself that his actions are attributable rather to honor than necessity.

Mr. Erwin is justly regarded as a very able and accomplished lawyer. He is learned in the law, and skilled in its practice. As an advocate he is very earnest and therefore convincing. His conduct in the court room is that of a soldier in a battle for the right, fighting constantly and with no thought but of victory. Personally and physically he is a Roman in size, as one might imagine Horatius to have been when his shout ran through the Janiculum, "Now, who will stand on my right hand and keep the bridge with me?" Tall as Wallenstein, straight as Tecumseh, strong as Porthos, debonair as D'Artignan, he is equally fitted to fight, speak, write, plead as a lawyer, and command as a leader. The strength of his mind is as powerful as the grasp of his hand, and the generosity of his nature as unbounded as the scope of his imagination. To the granite of his frame is added the adamant of a mind deep, quick and penetrating, strong to grapple and swift to master.

Mr. Erwin is well known by a name which has been commonly given him in the country between St. Paul and the Rocky Mountains, as "The Pine Tree of the North." After his domestic troubles in 1874 he was for a number of years a great drinker of ardent spirits. The independent frame of his mind, coupled with his convivial habits at that time, and coincident with his professional service in the law, has connected his name with a thousand anecdotes all of which in some way illustrate his personal qualities. These anecdotes will remain traditional with the settlement of the Northwest, and contain in themselves the best spirit of biography which can be found of his life.

In September, 1870, Mr. Erwin was married to Carmelita Frieda Von Fossen, a daughter of the Hon. Levi Von Fossen, an ex-State senator of California and father-in-law of the late Hon. C. C. Croaker, the railroad king. In 1875 she was divorced and removed to her home in California. October 29, 1881, Mr. Erwin was married to Mary King, daughter of John King, of Ravenna, Minn. Mrs. Erwin is a native of St. Louis, Mo., and is a lady of many charms of person and character, and it can truly be written that she is the light of her husband's life and the guiding star of his ambition and his hope.¹³³



MEAD, HON. WARREN H. Warren Hewitt Mead was born in Genoa, Cayuga county N. Y., in 1836. His father, Lockwood Mead, was also a native of Genoa, where his father, Hewitt Mend, had settled a few years after the close of the War of the Revolution, having removed thither from Fairfield county, Conn. Hewitt Mead was a soldier in the American army during the War of 1812, and died in the service at Sackett's Harbor, N. Y.

The progenitor of this branch of the Mend family in America was William Mead, who, at a very early period, probably about 1635, came from England and settled at the site of Greenwich, Conn. Some of the older members of the family were prominent and distinguished characters in colonial history. Rev. Solomon Mead, who was a graduate of Yale College in the class of 1748, was a noted Presbyterian divine, renowned as well for his general learning and ripe scholarship as for his theological attainments. General John Mead was a brigadier-general of the Continental Army during the war for independence, and distinguished himself particularly under Washington in engagements with the British about New York. The mother of the subject hereof was Susan Miller. She was a native of New York, but her father, Peter Miller, was Pennsylvanian, and of a sturdy, honest old Pennsylvania German stock.

Mr. Mead was reared in his native county, and received a liberal education. He graduated from Cazenovia Seminary in 1857, and in September following went to Kentucky and engaged in teaching. For three years he was teacher of languages in the Bradfordsville Institute, or "Home College," an institution of learning under the control of the Christian or "Campbellite" denomination, located at Bradfordsville, Marion county, Ky. Here he remained until the school was broken up by the disturbed condition of affairs in that region incident to the civil war.

¹³³ Erwin died in Miami, Florida on September 12, 1908, at age sixty-six.

Mr. Mead was a soldier for the Union, and his term of service was one of extraordinary peril, exposure, privation, and suffering, which strained even his superior powers of endurance and seriously impaired his health for life. In the summer of 1862 he assisted in recruiting the Sixth Kentucky Cavalry, and upon the organization of the regiment, on August 25, 1862, was commissioned first lieutenant of Company P. He participated in various campaigns against the Confederates in Kentucky and Tennessee during the latter part of the year 1862 and the first months of 1863, and in the summer of the latter year was under General Rosecrans in the movements of that distinguished commander against the rebels under General Bragg. On one occasion, at Franklin, Penn., he captured two noted and very dangerous Confederate spies, whom he turned over to the proper authorities, and who were afterwards executed.



In the last day's fight at the desperate and memorable battle of Chickamauga, September 21, 1863, while with his command near the

Crawfish Springs Lieutenant Mead was made a prisoner. He was held by the enemy for more than eighteen months, the greater portion of the time within walls, in close confinement. He "took all the degrees" and "graduated" from nearly every noted rebel prison in the Confederacy. He was for several months at Macon, Ga., and Columbia, S. C., and eight months in the famous (or infamous) Libby Prison, at Richmond, Va. He was among the Federal officers held as prisoners of war, who, in 1864, were placed by the Confederates under the fire of the Union General Gilmore's guns, then bombarding the city of Charleston, S. C., from the islands off the harbor. For three months shot and shell from the Federal cannon fell around his quarters day and night. In the meantime, to add to his other experiences, he underwent an attack of yellow fever in a prison hospital. On the 14th of February, 1865, while being transferred by rail from Columbia, S. C., on the approach of General Sherman's army to that city, and while near Winnsboro, S. C., he and a few of his comrades contrived to escape through a hole which they had cut with their pen-knives in the floor of the freight car in which they were riding. After wandering almost aimlessly about for a day or two he was recaptured by a scouting party of Confederate cavalry and taken to the headquarters of General Joe Wheeler. He was tired, half starved, and, though it was in the month of February, his clothes hung in rags and tatters from his emaciated limbs. His condition excited the commiseration of a Confederate officer from Kentucky, who gave him a complete suit of Confederate gray, coarse but fairly comfortable. In this garb, and accompanied by a brother officer similarly attired, he again escaped a few nights later, by running the rebel guard; and after weary and perilous journeyings through the Carolina swamps he finally reached the Union forces under General Sherman, then on the march through North Carolina. A few months later (May 15th) he was enabled to join his regiment at Nashville, Penn., and was mustered out of service July 14th following.

After the close of his military services Mr. Mead completed a course of legal study which he had pursued at intervals for a considerable period, a part of the time while a captive in Libby Prison, and in December, 1865, was admitted to the bar at Louisville, Ky. Soon after he returned to his old home in New York, where he spent a brief season. In the Spring of 1866, after his marriage, he came to Northfield, Minn., and engaged in the practice of his chosen profession at that point for about three years.

In 1870 Mr. Mead came to St. Paul and opened a law office in the Masonic block, on Wabasha street, which he occupied until in January, 1889. He formed a co-partnership with Cyrus J. Thompson, esq., under the firm name of Mead & Thompson, and this relation existed until 1880, since which time Mr. Mead has continued in the profession alone. He has been engaged in general practice with uniform success, and is regarded as a careful, painstaking and sound lawyer, very capable and thorough, rather than

showy or pretentious. He is counsel for some of the most important corporations in the city, and his entire time is occupied in his business. By certain timely and fortunate investments he has acquired large and valuable property interests in the city and has gained and handsome competence, which he wisely enjoys and prudently directs.

Plain and unassuming, neither seeking or desiring public notoriety of any sort, Mr. Mead is recognized by his fellow citizens as a gentleman of worth and influence. In 1877 he was elected to the State Legislature for one year, and in 1878 was re-elected for a term of two years. His service was in keeping with his marked characteristics and was of utility and acceptability to his constituents. He has ever since avoided public life and attended strictly to his own business interests and those intrusted to him by others. He has however taken a little time for relaxation, has visited Europe and various portions of his own country, and has a good knowledge of the world and its ways.

There can be no higher type of true manhood than a man actively engaged in professional and business life, who has, by honorable effort, amassed a comfortable fortune, and who at the same time has treasures laid up "where moths do not corrupt and thieves break through and steal." In his religious views Mr. Mead is a zealous Calvinist. He is a member of the Presbyterian Church, and an unpretentious Christian gentleman. He is a teetotaler and an earnest advocate of temperance reform. In politics he is a Republican, and is a member of the Minnesota Loyal Legion.

Mr. Mead was married March 7, 1866, to Miss Frances A Hughes, daughter of the late Henry C. Hughes, of Geddes N. Y. Mrs. Mead's family is well known through-out Central New York, and some of her ancestors were members of the noted Loomis family of Connecticut. Mr. and Mrs. Mead have had born to them two children, viz George H. now book-keeper in the office of the St Paul Globe newspaper, and Charlotte L., an accomplished young lady, who has spent several years in Europe, and is at present with her mother in Paris.



BECKER, GEORGE LOOMIS, was born in the town of Locke, Cayuga county, N. Y., February 4, 1829. His father, Hiram Becker, was a native of Schoharie county, N. Y., and a descendant of an old Dutch family of the Mohawk Valley, whose progenitors in America had settled in the country some time in the seventeenth century The maiden name of his mother, who is still living at the age of eighty-four years, was Sophia Millard, she is of Huguenot extraction. The Millard family driven from France into England by religious persecution, finally emigrated to America and landed at Boston in

1050 Hiram Becker was a merchant, able and disposed to educate his children, and to properly prepare them for the duties of life

Mr. Becker obtained his early schooling in his native town, and afterwards more fully at an academy in Moravia, in the same county. Subsequently, when but a lad of twelve years he attended the preparatory department of Western Reserve College at Hudson, O. His parents having in the meantime removed to Auburn, N. Y., he returned home and completed his preparatory course at the Auburn Academy, then in charge of Professor William Hopkins. In 1841 his family removed to Ann Arbor, Mich., and he entered the Freshman class of the Michigan University at that city in 1842, and was graduated from that institution in 1846, at the age of seventeen, being the youngest member of his class. Immediately after this graduation he entered the law office of George Sedgwick, esq., of Ann Arbor, and pursued the study of law with that gentleman for about three years.

In October, 1849, Mr. Becker emigrated from Michigan to Minnesota, arriving in St. Paul on the 29th of that month. In January, 1850, a few weeks before he reached the age of twenty-one, he was admitted to the bar in this city, although he had engaged in the practice to some extent prior to that time. Soon after he formed a co-partnership with the late Hon. Edmund Rice and Ellis G. Whitall, under the firm name of Rice, Whitall & Becker. A year later Mr. Whitall withdrew, and the accomplished William Hollinshead was admitted to the firm, which then became Rice, Hollinshead & Becker, and until its dissolution in 1856 this was one of the most successful, and one of the best known law firms of the territorial era of Minnesota. Mr. Rice retired in 1856, and in 1858 Mr. Becker withdrew and soon after abandoned permanently the active practice of the law.

Mr. Becker was prominently connected with certain railroad interests of the State for a number of years. In 1862 he was made land commissioner of the St. Paul and Pacific Railroad. Upon the organization of the first division of that road February 6, 1864, he was elected its president, and this position he held until in 1876, He bore his full share of the long period of hard work attendant upon the furthering and completion of that enterprise, and under his management, and very largely by his efforts and influence several hundred miles of the road were constructed, connecting the Mississippi with the Red River of the North, and binding with an iron ligament the commercial interests of Manitoba to those of Minnesota and the northwestern portion of the American Republic. In the prosecution of his duties he performed an immense amount of physical and mental labor, making frequent business visits to the East and to Europe, besides conducting his large official business at home, and filling responsible public offices at the same time.



He has performed his share of public service. In 1854, at the first municipal election in St. Paul under the city charter, he was elected an alderman, and subsequently chosen president of the council, serving in that body two years. In 1856 he was elected mayor of the city. In 1857 he was elected one of the delegates from Ramsey county to the State Constitutional Convention, and acted with the "Democratic branch." In October of that year he, with Hons. James M. Cavanaugh and William W. Phelps, was elected a representative in Congress from Minnesota, to take his seat upon the

admission of the then territory into the Union. At the time of the election it was believed that the new State would be entitled to three representatives, but in May following, when the admission proceedings had been perfected, the number was reduced to two. The selection of the two representatives out of the three who had been elected was made by lot, and Messrs. Cavanaugh and Phelps drew the lucky numbers. Mr. Becker gracefully accepted the decision without murmur or protest, and returned to his home.

Mr. Becker has always been a Democrat of the old school and the ancient faith. He belongs to that class of gentlemen-politicians, happily, not yet wholly extinct, whose professions are born of their convictions, and who act solely from pure and patriotic motives. He has grown gray in the service of his party; has served in its ranks, sat in its councils, and led it in many a hard contest, sometimes to victory and sometimes to defeat. In 1858 he was unanimously nominated by the Democratic State Convention as a candidate for governor of Minnesota, but was defeated after a gallant fight by Hon. Alexander Ramsey, the Republican nominee.¹³⁴ At this time Mr. Becker was but thirty years of age. In 1860 he was a delegate to the memorable National Democratic Convention that sat at Charleston, S. C., and which, after a stormy session of several days, adjourned without making a nomination. After the dual nominations had been made at Baltimore—the result of the fell spirit of distraction and dissension which had seized upon the party for the time—he supported the ticket headed by Breckenridge and Lane, in company with other staunch and reliable Minnesota Democrats.

In 1867 he was elected a member of the State Senate from Ramsey county, and was reelected in 1869, on the last occasion without opposition, and he served in the tenth, eleventh twelfth and thirteenth Legislatures, from 1868 to 1872. In 1872 he was again nominated by his party for representative in Congress, but the overwhelming majority of the Republican opposition to the district, added to the fact that it was the “Greely year,”¹³⁵ and many

¹³⁴ The results of the election in November 1859, were:

Alexander Ramsey (Republican).....	21,335
George L. Becker (Democratic).....	17,582

1915 Blue Book, at 102.

¹³⁵ “The Greeley year” is 1872, when Horace Greeley, editor of the *New York Tribune*, ran with the endorsements of the Liberal Republican and the Democratic Parties against Ulysses S. Grant, the Republican incumbent. President Grant swamped Greeley, receiving 3,598,235 votes or 55.6% of the votes to Greeley’s 2,834,761 or 43.8%. Grant had 286 electoral votes (including Minnesota’s 5); the remaining 66 votes were divided among several men because Greeley died shortly after the election and before the electoral college was convened.

recalcitrant Democrats would not go to the polls, prevented his election, and his Republican competitor, General John T. Averill, was elected.¹³⁶

Upon the creation of the State Board of Railroad Commissioners in March, 1885, Mr. Becker was appointed by Governor Hubbard as one of the members. He was re-appointed by Governor McGill in 1887, and by Governor Merriam in 1889, and is still in service. He came to the position with a full and peculiar knowledge of its duties, by reason of his previous connection with the railroad interests of the State, and his thorough acquaintance with the rights of the people and of the corporations, and he has discharged his responsibilities with singular intelligence, fairness, and acceptability. As senior member of the board he acts as its chairman during its formal sessions, and altogether the State has no other more faithful or efficient public servant.

As a citizen of St. Paul Mr. Becker has ever stood high in the general esteem. He has aided with a generous hand all the benevolent, literary, and educational institutions of the city, and his influence has always been marked, and for good. Of his personal reputation and character one who has known him long and well says: "No gentleman in Minnesota stands higher in every respect, and more fully enjoys the confidence, esteem, and love of a host of friends. He is one who, in a word, is the true type of the upright man, the high-minded and honorable advocate, the faithful public officer, the generous and hospitable friend, and the public-spirited citizen." The State of Minnesota in recognition of his many services, and in honor of the man himself has perpetuated his name by giving it to one of the northern counties of the State — Becker county.¹³⁷ He is a member of the Old Settlers' Association, and was its president in 1873; he was president of the Minnesota Historical Society in 1874, and is much interested in its work. He is still in the prime of vigorous and stalwart manhood, erect as a grenadier, with a commanding presence and somewhat of martial bearing; is always courtly and accomplished; clear and intelligent in speech and conduct, and there is a career of at least a quarter of a century more of usefulness and honorable life before him.

Mr. Becker has been twice married. His first wife, to whom he was married in 1853, died in six months after marriage. In 1855 he was married at Keeseville, N. Y., to Miss Susanna M. Ismond, a native of Essex county, N. Y. Of the latter marriage there were born four sons, all of whom have reached

¹³⁶ The result of the election in the Third Congressional district were:

John T. Averill (Rep.).....	19,663
George L. Becker (Dem. & Liberal Rep.).....	12,712

Bruce M. White, et al, *Minnesota Votes* 70 (Minn. Hist. Soc. Press., 1977).

¹³⁷ Becker County was formed on March 18, 1858. See 1858 Sp. Laws, ch. 34, §3, at p. 145.

mature manhood, viz.: Edwin and Charles Walter, who at present are conducting the farm comprising 3,000 acres, at the head of Big Stone Lake, on the Dakota boundary; George Ismond, of the banking house of Becker, Chadbourne & Co., at Brown's Valley, Minn.; and William Merriam, paying teller of the Merchants' National Bank of St. Paul.



MAINZER, JACOB, CAPT. Of the many examples of self-made men which the city of St. Paul has produced none are more worthy of record than the life of this well-known German American citizen, and his career well exemplifies what may be accomplished, even under the most forbidding circumstances, by industry, perseverance, and a rigid adherence to a line of honorable conduct. Coming to America a callow youth practically unacquainted with either the people or their language, poor and friendless, he has fought for the preservation of his adopted country, attained to responsible positions in its public affairs, has wrought for himself a competence and gained the abiding esteem and confidence of his fellow-citizens of all classes.

Capt. Mainzer was born December 16, 1834, in the village of Neumagen, in the governmental district of Trier, in Rhenish Prussia. His father, Adolph Mainzer, was a wine manufacturer and vintner, and also a ship-owner on the river Moselle. The maiden name of his mother was Agnes Kohr. In his boyhood he attended the parochial schools of his native village, and his education was completed at the gymnasium in the city of Prier. He studied the classics and became a master of several of the natural sciences, acquired a proficiency in French, which he yet speaks and writes with fluency, but did not graduate.

At the age of nineteen, partly to avoid enrollment and service in the German army, he left the Fatherland for the United States. In the month of November, 1853, he landed in the city of New York. The ensuing two years were passed under various trying vicissitudes in the metropolis and partly at Cleveland, Ohio. In May, 1855, he came to St. Paul, where he has since resided. Soon after his arrival here he was prostrated by a severe attack of typhoid fever, and for two months lay near to death, an inmate of St. Joseph's Hospital. Upon his discharge from this noble institution which has done so much good work during its existence, he was without money or friends, and pale and emaciated, but still determined, he walked the streets of the then young and incomplete city in search of employment. That was, as now, an era of speculation and money getting, and then as now Levites were numerous; but at last the good Samaritan was found in the person of Mr. Amidon, proprietor of a marble yard on Third street, and with him the

young wanderer engaged to learn the vocation of marble cutter, at a salary of three dollars a week and board at the home of his employer. He soon became quite proficient as a workman, and many of the monuments which still mark the resting places of the silent sleepers in Oakland Cemetery, are specimens of his handiwork. Another product of his chisel was the arch-stone with an inscription in German, which occupied a place over the portal of the old Assumption German Catholic Church, and this relic the captain now possesses.

Forced to abandon the marble shop by reason of ill health, and being an accomplished penman, he secured the position of recording clerk in the office of the recorder of deeds of Ramsey county, and here he remained for one year. Meanwhile he employed his leisure time in the acquisition of the English language, and in the study of law. After a thorough course of study he was admitted to the bar in the fall of 1858, and in July, 1860, was licensed to practice before the Supreme Court. In 1858, without being consulted in the premises, he was elected a justice of the peace and held the office two years.

Upon the outbreak of the War of the Rebellion he gave up his profession and with his fellow countryman, Colonel A. B. Kiefer, assisted in the organization of the German Company of St. Paul, and was made its first lieutenant. With this company, which became Company "G" of the Second Minnesota Infantry, and whose record is noted elsewhere in these pages, he served nearly two years, or from June, 1861, until in March, 1863, when by reason of severe and protracted ill health, he was compelled to resign. During his term of service he took part in the battle of Mill Spring, Ky., the siege of Corinth, Miss., and in various other operations and movements of the Federal army under Generals Buell and Rosecrans in Tennessee, being uniformly in active and honorable duty, and making for himself a worthy record as an officer and soldier.

Returning to St. Paul he re-engaged in his profession, and in May, 1863, he was married. From 1864 to 1867 he held the position of court commissioner. In the fall of 1865 he was elected register of deeds of Ramsey county, and three times thereafter was re-elected to that office, serving in all four terms, or eight years, from 1866 to 1874. His administration was very efficient, as the records attest, and was in the highest degree acceptable to the people. The same kindness and courtesy of manner which has always characterized his intercourse with his fellow-men, marked his official conduct, and rendered him universally popular.

Retiring from politics and from public life Captain Mainzer engaged in his professional duties, and opened a general abstract office, in the conduct of which he is still engaged. His long and large experience in the register's office qualified him to a peculiar extent for the latter business. No man

understands better the subject of title to St. Paul and Ramsey county real estate. He has invented and copyrighted a system of making abstracts of title to real property which is claimed to be equal, if not altogether superior to any other known system, and is in especial favor where it is known and understood.



It is already largely in use and growing in popularity. In his own office which is very large and completely equipped in all its appointments, he has a

complete set of abstract books to every foot of realty in Ramsey county, and these books are carefully and promptly posted and marked by thoroughly competent clerks at the end of each and every working day. One of the valuable features of his system is the "Personal Index," so called, by the aid of which it can be readily ascertained whether or not any particular tract of real estate in Ramsey county appears in the name of any particular person.

Captain Mainzer was married May 18, 1863, to Miss Caroline Gendron, a native of Point Lewis, C. E., of French extraction. Surviving this marriage there are seven children, viz.: Adolph, Justinia, now the wife of M. B. Brueggemann; Agnes, now the wife of E. P. Wilgus, esq.; Gertie, Felix L., Caroline and Emma. The family are members of the Catholic Church. Politically Captain Mainzer is a Democrat. Personally he is held in general esteem by his fellow-citizens for his kindly and affable manners, his upright and correct deportment, and his generous and noble qualities as a citizen and a man.¹³⁸



HALE, HENRY. Mr. Hale was born at Chelsea, Orange county, Vt., June 21, 1814. He comes of good old New England stock. His paternal grandfather, Colonel Nathan Hale, was a native of Keene, Cheshire county, N. H., and was a colonel in the American army during the War of the Revolution. His father, Harry Hale, was a native of Rindge, N. H., but removed to the State of Vermont at an early days where he became a prominent and well-known citizen. He was for several years bank commissioner for the State, and also held the office of clerk of the County Court of Orange county, and served in the State Legislature several terms. The maiden name of Mr. Hale's mother was Phoebe Adams, and she was also born in Rindge, N. H.

The children of Harry and Phoebe Hale were carefully trained and reared to careers of usefulness. One of the sons, Robert S. Hale, a distinguished lawyer of Essex county, N. Y., was a member of Congress for several terms, and was the counsel for the United States government before the mixed commission for the adjustment of English and American claims at the close of the War of the Rebellion. Another son is Mathew Hale, also a very eminent lawyer of Albany, N. Y.; another, Wm. B. Hale, was for thirty years president of the First National Bank of Northampton, Mass.; and another is the subject of this sketch.

¹³⁸ Mainzer died in St. Paul on November 27, 1893, a few days shy of his fifty-ninth year.



Mr. Hale was reared in New England and resided in that section until after he reached mature manhood. His education was received in the academies at Randolph and Newbury, Vt., and at New Ipswich, N. H., and in the University of Vermont, at Burlington; from the last named institution he was graduated in the class of 1840. Among his classmates at the university was the gifted and accomplished Henry J. Raymond, the noted American politician, author, and journalist, and the founder of the New York Times. After leaving college he engaged in the study of law for about three years under the instruction of Hon. George P. Marsh, the distinguished scholar

and diplomatist, and during this period he was for several years the editor of the Burlington (Vt.) Free Press, and also the Washington correspondent of the Boston Atlas. He was also during the years 1841-2-3 secretary of civil and military affairs of the State, receiving his first appointment from Governor Charles Paine and was re-appointed by his successor, Governor John Mattocks, father of the late Rev. John Mattocks, of this city. He was admitted to the bar in 1843, and for seven or eight years thereafter was engaged in the practice in Addison county, Vt.

In the year 1856 Mr. Hale came to St. Paul, where he has since resided. For some years he was associated in the practice of law with the late Judge B. C. Palmer, and the firm of Hale & Palmer did a general and successful law business. In 1864, however, Mr. Hale retired from the practice to devote himself more particularly to transactions in real estate. His operations in this specialty became very extensive and the results have been of great value to the city. Mr. Hale has developed and improved a great deal of the city's realty. When asked by the writer of this article how many buildings in all he had put up in St. Paul, he replied: "Over fifty, such as they are." He is regarded as one of the most substantial citizens of the municipality of St. Paul, as well as one of its most respected. On abundant occasions he has shown his loyalty and devotion to his adopted city, and of his means has contributed largely to her growth and prosperity. In the year 1862 he was appointed a member of the board of commissioners for Ramsey county, and in this position performed very valuable service in bringing about the retirement of the county and city scrip and its reduction in cash at par. Near the close of his term he declined a re-nomination to the office, tendered him by the Republican party. For several years he was president of the St. Paul Library Association, and so wisely were its affairs conducted during his administration that at its close there was a handsome balance in the treasury for the first time in its history. Mr. Hale has always taken a deep interest in the affairs of the Library Association, and that organization has no better friend.

Of strict integrity and upright character, Mr. Hale has hosts of friends in St. Paul among those who know him best. He is very plain and unassuming in his manners and in his intercourse with his fellow-men, always frank, open and above-board in everything. Of large abilities and acute perceptions, his success in life has been attained as the results of his own plans and methods. He is still in the enjoyment of full mental vigor, gives much of his personal attention to his affairs, and physically is well preserved. He is a gentleman of excellent literary tastes, with a fondness for reading and study, and a liking for foreign travel. Fortunately he has been able to gratify his tastes to the fullest. He has spent much time abroad in travel, sight-seeing and investigation, having repeatedly visited the principal countries of Europe, and those of the Orient as well. He has also visited Egypt and other portions of Africa, and made a voyage up and down the Nile, etc.

In 1855 Mr. Hale was married to Mary Elizabeth Fletcher, daughter of Paris Fletcher, a very prominent and well-known resident of Addison county, Vt. At present Mr. and Mrs. Hale occupy a tasteful and elegant home on Lafayette Avenue, in St. Paul, the abode of comfort and good cheer, and the resort of many of their friends. ¹³⁹



SIMONTON, COLONEL EDWARD. Colonel Simonton is a native of the State of Maine, born at Searsport, Waldo county, in October, 1839. His father, Dr. P. Simonton, and his mother, née Elizabeth Eaton, were both members of old and well-known Maine families. He was reared in his native village, and in 1857 entered Bowdoin College, from which institution he graduated in the class of 1861. For some months thereafter he engaged in teaching, but in August, 1862, joined the Union army, enlisting as orderly-sergeant in the Twentieth Maine Infantry.

Soon after its organization on the 2d of September, 1862, his regiment was hurried to the front and joined McClellan's army in time to participate in the battle of Antietam. In the following December he took part in General Burnside's sanguinary and disastrous assault on Fredericksburg. Soon after he was promoted to a lieutenancy. Later on he resigned, and in July, 1863, re-entered the service as a lieutenant in the First Regiment of U. S. Colored Troops. Subsequently he was promoted to a captaincy in his regiment. He served in General Butler's army in the operations before Richmond and Petersburg, and June 15, 1864 he was severely wounded in the first assault on the Confederate works at Petersburg. For "gallant conduct before Petersburg, Va.," in the latter action, he was commissioned brevet-major. He was with General Butler on the expedition of that commander against Fort Fisher, N. C., and his regiment, then a part of the Tenth Corps participated in the operations of General Terry, which resulted in the reduction and capture of that important post. It was also engaged in the operations in front of Wilmington joined Schofield's Corps of Sherman's army at Goldsboro, and then marched to and formed a junction with the main army, under Sherman himself, at Raleigh. Colonel Simonton was at the scene of the surrender of General Joe Johnston and his army to General Sherman. Subsequently he was stationed in North Carolina, at Plymouth and chiefly on Roanoke Island, in reconstruction duties, until September, 1865, when his regiment was ordered to Washington, and he was mustered out of service. He was afterwards commissioned lieutenant-colonel by brevet, by President Johnson, in recognition of his "gallant and meritorious services" generally.

¹³⁹ Henry Hale died on December 7, 1890, at age seventy-six.



Edwin Simonton

For a few months after his retirement from service Colonel Simonton held a position in the Treasury Department at Washington. In March, 1866, he was appointed to a second lieutenancy in the regular army and assigned to duty with the Fourth U. S. Infantry. He was afterward promoted to first lieutenant and brevet-captain U. S. A. Upon re-entering the military service he was stationed first at Plattsburg, N. Y., but was finally sent to Fort Laramie, Wyoming Territory. He remained in service on the plains about four years during which period he performed a great deal of duty, mostly of an arduous character. His regiment built Fort Fetterman, on the Platte River, in Wyoming, and he was frequently given charge of supply trains and sent on various expeditions to distant posts and garrisons, and all in all his share of "fatigue duty" was very considerable. In the meantime he had married, and one of his children died at Fort Fetterman, far away from civilization and amid the uncomfortable surroundings of a frontier military post. His

wife unused to the discomforts of army life on the frontier, was greatly dissatisfied with her situation, and Colonel Simonton himself lost all regard and taste for the profession of arms in time of peace, and determined to abandon the vocation of a soldier for another more congenial, comfortable and profitable.

In 1870 he resigned his commission and returned to civil life. He had previously, while in garrison, read some law books in which he was much interested, and continuing his studies he was, in the fall of 1870, admitted to the bar in his native county in Maine. In December following he came to St Paul, was admitted to practice in the Supreme and lower courts, and opened an office in Bridge Square. Subsequently he connected the business of real estate dealer with his profession, a part of the time, until 1874 with A. G. Manson, now deceased, in the firm of A. G. Manson & Co. From the first he was uniformly successful. His transactions were numerous, and many of them of considerable magnitude He was a large operator in St. Anthony Hill real estate, and especially in Woodland Park and Summit Park property, and in connection with Mr. Manson laid out the forty-acre tract known in the records as Manson & Simonton's Addition, which they purchased for \$600 per acre.

In 1874 Colonel Simonton dissolved his business connection with Mr. Manson and engaged in the practice of law chiefly until 1880, when he re-engaged in the real estate business on his own account. He connected with his real estate office a financial agency, and has conducted a large and very successful series of operations in both lines. He has disposed of a great deal of very valuable city property, a large proportion of which was his own, and has placed upon real estate in St. Paul, mostly for eastern investors, loans aggregating vast sums, without a single loss up to the present. His residence in St. Paul since 1870, when it was an inconsiderable city of 20,000, to this day, when its population is not far from 200,000, gives him important facilities for the transaction of his business. In this particular, and a general knowledge of the situation, of values and securities, not to be obtained otherwise Colonel Simonton has been prominently connected with the material welfare of his adopted city, and especially with its real estate interests. In 1887 he was president of the Real Estate Board, and he has been president of the Summit Avenue Boulevard and Park Association, and it was chiefly under his administration of the affairs of this organization when Summit avenue underwent its well-known magnificent system of improvement. He is also a director in the Chamber of Commerce. In 1885 he was commander of Acker Post of the G. A. R. and he is also a member of the Loyal Legion and of the Masonic fraternity.

Colonel Simonton was married January 4, 1866, to Miss Annie E. Hilton, of Portland, Me. There has survived this marriage one child, a daughter, who

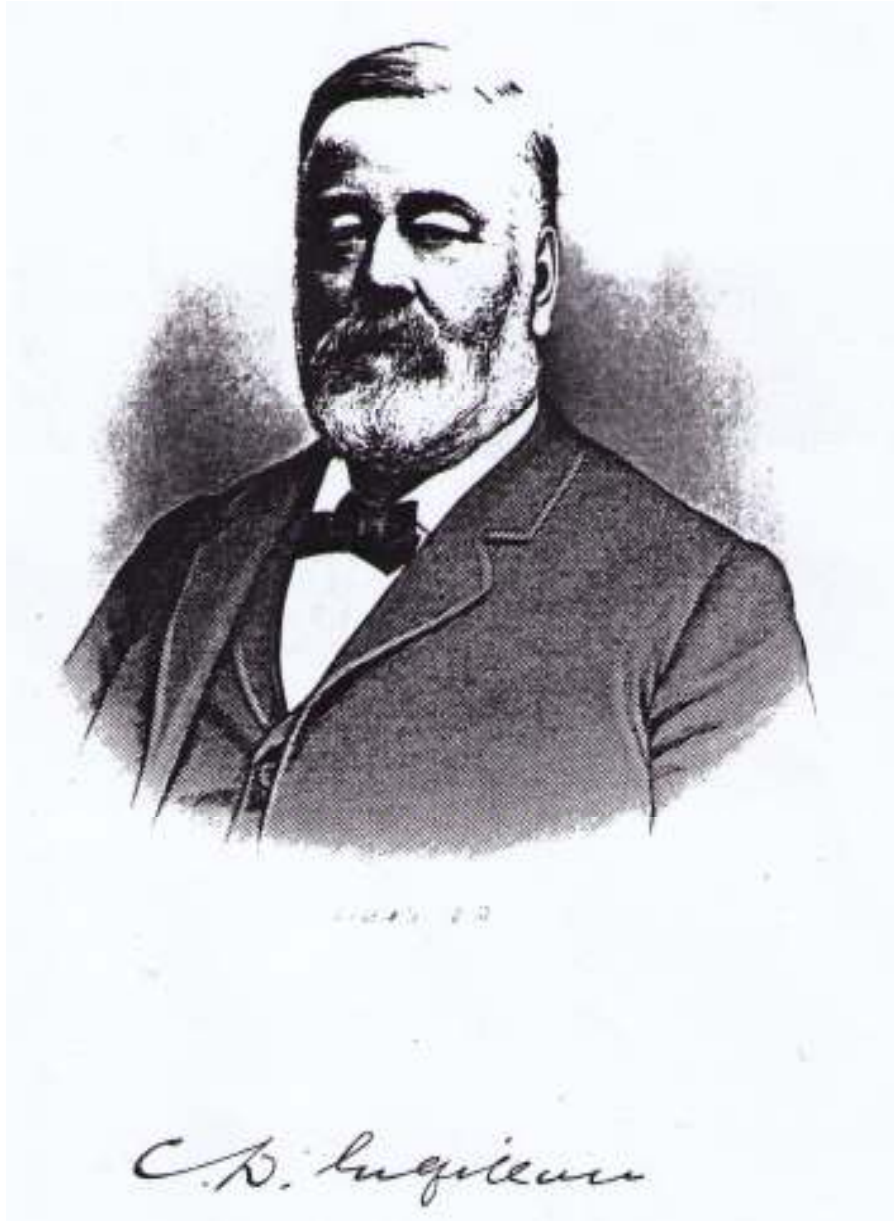
is now Mrs. Lizzie B. Bushnell, wife of A. B. Bushnell, of the well-known St. Paul real estate firm of Bushnell & Bushnell. The colonel's home is a handsome residence on Summit avenue, and his entrance upon the autumn of life is being made amid pleasant surroundings, which augur many more years of enjoyment and usefulness.



GILFILLAN, HON. C. D. The Hon. Charles Duncan Gilfillan was born in New Hartford, Oneida county, N. Y., July 4, 1831. His parents, James Gilfillan and Agnes Oilman, were both natives of Bannockburn, Scotland. His father was a carpet-weaver and woolen manufacturer, who emigrated to America in 1830, and his son Charles was the only member of his family born in the United States.

When the subject of this sketch was eleven years of age and after the death of his parents, he removed to Chenango county, N. Y., and there he remained for about five years, attending school during the winter season and working on a farm and in a saw-mill the remainder of the year. At the age of seventeen he entered Hamilton College, and remained about two years. In 1850, a young man of nineteen, he came to the State of Missouri, and the ensuing fall and winter engaged in school-teaching at Potosi, in the iron region, southwest from St. Louis.

In the spring of 1851 Mr. Gilfillan came to Minnesota, locating at Stillwater. For eighteen months after his arrival in the territory he taught school at Stillwater, employing his leisure time in the meanwhile in the study of law, under the instruction of that original character, the polished and imperturbable Michael E. Ames. In 1853 he was admitted to the bar, and soon after he succeeded to a considerable portion of the practice of Mr. Ames, in Washington county, in partnership with Mr. Gold T. Curtis. In the spring of 1854, at the first municipal election held in Stillwater, he was elected to the office of recorder of the then young city, but during the succeeding fall he resigned his office and removed to St. Paul, which has since been his permanent home. In the year 1857 he formed a law partnership with his brother, Hon. James Gilfillan, the now eminent chief justice of our Supreme Court, and his association continued until 1863, when he retired from the practice and practically abandoned the profession.



Mr. Gilfillan's name will ever be permanently associated with the early history of the city of St. Paul from his connection with its water system. For a considerable period he gave to the subject much thought, study and investigation, visited other cities and inspected their works, consulted all of the best authorities, and then commenced, practically single-handed, with what money he had and what he could borrow, to construct the present system, which he carried to successful completion, and which will always remain a monument to his enterprise and genius. The history of this subject is fully treated elsewhere and may only be referred to here. Work was begun in 1868 and in the fall of 1869 water was introduced and began to flow. Mr. Gilfillan was president, secretary, and indeed the leading and

master spirit of the old water company from its organization until the sale of the system to the city in 1882, since which time he has been a member of the board of water commissioners.¹⁴⁰

No man has been more intimately connected with or more prominent in his relation to the material interests of St. Paul. In 1882 he built the well-known Gilfillan block, at Fourth and Jackson streets, and this splendid structure, in its massive solidity and architectural beauty, was, so to speak, the pioneer building of the kind in the city. He has operated largely in valuable city property, has been largely identified with the banking interests, and has held many positions of trust and responsibility. His private interests are large and somewhat varied and require much of his time and attention. He owns a very fine farm in Redwood county, Minn., which is the largest and perhaps the best stock farm in the State; and besides attending to his official duties, which are not neglected, he is engaged in banking, farming, and building. He has traveled extensively throughout the world, and has resided at intervals and for considerable periods in the city of Dresden, the renowned and beautiful capital in the Kingdom of Saxony. The education of his children has been completed in France and Germany, and his family spend much time abroad.

Mr. Gilfillan was present at and participated in the first formal organization of the Republican party of Minnesota, at the capitol in St. Paul, in February, 1855, and has never yielded his devotion to the principles then enunciated, nor faltered in his faith in the righteousness of his party's cause since that time. He has been somewhat active in politics in past times, and always affective as a worker. He was the first chairman of the Minnesota Republican Central Committee, and held the position for four years. In 1859 he was the first regular Republican candidate for mayor of St. Paul, but was defeated by John S. Prince, by an inconsiderable majority of about a dozen votes. He was a member of the House of Representatives from Ramsey county in 1864 and 1865, and again in 1866. From the latter year until 1886 he was a member of the State Senate, and thus served in the Legislature in all for a period of thirteen years. That he was very faithful and efficient as a legislator, and that his services were appreciated by his constituents it is unnecessary to state.¹⁴¹

Mr. Gilfillan has been twice married. His first marriage was in January 1859, to Miss Emma C. Waage, daughter of Rev. Fred Waage, a Lutheran clergyman, of Pennsylvania; she died in 1863, and in 1865 he married his

¹⁴⁰ For the account of the building of the water works, and for the only thorough biographical portrait of Gilfillan, see Merrill E. Jarchow, "Charles D. Gilfillan: Builder Behind the Scenes," 40 *Minnesota History* 221 (1967).

¹⁴¹ For his political memoirs, see Charles D. Gilfillan, "The Early Political History of Minnesota" (MLHP, 2013)(delivered in 1898, and published first, 1902). He died on December 18, 1902, at age seventy-three.

deceased wife's sister, Miss Fanny S. Waage. By the latter marriage there are four children, viz.: Emma C., Fannie W., Charles O., and Frederick J.



WILKIN, HON. WESTCOTT. The Hon. Westcott Wilkin, who for so many years has filled the position of judge of the Second Judicial District of Minnesota, was born at Goshen, N. Y., January 4, 1824. The Wilkin family is of Welch origin, but in the seventeenth century certain of the members emigrated from Wales to Ireland, from whence, in time, the ancestors of the subject of this sketch came to America, locating on a tract of land now embraced within the boundaries of the counties of Ulster and Orange, in the State of New York. The grandfather of Judge Wilkin was General James W. Wilkin. He was an ardent supporter and an intimate friend of Hon. Dewitt Clinton, and was prominent in public life. He held various important offices and positions in his own State, and at one time was member of Congress. Judge Wilkin's father, Hon. Samuel J. Wilkin, deceased, was distinguished as a lawyer, and, like his father, was quite prominent in the political affairs of his native State. He, too, held many important State offices, and was a representative in Congress from New York during the administration of President Jackson. His wife, the mother of Westcott Wilkin, was Sarah Gale Westcott, a daughter of David Mandeville Westcott, who in his day was a well-known Jeffersonian Democrat of Southern New York. Mrs. Wilkin was a lady of gentle and womanly nature, but possessed a strong mind and many other intellectual gifts and personal graces. She was a friend and adviser of the poor and afflicted, was honored in the church, and revered and loved for her many good works.

Judge Wilkin received his early education in the schools of his native town of Goshen, and of these schools it may truthfully be said that they were much inferior to those now open, all over the land, to the humblest and lowliest among the boys of America. After a brief experience under private tutors, he was sent to the Grammar School of Columbia College, then under the direction of the celebrated author and scholar, Professor Anthon. From this school he entered Princeton College, where both his father and grandfather had been educated, and from which old and renowned institution they had received their collegiate degrees. Princeton was then far inferior in resources; equipments and educational advantages to the magnificently endowed and efficiently appointed institution of to-day, but Judge Wilkin and his living associates remember their alma mater with gratitude and affection for the influences they received and the training and benefits bestowed upon them. He pursued a full course and was duly graduated, not with the "honors" of his class, but with a very creditable and respectable standing therein



Soon after leaving college he engaged in the study of the law in the office of his father, who was then associated in practice with Joseph W. Gott, esq., who is still remembered in Southern New York as a lawyer of eminent ability and as a gentleman of high character Three years of assiduous office study were supplemented by a course in the Yale Law School, and his admission to the bar followed. He then commenced the practice at Monticello, Sullivan county, N Y, but in a few years he was elected county judge of that county, an office to which, in addition to ordinary civil and criminal jurisdiction, were attached the duties and powers of probate judge. While in this

position his name was presented by his friends in convention for the nomination as a candidate for representative in Congress from the district composed of Orange and Sullivan counties, but he failed of the nomination by a very close vote. At the close of his term as county judge he was nominated for re-election but the situation and the circumstances were unfavorable to his candidacy. The “Native American,” or “Know Nothing” excitement was then prevailing. A large number of his friends and former political associates had joined the new party, and he refused to follow them. After an exciting contest he was defeated by Hon. Henry R. Low by a small majority.

In the spring of 1856, at the solicitation of his brother, the late Colonel Alexander Wilkin, who for several years had been a resident of Minnesota,— and in response to an offer of a partnership with Hon. I. D. V. Heard, who was then fairly entering upon his successful and honorable career — Judge Wilkin came to St. Paul, where he has since resided. He witnessed the “boom” of 1856, the memorable financial disaster of 1857, and underwent the vicissitudes of the succeeding years of trial and disaster, so well remembered by all of the old settlers of Minnesota.

In 1864 he was nominated for the office of district judge of the Second Judicial District of the State, and after an animated and exciting contest — but which was conducted without acrimony on either side — he was elected, defeating Hon. J. P. Kidder, by about 300 majority.¹⁴² Since then he has been constantly re-elected, without opposition, at the close of his several terms, and is now on his twenty-fifth year of service on the bench. At one time, against his earnestly expressed wishes, he was nominated as the Democratic candidate for chief justice of the Supreme Court of the State, in opposition to his old and firm friend, Hon. S. J. R. McMillan, but owing to the existing large majority of the opposition he was defeated.¹⁴³ During his residence in Minnesota, Judge Wilkin has not taken an active part in partisan politics. Reared in the tenets of the old Whig party, he has, by the death of that party, and from the changes brought about by the

¹⁴² The results of the election on November 8, 1864, were:

Wescott Wilkin (Democratic).....	1,520
Jefferson P. Kidder (Republican).....	1,116

Journal of the House of Representatives, January 5, 1865, at 17-18.

¹⁴³ The results of the election for chief justice in November 1874, were:

Samuel J. R. McMillan (inc. and Rep.).....	51,506
Wescott Wilkin (Dem).....	41,120
Write-in.....	130

Douglas A. Hedin, “Results of Elections of Justices to the Minnesota Supreme Court, 1857-2014” 21 (MLHP, 2010-).

passage of time and the progress of events, become attached to the Democratic party. He is, however, by no means a strenuous partisan, and controls his own action with all of the license of individual freedom, dictated by unbiased investigation and intelligent discrimination.

As a jurist he occupies an exalted position in the public esteem and consideration. He brought to the bench a great store of legal learning and ability and an aptitude for the station, and his experience has added largely to his qualifications. An old member of the St. Paul bar, a gentleman with large experience in courts, and possessing an intimate knowledge of Judge Wilkin and his manners and methods, says of him:

“Judge Wilkin is a complete lawyer, in all of the branches of the profession. In jury trials he remembers all that the witnesses say, and reviews the evidence on each side, generally much better than the counsel who sum up the case, and is therefore able to charge the jury upon the issues so impartially that neither side can tell to which his inclination leans. In equity cases he is fully informed as to the decisions, and his natural sense and perception of what is due from man to man enables him to do the most ample justice, so far as human power can do it. He has no fear of personal disapprobation in the discharge of his duty, and possesses the rare quality of being able to decide a cause in favor of a friend, when that friend is in the right, without apprehension that somebody may say that his friendship influenced him. When he came upon the bench he was the only judge of the District Court in Ramsey county, and so remained for a considerable period. A large amount of unfinished business was handed down to him by his predecessors, and the rapidly accumulating litigation of the growing city severely tried the powers and capacities of a somewhat delicate constitution, but he met every requirement with readiness and fidelity and demonstrated his ability to perform a vast amount of important work in a brief time. An examination of the cases in equity which he has tried in years past cannot fail to exact a tribute to his conscientious industry respecting the most minute details. In addition to his official labors he has largely assisted in shaping the jurisprudence of the State, and has rendered valuable aid in arranging a somewhat confused mass of material and placing it upon a broad and abiding foundation.

He possesses the confidence and esteem of the entire legal fraternity, and his decisions and opinions are seldom overruled by the Supreme Court. He is still a hard worker and always to be found engrossed with his public cares and duties. His years sit lightly upon him, and his manner is kindly and unassuming, while in speech and intercourse he is affable and genial. He is not a professing member of any religious denomination, but having been reared under the teachings and influences of the Presbyterian

Church, he still retains for that particular form of Christian faith the respect and admiration with which he became imbued in his earlier years.

In the year 1884 Judge Wilkin was induced by his friends to take a little rest and recreation from the exacting duties of his office, to which he had unremittingly devoted himself for over twenty-years. In company with his friend, Hon. C. E. Flandrau, he visited San Francisco, and sailed from that city to Japan, through which interesting country he traveled extensively, enjoying privileges and facilities kindly extended by distinguished citizens and officials of that empire, which lent much additional interest to his visit, relieving it very much from the ordinary routine of the mere tourist and sight-seer. The judge continued his voyage westward through China, India, Egypt, and a very, large portion of Europe, returning to Minnesota after having circumnavigated the entire globe. His many friends in the legal profession, and, in fact, the entire community, trust that the rejuvenating results of his extensive travels may extend his official labors over many years in the future.¹⁴⁴



SANBORN, GEN. JOHN BENJAMIN. General Sanborn was born on a farm in the town of Epsom, Merrimack county, N. H., December 5, 1826. Of his native homestead it is said that for a period of seven generations it has been in possession of the Sanborn family and is still the property of its members. The Sanborn family is very prominent in the annals of New Hampshire, and is well-known throughout the State. The town of Sanbornton was named for certain of its representatives. The chronicles state that over two centuries ago, and a hundred years before the territory now comprising the State of Vermont was detached from the "New Hampshire Grants," as it was then termed, two brothers by the name of Sanborn settled upon the land on which the general was born. Eliphalet Sanborn, the great-grandfather of General Sanborn, was a soldier for the Colonies in the War of the Revolution, as was his maternal grandfather, Benjamin Sargent, who entered the service as a drummer boy, and served throughout the struggle for independence, closing his term of service as a soldier in the ranks. His paternal grandfather, Hon. Josiah Sanborn, was a prosperous lumberman and farmer, and for a period of seventeen consecutive years was a member of the New Hampshire Legislature. His father, Frederick Sanborn, a gentleman of exalted character, resided on the old home farm for nearly a century, or until his death. His wife, the mother of General Sanborn, was Miss Lucy L. Sargent. She was a native of Pittsfield, N. H., and a woman of exceptional personal worth and superior traits of character.

¹⁴⁴ Wilkin died in St. Paul on May 12, 1894, aged seventy.



*Oruly Gaults.
John B. Sanborn.*

The early life of General Sanborn was spent mainly upon his father's farm and at work as a lumberman in a saw-mill and in the woods of the Granite State. His early education was obtained in the common schools, but on reaching his majority he underwent a course of preparation with the view of completing his scholastic education at Dartmouth College. But upon the advice of certain friends, the Hon. Franklin Pierce among the number, he decided upon the study of law. In 1851 he entered the law office of Judge Asa Fowler, a distinguished jurist of Concord, and after a very thorough and complete course of reading, study, and instruction was admitted to the bar at a general term of the Superior Court in July, 1854. After a few

months spent in the practice at Concord, he decided upon a change of location, and hearing favorable accounts of the then Territory of Minnesota, selected St. Paul as his objective point.

In December, 1854, he arrived in this city. At that season the river was closed to navigation, and the journey from Dubuque, Ia., to St Paul was made with some companions in a wagon and with a team purchased at Dubuque for the occasion and sold upon arriving at St. Paul. He immediately engaged in the practice of his profession, forming a copartnership with Mr. Theodore French, another young attorney from New Hampshire, under the firm name of Sanborn & French. The firm did considerable business from the first. From their advertisement in the *Emigrant's Guide* of 1856, it is learned that they were not only attorneys at law, but "commissioners for Maine, New Hampshire, Vermont, Massachusetts, and New York." They were also "agents for the Ætna and Phoenix Insurance Companies of Hartford," and were prepared to "take charge of real estate," and to "sell, loan, and locate land warrants and negotiate loans on commission." The office of the firm was in Mackubin & Edgerton's building on St. Anthony street"

In January, 1857, Mr. Charles C. Lund, another New Hampshire lawyer, was admitted, and the firm of Sanborn, French & Lund continued until the death of Mr. French, in 1860. The partnership with Mr. Lund continued until General Sanborn entered the military service, or early in 1862. General Sanborn was from the first successful in his profession, both as a counselor and an advocate. He achieved a large practice in the State and Federal courts, and an extended and enviable reputation. In 1859 he was elected to the House of Representatives, and served in the Legislature of 1859 as chairman of the Judiciary Committee. In this position he performed much valuable service in shaping legislation, notably in formulating and aiding in the enactment of a system of laws which restored, and in part inaugurated, a sound and healthy condition of the financial affairs of the State. In 1860 he was elected to the State Senate, and was made chairman of the committees on military affairs. General Sanborn's services in aid of the cause of the Union during the War of the Rebellion, were very conspicuous and valuable, and their record, if fully and fairly set out, would fill a volume.

In April, 1861, he was appointed by Governor Ramsey to the position of adjutant-general and acting quartermaster-general of the State with the rank of brigadier-general, and charged with the organization and equipment of the Minnesota Volunteers. Though he was in the enjoyment of a profitable practice, with better prospects before him, he at once accepted the appointment and entered upon his duties. At that time the State was without a military chest, a commissariat, and its armament was practically worthless. But aided by his patriotic fellow-citizens General Sanborn soon had the Minnesota contingent in the field ready for duty, although he was

compelled to make a trip to Washington in order to have the First Regiment properly uniformed. He equipped for the field the Second and Third Regiments, and thoroughly systematized and put in good working order the machinery of his office. Then he offered himself as a soldier, and upon the organization of the Fourth Regiment of Infantry in December, 1861, was commissioned its colonel. The headquarters of the regiment were at Fort Snelling during the winter of 1861-2, and General Sanborn had command of all the troops along the frontier of the State, including the several garrisons.

In the early spring of 1862 he was ordered with his regiment to the South. In due course he reached General Halleck's army, then in front of Corinth, Miss., and was assigned to General Pope's command, then called the Army of the Mississippi. In the siege of Corinth he was given command of a demi-brigade, consisting of three regiments of infantry and a battery of artillery. After the Confederate evacuation on the 29th of May, and the pursuit to Boonville, Miss., his command returned to the vicinity of Corinth and went into camp on Clear Creek. Here there was a reorganization of the troops of the department, and though holding but the rank of colonel, General Sanborn was given command of the first brigade, third division, of the "Army of the Tennessee," the division was commanded by General C. S. Hamilton, of Wisconsin; the "Army of the Tennessee," at that time, by General Rosecrans. In August Hamilton a division was sent to Jacinto, Miss., a point about eighteen miles east of Corinth, and here it remained until the middle of September, when it marched toward Iuka, which had been captured by the Confederates under General Sterling Price a few days before.

In the battle of Iuka, September 19, 1862, one of the hardest fought engagements of the war, and, for the numbers engaged, one of the bloodiest, General Sanborn especially distinguished himself. He led his brigade, consisting of the Fifth and Sixteenth Iowa, Twenty-sixth Missouri, Fourth Minnesota, and Forty-eighth Indiana regiments, and the Eleventh Ohio battery, numbering in all about 2,200 men, into action, and throughout sustained the brunt of the fight. He was opposed by Maury's division of Confederates, nearly 6,000 strong, and fought them from three o'clock in the afternoon until nine at night. He was assisted after the battle had been in progress for some time by a few regiments of General Stanley's division, but all accounts agree and all reports show that Sanborn's brigade did by far the greater part of the fighting on the Federal side and saved the day. Though this was his maiden battle, and that of most of his men, he held his regiments in line with the coolness of a veteran, and directed their movements with the precision of an expert in the science of war. The battle was a series of assaults and counter assaults, of bayonet charges and hand-to-hand fighting. Three times was his battery taken and recovered. In the end Sanborn held his position, after having lost nearly 600 of his

command in killed and wounded, but having inflicted a much larger loss on the enemy, and really winning the fight. That night the Confederates, who were commanded by General Price in person, retreated. Sanborn received in orders the highest encomiums of General Rosecrans, the commander of the Union forces, for his skill and gallantry and won the praise of all his associates and comrades.

A few days later, October 3d and 4th, he commanded in the battle of Corinth, and well sustained the brilliant reputation he had already won. Thereafter he was in all of General Grant's campaigns in the valley of the Mississippi. He was on the Oxford expedition in the fall of 1862 and early winter of 1863; was with the arduous expedition down the Yazoo Pass, in March following, and took an important part in the Vicksburg campaign. When the Seventh Division of the Seventeenth Army Corps returned from the Yazoo Pass expedition to the Mississippi River near Helena, Ark., its commander's, General Quimby's, health had become so impaired that he was compelled to relinquish the command and go north. Thereupon General Sanborn, though then holding the rank of colonel only, became the commander of the division by virtue of being the senior colonel, and retained this command in the movements against Vicksburg until the 2d day of May, having assumed the command April 15th, during which time he had moved the division from Helena, Ark., to Bayou Pierre, Miss. He handled the division with the same skill and efficiency that he had his regiment and brigade. He was ordered to the assistance of General McClernand at Port Gibson, Miss., while his command was still on the west side of the Mississippi River, nearly opposite Grand Gulf. He crossed his entire division, composed of three brigades of infantry, four batteries and a squadron of cavalry, upwards of six thousand men, present for duty, from his position on the west bank of the Mississippi River to the east, in the almost incredible short time of three hours, and was formed in line of battle across the road leading by the left flank and to the rear of the main line of battle, by which Generals Grant, McPherson and McClernand feared that their position might be turned by a heavy force of the enemy. This position was reached and the formation of the line of battle made long before the fighting on the front line of battle had ceased. His command was the first on the next day to cross the south fork of Bayou Pierre, and that evening drove the rebel forces from the north fork, where they were engaged in burning the bridge. He was now in command of his brigade, a West Point graduate, General Crocker, having been assigned to the command of the division, by reason of his rank and the fact that General Sanborn's promotion to brigadier-general by the president, after the battle of luka, had been permitted to lapse by the adjournment of the Senate without confirmation, on account of some complications relating wholly to the management of affairs at home in Minnesota.

At Raymond, Miss., May 12, he was ordered by his corps and division commander to move directly forward towards a rebel battery, the fire of which covered his entire line of march until he had passed the right flank of the rebel line of battle. General Logan's division formed the line of battle and its right had been turned at this time. This movement forced the rebel commander to abandon his position, and the movement was made with a prospect of terrible loss. The fire from the rebel battery enfiladed the entire line of Sanborn's command, but the aim was so high that there was scarcely any loss of men. To this day General Sanborn bears on his person marks of the cannon shot that passed under his arm during this advance. At Jackson, Miss., two days afterwards, he and his command rendered still more conspicuous service. Though his brigade was second in the line of march, and the last to receive the orders to charge the enemy's line and batteries, the charge was made with such impetuosity that it gained the advance of the whole army and led this advance into Jackson, his adjutant-general carrying one of the flags of his regiment by his orders to the dome of the capitol and raising it there. At Champion Hills his command captured the standards of a Mississippi regiment and took many prisoners. In the assault upon the rebel fortifications at Vicksburg, on the 22d day of May, his command, after terrible loss, reached the aitch under the enemy's lunettes. He was in command of the Seventh Division during the time it made the assault, in the afternoon of that day. He participated in all the important operations in the siege of Vicksburg, and when that stronghold surrendered General Grant announced to General McPherson that he would recognize the Seventeenth Corps as entitled to the honors of the campaign and that he might designate such portions of the corps, not exceeding three brigades, as he considered most entitled to enter and occupy Vicksburg. General Sanborn's brigade was one of the brigades thus designated, and led the advance into Vicksburg on July 4, where it remained and paroled the prisoners of war. His name heads the list of colonels mentioned by General McPherson in his report of that campaign of those entitled to special mention for conspicuous gallantry and valuable services during that campaign.

After the close of this campaign he was again commissioned brigadier-general of volunteers, to take rank from August 4, 1863. This appointment was confirmed by the Senate.

After this promotion, and while *en route* with the Army of the Tennessee to Chattanooga to reinforce the Army of the Cumberland at that point, with the view of regaining what had been lost at the battle of Chickamauga, and while waiting a day at a hotel in Memphis, where General Grant and staff were stopping at the same time, he was advised by General Grant that he had been requested by the authorities at Washington to send at least one general officer, and if possible two, to St. Louis, to report to General Schofield for temporary service in the Department of Missouri, stating at

the same time that there was a rebel raid in Missouri and the government was desirous of restoring order to such an extent that an election about to take place might be fairly conducted. This service was to be brief, and General Grant stated, "whoever is to go, I will see to it that he is back to his command before I am ready to fight at Chattanooga," and at first requested and then ordered the general to go to Missouri for this service. That he never got back to his old command was not on account of any failure or fault of General Grant. He requested the return of the general time and time again, but General Schofield and the commanding officers of the Department of Missouri protested against it, and between the commanding officers of the department and the authorities at Washington the general was prevented from ever returning to his old command in the field, which disappointment exceeded all others that he met in the war. On the 20th of October he was assigned to the command of the District of Southwest Missouri, with headquarters at Springfield. Here he remained until the close of the war. His position was one of great responsibility and hard work, and required consummate address, decision of character, and high administrative qualities. His district was in sad plight, with scarce the semblance of law and order within its borders. Confederate guerrillas and Federal jayhawkers overran the country, and murders and outrages for opinion's sake were of daily occurrence in every county. Practically the black flag was the banner of both sides. Soon after General Sanborn's arrival at Springfield the leader of a guerrilla band in the neighborhood captured a party of six Federal soldiers, hung five, and sent the survivor, a mere boy, to the general with a note stating what he had done, and notifying him that the guerrillas neither gave nor expected quarter. It was not long thereafter until this band was literally exterminated by the Federal scouting parties sent against it.

General Sanborn restored and preserved peace, or at least the undisputed authority of the Federal government throughout his district. He put down the bad of both sides and was as severe on his own scoundrels as on those of the enemy. All the time, too, he had to keep closed the principal gateway from Arkansas into Missouri against the entrance of Confederate raiding expeditions, and to keep the Federal army of the frontier supplied. He discharged all of his duties to the complete satisfaction of the commanders of the department. Generals Schofield, Rosecrans and Dodge. Of his administration of affairs at Springfield, the "History of Greene County, Mo.," the county in which Springfield is situated, says on page 415:¹⁴⁵

"Among all of the Federal military commanders at Springfield General John B. Sanborn seems now to be most kindly remembered. His administration was at a most critical period, in 1864-5, when the

¹⁴⁵ Published by the Western Historical Company, St. Louis. 1883.

passions of men were most violently inflamed by the war, and they were the most difficult of control. The soldiery had become accustomed to scenes of violence and disorder, and the citizens were as hard to manage as the soldiers. Some loyalists were fanatical, some secessionists were desperate. Oftentimes the general was assailed by extreme radical Union men for his protection of the persons and property of rebels from those who wished to “vex the Midianites,” to spoil them and spare not; and again the Confederate partisans would denounce him for his unrelenting pursuit of bush whackers, who were rendering so much property insecure and so many lives unsafe. But General Sanborn kept steadily on his course of repressing and repelling the violent of both factions, of protecting the good and punishing the bad, and with a wise conservatism so managed affairs that at last all but the most disreputable indorsed him, and to-day he is given great praise by men of all parties and former shades of opinion.

In the fall of 1864, when General Price made his famous raid into Missouri, entering in the southeastern part of the State, General Sanborn was at Springfield. He hastily organized a mounted brigade, composed of State militia and volunteers, and marched to Rolla, one-hundred and twenty five miles distant in a little more than two days. From Rolla he marched north-westerly across the country to Jefferson City, reaching that point in advance of the Confederates, and saving the capital of Missouri from capture. He was in command of the defenses of the city during the two days it was menaced by the rebels, and when they declined to attack and moved to the westward, he was by order of General Pleasanton, given command of all the troops in the field, four brigades, and conducted the pursuit of the enemy from Jefferson City to Independence. In the discharge of this duty he was engaged in severe skirmishes with the enemy near California, Versailles, and Boonville, and took an active part in the battles of Independence, Little Blue, Big Blue, and the Marais de Cygne. He set in motion the troops that gave the rebels their *coup de grace* at Mine Creek, when Generals Marmaduke and Cabell and six hundred other Confederate prisoners were captured, and it was his brigade that came to the assistance of General Blunt at Newtonia—the last battle of the raid—and changed the fortunes of the day from a decided repulse to a complete victory. Then after the rebels had been driven from the State and far into the Indian Territory, he returned to Springfield, where he was given an enthusiastic reception by the loyal citizens.

No other commander had a clearer or more proper conception of his duties as a soldier. While he believed that in many instances, in time of war the laws should be silent, yet he also believed that where the principle could be recognized with safety, the military should be subordinate to the civil power, and just as soon as possible he gave this principle a practical

recognition. May 8, 1865, immediately after the rebel armies in northern Arkansas and southern Missouri had surrendered or disbanded, he issued his somewhat famous "general order No. 35," the substance of which was the relinquishment of martial law and the refusal to longer control and govern the country thereby, except in two classes of offenses, viz.: efforts and attempts to intimidate the civil officers, and any refusal of these officers to act at once upon the proper complaint or information of any citizen. At the same time he placed the whole Federal force of the district at the command of the officers of the civil law.

General Sanborn's course in issuing "order No. 35" was commended by the loyal governor of Missouri, Colonel Thomas C. Fletcher, who in a letter to him dated June 1, following said:

"The order is most admirably conceived, clearly expressed, and has throughout the right tone. In it I recognize and gratefully acknowledge the most effective assistance I have yet received towards the re-establishment of order in Missouri. Be assured that when peace and the arts of industry shall once more have assumed their legitimate sway in this State, which you have done so much to save, your name will be cherished with increasing reverence as our prosperity flows on in an uninterrupted tide."

In June, 1865, the War of the Rebellion having closed, General Sanborn was ordered to the district of the upper Arkansas. along the plains, and in the region of the Smoky Hill River, to open the long lines of travel to Colorado and New Mexico, which had been closed for two years, and to operate against the hostile Indians in that quarter. On the 4th of July, in command of a division of 6,000 troops he set out for the scenes of his operations, established his headquarters at Fort Riley, Kan., and in ninety days he had completely fulfilled the objects of his expedition. The commission appointed by the government to treat with the Indians and arrange the details of peace was composed of General W. S. Harney, General Sanborn, William Bent, "Kit" Carson, and Judge Brown, of the interior department. After the conclusion of that treaty he was sent by order of President Johnson, in November, 1865, to the Indian Territory to settle the differences between the loyal and disloyal tribes, and to establish amicable relations between the ex-slaves and their former Indian masters, and at the same time to settle certain disturbances in the country about Fort Smith and Fort Gibson. At the end of four months he had fully accomplished his mission. In June, 1866, he was mustered out of the service, closing a military career which throughout had been able, efficient, valuable, and brilliant.

Returning to St. Paul General Sanborn resumed his law practice, establishing in connection with his business in this city an office in

Washington, under the firm name of Sanborn & King. The latter was discontinued in July, 1878, upon General Sanborn's retirement. January 1, 1871, he associated with himself his nephew, Hon. Walter H. Sanborn, forming the well-known law firm of John B. & W. H. Sanborn.¹⁴⁶ In 1881, another nephew, Mr. Ed. P. Sanborn, was added to the firm, without changing the name.¹⁴⁷

In 1867 General Sanborn was appointed one of the peace commissioners to treat with the hostile tribes of Indians, including the Cheyennes, Camanches, Kiowas, Navajoes, Shoshones, Northern Arapahoes, Crows, and the numerous bands composing the great Sioux Nation. The special commission consisted of Generals Sherman, Sanborn, Barney, Perry, and Senator John B. Henderson, of Missouri. The commissioners made a thorough investigation of the needs and demands of the Indians and fixed upon the humane and just policy to be pursued by the government towards these "wards of the nation," which has resulted in the education and civilization of numbers of them, and on the whole has been successful.

In 1872 he was elected to the Legislature. In 1882 he was again elected. On the latter occasion he consented to serve in order to assist in restoring the somewhat impaired credit of the State. He was largely instrumental in having the \$2,500,000 of State railroad bonds, (issued in 1858, and which had stood repudiated since that time) taken up and canceled, and the stain upon the State's good name and financial credit removed and obliterated. He has never been an office-seeker or a place-hunter, but has frequently been put forward for the most exalted positions. In 1860 he was before the caucus of his party for nomination as a candidate for United States senator, and was defeated by Hon. Morton S. Wilkinson by only two votes. In 1884 he was recommended for the appointment to the position of judge of the Circuit Court for the Eighth District, to fill the vacancy occasioned by the resignation of Hon. George W. McCrory. His recommendations, which were wholly unsolicited, were acknowledged by President Arthur to be the strongest before him, but geographical position controlled the election and the appointment was given to Judge Brewer, of Kansas.¹⁴⁸

¹⁴⁶ For Walter Henry Sanborn's sketch, see pages 103-107.

¹⁴⁷ For his bar memorial see, "Edward Peyson Sanborn (1853-1934)" (MLHP, 2010).

¹⁴⁸ Brewer's biographer does not mention General Sanborn in his account of Brewer's elevation to the federal circuit court:

A decision written for the Kansas Supreme Court by Brewer in 1877 held in favor of the plaintiff in error, Preston B. Plumb. The litigation was over a land sale and in all respects a minor case. Yet Plumb was no minor figure; he had just been elected to his first term as a United States senator. Some said that the ruling caused Plumb to think of ways of rewarding the man who wrote it—such as obtaining for him a federal judgeship.

When John F. Dillon resigned as judge of the Eighth Circuit in 1879, [Kansas] Governor John P. St. John, [Kansas Supreme Court Justice David

General Sanborn has been closely and prominently connected with the business and commercial interests of St. Paul. For several years he was president of the Chamber of Commerce, director and vice-president of the German American Bank, and vice-president and trustee of the Bankers' Life Assurance Association. He has been president of the St. Paul Roller Mill Company, and connected with other business enterprises. He has also been commander of the Minnesota Commandery of the Loyal Legion, a member of the executive council of the Historical Society, etc., etc.

It goes without saying that as a lawyer he is in the front ranks of the profession. His legal attainments are of the highest order, his clientage comes from the best classes, and the general success of the firm of which he is the head is most marked. As a citizen he is public spirited, liberal, and philanthropic, and in all the relations of life he is faithful, honorable, and true to himself and his fellow-men.

General Sanborn has been thrice married. His first wife was Miss Catherine Hall, of Newton, N. J. whom he married in March, 1857, and who died in November, 1860, leaving a daughter, Hattie F. Sanborn, who died December 5, 1880. His second wife—to whom he was married in November, 1865, and who died in June, 1878,—was Miss Anna Nixon, of Bridgeton, N. J., a sister of the Hon. John P. Nixon, of the Federal District Court of New Jersey. April 15, 1880, he was married to his present wife, who was Miss Rachel Rice, daughter of Hon. Edmund Rice, of St. Paul, and a lady of rare accomplishments and worth. To the last union there have been born three children.



MURRAY, HON. WILLIAM P. Hon. William Porter Murray was born in the town of Hamilton, Butler county, Ohio, June 21, 1825. He was the only child of the marriage of John L. Murray and Jane W. McCullough, and is of Irish ancestry. His paternal grandfather, William Murray, was a native of Ireland,

M.] Valentine, [Kansas Supreme Court Justice Albert H.] Horton, and other state officials petitioned President Rutherford B. Hayes, recommending the appointment of Brewer. George W. McCrory of Iowa, however, received the post. McCrory served only until 1884, and this time the Kansas men were not to be denied. Although A. L. Williams, a former attorney general of the state had strong support in some quarters, Plumb's vigorous appeals inclined President Chester A. Arthur toward Brewer. On March 25 he made the appointment.

Michael J. Brodhead, *David J. Brewer: The Life of A Supreme Court Justice, 1837-1910* 52 (Southern Illinois Univ. Press, 1994) (citing sources).

but emigrated to the United States at a comparatively early period, and became one of the pioneer settlers of Southwestern Ohio. When he was a mere child the subject of this memoir lost his father by death, and subsequently his mother married a gentleman named Henry Rowan, who removed with his wife and step-son to Centreville, Wayne county, Indiana. But very early in his youth, and not long after the removal of his family to Indiana, the boy, William P., returned to his native county to live with an uncle named J. G. Stillwell, who was a country merchant at the little village of Stillwell, in that county, and for whom the village was named. It was here where a considerable portion of the youth and early manhood of Mr. Murray was spent, his time being chiefly employed in service in his uncle's store and in attendance at the village school. At the age of seventeen he was sent to Miami University, at Oxford, Ohio, where he passed two years. He then returned to his home proper, at Centreville, Indiana, and entered the law office of Hon. Oliver P. Morton, whose subsequent fame and distinction as Indiana's war governor, United States senator, and one of the Republic's great statesmen are well known throughout the land. Mr. Murray remained in the office of the great Indianian as a student for about two and a half years. He then went to the University of Indiana, at Bloomington, and entered the law department of that institution, from which he was graduated a year later. In the spring of 1849 he was admitted to the bar at his home town of Centreville.

A light circumstance, and one of some singularity, determined the site of the young lawyer's future home and field of operations. After his admission to the bar he had opened an office and had secured some practice; but he was not content with his location, and determined to seek a new one. With this design he made a brief journey to Kentucky, but did not find what he sought. In the fall of 1849 he chanced to see a copy of Minnesota's first newspaper, the St. Paul Pioneer. In this paper was a well written letter, descriptive of the then situation at St. Paul, and plausibly predictive of the future greatness and glory of the young Territorial capital. The letter was written by Hon. Charles K. Smith, then secretary of Minnesota Territory, who had come to the Northwest from Mr. Murray's native town of Hamilton, Ohio. Attracted by the glowing representations of the skillful and accomplished writer, whom he knew well, at least by reputation, the young attorney decided to go to St. Paul, and to stand not upon the order of his going.

Late in the fall of 1879 he set out. He bore with him a number of letters of introduction from prominent friends, a small but well selected library, and had moreover a light heart and a light purse. His journey was ill-timed. It was the beginning of winter before he was well under way, and when he reached Galena the navigation season on the Upper Mississippi had closed. Proceeding to Dubuque he and some other young adventurers engaged transportation to Minnesota by wagon; but at Black River, Wisconsin, the

party was stopped by the absolute termination of the road and a severe snowstorm. Here, however, they found a surveying party under Judge Knowlton, a prominent character of this region in early times, who had contracted to open a road from Black River Falls to Willow River, (now Hudson) Wisconsin. Mr. Murray had left his library in Dubuque, and he at once engaged with Judge Knowlton and the surveying party to accompany them as an employee to Willow River. The trip occupied two weeks and was one of arduous labor, privation, and exposure. The party encamped every night in the snow, the thermometer was 28° below zero, and the day previous to the arrival at Willow River the provisions gave out.

From Hudson Mr. Murray came across to St. Paul and registered at Kennedy's old Central House on the evening of the 24th of December, 1849. The next day was Christmas, and was spent in presenting his letters, in making acquaintance; and in taking in the town and celebrating the day after the manner of the pioneers of the olden time. Murray joined the "Ohio Colony," under the patronage of Hon. C. K. Smith and the pioneer editor, John P. Owen, and came at once into something like prominence. A day or two after his arrival he began the practice. His office was in a little one story building on Robert street. At first clients were scarce and fees small, but the young lawyer got his share of business, and did not complain.

He was soon drawn into politics, and in 1851 was elected a member of the lower House of the Territorial Legislature, which convened in 1852. He was re-elected the following year, and in 1854 was a member of the Territorial Council from Ramsey county. In the Legislature of 1855 he was president of the council, a position of no little honor and distinction, and one rarely held, under any circumstances, by a young man of thirty. He was again a member of the House in the Territorial Legislature of 1857. From the first he was very intimately and actively connected with the Legislative affairs and the public interests generally of the city and Territory, the compeer of Stearns, Freeborn, Olmsted, Kittson, Nobles, Sibley, the Rices, Ramsey, and others of the fathers of the Commonwealth of Minnesota.

He was a member of the Constitutional Convention of 1857, and his connection with that body added largely to his reputation. He was a member of the House in the State Legislature of 1863, and was a member of the Senate in the Legislatures of 1866 and 1867. In 1868 he was again elected representative, but was unable to take his seat by reason of his absence in South America. In 1874 he was again returned to the Senate and served in the sessions of 1875-6. As the records of these several Legislatures and of the Constitutional Convention show, no other member there of contributed more largely to the legislation which laid the foundation of Minnesota's school system; which, in effect, mapped out, and literally gave life and strength to many of the rail-roads of the State, and which placed her charitable institutions on a broad and stable footing.



Controlled by that energetic disposition which is a part of his nature, and which impresses even every casual acquaintance, he was never a passive observer of events, but always an active participator. His forces were never in reserve, but always at the front, in the midst of the contest, where the fight was hottest and the work was hardest. His services, therefore, could not well be anything else than valuable to his constituents, and indeed the people of his city and county came to think they could not well

get along without William P. Murray in one branch or the other of the State Legislature. In acknowledgment of his eminent service; and as a testimonial of the general esteem in which he was held at the time, his name was given to the county of Murray, in the southwestern part of the State, upon its organization, in the year 1857.

For a period of sixteen years he was an alderman of the city of St. Paul, and for six years was president of the council. Here again he displayed his natural characteristics as a leader and as a worker. All of his many energies were uniformly enlisted in the discharge of his duties. He never occupied a back seat, never dodged a vote, never shirked a duty. A stickler for the Constitution and the forms of law, he was invariably faithful to his oath of fidelity, and was sometimes compelled to vote against the promptings of head and heart by a regard for his official obligations. It was while in service in the council that he learned the needs of the city in the matter of chartered rights and privileges. Under the first charters the powers of the council were enumerated and always strictly construed. The authorities must be just—never generous. Appropriations of money were limited to official requirements—the demands of charity passed unheeded. When time war came on the council was hard put to find a legal warrant for its action in appropriating the city's money to aid the volunteers and their families, and the members were for a time forced to act according to the higher laws of patriotism and humanity. It was mainly through the instrumentality of Mr. Murray that these imperfections in the organic law of the city were repaired from time to time until now the charter is one of breadth and depth and strength, of enterprise and liberality, of wisdom and law,— in short, a masterpiece of its kind. Mr. Murray has been termed the author of the city charter, a title not inaptly or improperly bestowed, and one of proud distinction.

In the year 1876 Mr. Murray was chosen city attorney to succeed the lamented Willis A. Gorman. He held this office through the most important epochs in the city's history for thirteen years, or until in July, 1889. Sometimes he was chosen by the council, sometimes elected by the people. On the latter occasions, as on every other when his case was decided by the body politic, he won easily. St. Paul never had a more popular official, nor a more useful one. As the legal adviser for the city government for so long a period he had much to do. Duties other than those belonging to his office were thrust upon him. He became both a public and a private counselor. The authorities made no move without his sanction, and the poor of the city came to him daily for counsel and advice as children go to a father. Perhaps no other official ever performed as much of actual work. At times the vast public concerns of the city were practically given into his keeping, and always he was busy. It is almost incredible how well he kept these matters in hand, never losing sight of an object, never negligent nor off guard. He worked early and late. During his office hours

he was constantly besieged by visitors — now a dignitary on an errand of public import, now an unfortunate with a tale of personal suffering. During the latter years of his term — when, under the new charter, drawn by him, the city limits were extended, — there came upon him a vast amount of labor. The new territory had to be developed and improved, and all contracts for the improvement required his revision and approval. The western and northwestern portions of the city had in him a strong friend, and able champion of their interests, but his services for them were not rendered at the expense or to the detriment of any other locality.

During Mr. Murray's administration the limits of the city were expanded, from an inconsiderable area to their present proportions, and the population was increased from 40,000 in 1876 to 200,000 in 1889. These results were largely accomplished by a wise and salutary policy of municipal government, of which policy Mr. Murray was in great part the author. Many of the best provisions of the charter, and the general scope of that instrument in its present condition were the conceptions of his mind, and the creations of his genius and will. Fully ninety per cent, of all the legislation affecting the city of St. Paul during the last ten years was drafted by him, and was obtained largely by his influence and personal efforts. His intimate connection with the official municipal affairs of the city brought about a sort of personal identification with them, and a charge was often made that St. Paul was governed by one man, and that man was William P. Murray. After he had left the office, a former fellow official, a prominent attorney, said, in address to him:

“It has been charged by your detractors, and may be proudly claimed by your friends, that for years you have been the municipal government of St. Paul. The citizens of this city have you to thank for a carefully drawn charter and an exhaustive set of ordinances. The city which you have loved and watched as a parent does his child to-day boasts that its credit stands at a premium; that its taxes and assessments have been so managed that, though improvements have been made on a colossal scale, the poorest lot owner has been able to meet his obligations; that our educational facilities are unsurpassed. To your executive ability all this is largely due. You have received able and willing assistance from the various departments of the city government, but only you comprehended and supervised the entire plan and system of building up this city. You alone have made it the study of your life and have given up to it the vigor of your early manhood and the mature thought of your riper years.”

He has always been particularly interested in the public school system of the city, has helped to build it up, to strengthen it, and make it efficient in all respects. In recognition of his services and as something of a personal

compliment to him, his name was given to one of the most important schools in the city — the William P. Murray School, at St. Anthony Park, in the Tenth ward. For a considerable period he was a member of the board of managers of the State Reform School, and has been prominent, even beyond the State, in reformatory work. His position as city attorney for so long enabled him to have an intelligent conception of the wants of society, and he gave this and kindred subjects much thought and attention.

Mr. Murray continued to hold the office of city attorney of St. Paul from 1876 until in the latter part of the month of June, 1889, at which latter date he was ousted by a judgment of the State Supreme Court.¹⁴⁹ The circumstances leading to this action may be briefly stated: Mr. Murray has always been a member of the Democratic party. Earnest and zealous in his political belief, as in every other matter of conscience and deliberate opinion, he has taken an active part in various political contests in the city and State. Quite often he was placed at the head of his party's affairs as chairman of the executive committees, and in other position; and uniformly under his leadership his party triumphed at the poll; and the city of St. Paul became reliably Democratic. He always fought fairly and won in open and honorable contest. He was never a bigoted partisan. Many of his strongest friends and warmest supporters were Republicans. Nor was he ever termed or considered a "boss." In the conduct of campaigns he displayed eminent ability as a tactician and rare qualities of leadership, but his political enemies came to have an over-estimate of his abilities. Their repeated discomfitures at his hands made them in a certain sense afraid of him and caused them to attribute to him undue sagacity and influence and to concede to him accomplishments which he does not and never did possess. The intolerant and bigoted element of the Republican party vowed his political destruction long since, believing that he more than a hundred other men in St. Paul had kept them from success and was still barring their path-way to domination. It was thought that his political leadership and influence could be destroyed by depriving him of his official position. Open efforts to overthrow him always failed, because of the great devotion of the public to him. And so what could not be done in fair field and before all men was compassed by a plot, conceived by certain unrelenting, vindictive, and unscrupulous partisans, who cared more for party success than the general welfare; who believed that to the victors belong the spoil; rather than that long service and unwavering fidelity should be rewarded; who remembered only the fairly delivered and well deserved blows they and their fellow-partisans had received in political battles at the hands of William P. Murray, and disregarded his long and eminent services in behalf of his adopted city. At the municipal election in 1888 a majority of

¹⁴⁹ *State ex rel. Holman v. Murray*, 41 Minn. 123, 42 N.W. 858 (Minn., June 26, 1889). In this case the titans of the local bar appeared. Attorney General Moses Clapp, General John B. Sanborn and Walter H. Sanborn represented Oscar E. Holman, while Christopher D. O'Brien, Thomas D. O'Brien and Henry Horn represented Murray.

Republicans were chosen as members of the Common Council, and in that body rested the power to choose a city attorney. Some of the Republicans members were known to be favorable to Mr. Murray's retention in office. As an official Mr. Murray himself had always been liberal, fair-minded, and non-partisan. At the head of two of the most important departments of the city government for year; placed there largely by his advice and influence, had been two Republican; and one of Mr. Murray's own assistants was also of that political faith. The plan to "down" Mr. Murray was really a Conspiracy.

On the first Tuesday in March, 1889, which had been apparently acquiesced in by all concerned under the law as the time for the election of a corporation attorney, the Common Council met in regular session, at which all of the members—seventeen—were present and participated. To "whip in" certain Republican members to a contest against Mr. Murray, the chief conspirators had called a caucus and nominated a candidate. On motion the council proceeded to the election of corporation attorney. One of the Republican members nominated Mr. Murray, as against the caucus nominee, a very worthy gentleman. The council proceeded to the election, and Mr. Murray received nine votes and his opponent eight, two Republicans voting for Mr. Murray. Up to this time all the members had participated in the proceedings and the vote, and voted thereon without objection or intimation that there was any question as to the proper day. And then, for the first time, the president of the council announced that he would not declare Mr. Murray elected corporation attorney for the reason, as he claimed, that the law required the election of the attorney to be held on the second Tuesday of March. After some discussion it was moved that W. P. Murray be declared elected corporation attorney for the ensuing term. The motion prevailed by a vote of fifteen to two. Baffled for a time, the conspirators renewed their efforts. One of the Republicans who had voted for Mr. Murray was allowed to select his own man, a Republican, whom he preferred above Mr. Murray for the office, and on the twelfth of March, which the leaders now claimed was the proper day, another election was held, at which the present incumbent was chosen by a majority of the votes cast. The Supreme Court decided in favor of the legality of the latter election, and Mr. Murray, with all nobility and grace of bearing, accepted the decision and retired.

His retirement was regretted by a very large majority of the citizens of St. Paul, without party or class distinction. Every old settler, especially, felt the slight as a personal grievance. His former associates in office presented him with a very substantial and valuable testimonial; everybody paid a tribute to his long and faithful service and his eminent worth. The Republican newspapers, never extravagant in praise of a prominent Democrat, were moved to expressions of compliment in his behalf. Rejoicing at his defeat, as a partisan triumph, they could not but testify to the purity of his official career and the value of his services. The Pioneer Press said that the

city charter is his “evolution,” and it admitted that, “he was always loyal to the city and always had its larger interests at heart;” that, “no one accuses him of using his potent influence in city affairs to make money for himself,” etc., etc. *The Dispatch* said:

“The disappearance of William P. Murray from the office which he has administered for nigh a quarter of a century is an event which arrests the attention and arouses the interest of our people as no other official event which is at all within the compass of probability could. For Mr. Murray has, during his entire career in this city, been the central figure of its politics and the leading spirit in the formulation and adoption of all the principles underlying our municipal system. Whether for better or worse, we owe to him more than to any other single individual the prevailing standards in official and political life, as we do the very important circumstance that the representatives of the same party and the same organization had during its entire career, until last spring, maintained undisturbed their ascendancy in our local government. In the strife of politics much has been said for and against William P. Murray’s ascendancy, for which there was little foundation in fact. No man who is controlled by devotion to party organization can in public life act outside of certain well defined limitations. there is perhaps no man in the city who knows the former city attorney personally who will not willingly acknowledge the demonstration he has given on every available occasion of his loyalty to St. Paul, his own active interest in its welfare and his readiness to yield opportunities of personal enjoyment and personal advancement to desire to participate in the city’s advancement. The years which Mr. Murray has given to active political life if utilized in the pursuit of personal gain would at least undoubtedly have left him to-day a man of large worldly possessions.”

Soon after his retirement, Mr. Murray opened a law office in connection with Mr. F. G. B. Woodruff; and re-engaged in private practice. He is regarded as a most excellent general lawyer, and in certain specialties is without a superior, at least in the Northwest. He has had a varied experience in his profession, has practiced in all the courts, State and National, not only in Minnesota, but in Washington City and elsewhere. In 1867 he became the attorney of a number of citizens of the United States who hold certain claims against the Republic of Venezuela. He repaired to Caracas, where he spent nearly a year in the prosecution of his claims before an international commission, and during this period he witnessed three successful military revolutions or changes of government. On one occasion, when the city of Caracas was being besieged by a revolutionary force, the house in which he was quartered was between the hostile lines for three days, and was literally pitted with musket balls. His cousin, Hon. Thomas N. Stillwell, was then the United States minister to Venezuela, but

even his flag over the building did not serve to protect it from the shots of the reckless Venezuelans. Mr. Murray obtained an award in favor of his clients, but this judgment was afterward repudiated by a subsequent administration of the eruptive little republic, that had installed itself into power *vi et armis*, and the "Venezuelan claims" are still the subject of controversy between the two governments.

Mr. Murray takes a prominent part in the proceedings of the Chamber of Commerce, and has long been one of its strongest and most influential members. He is president of the Old Settlers' Association, a member of the State Historical Society, and has been for some years one of the trustees of the Central Park M. B. Church. He is in the possession of strong, active and vigorous manhood, and busily employed every day. It may be said that he is still at work for his adopted city, in whose service he has spent his best years, and for whose interests he has fought a hundred battles. He has endeared himself to his fellow-citizens by his high course of honorable conduct, his frank and genial manners, his myriads of generous and noble deeds, and he rests secure in their warm admiration, their entire confidence, and their sincere esteem.

Mr. Murray was married in April, 1853, to Miss Carrie Conwell, of Laurel, Ind. Mrs. Murray is known to a large circle of friends as a most estimable lady, a worthy member of the best society, a model wife and mother, and a most sincere Christian woman, consistent in profession and unmeasured in devotion. To their marriage have been born eight children, three of whom, two sons and a daughter, have attained the years of maturity. Those living are Noel C. Murray, Winnie C., now wife of Richard Deming, and Fenton C., who is with his parents.¹⁵⁰ ◇



¹⁵⁰ Murray died in St. Paul on June 20, 1910, hours before he would have turned eighty-five.

Related Articles

Charles E. Flandrau, “The Bar and Courts of Ramsey County” (MLHP, 2009) (published first, 1881).

Charles E. Flandrau, “History of the Bench and Bar of Ramsey County: Parts I & II” (MLHP, 2008-2009) (published first, 1888).

Charles E. Flandrau, “Lawyers and Courts of Minnesota Prior to and During Its Territorial Period.” (Delivered first in 1897; published in 1897 and republished in 1898). Both articles are posted separately on the MLHP.

“Ramsey County Lawyers,” (MLHP, 2015) (published first, 1891).

“Bench and Bar of St. Paul” (MLHP, 2013) (published first, 1899).

Henry A. Castle, “The Bench and Bar of St. Paul and Vicinity” (MLHP, 2009) (published first, 1915).

“Dedication of the Ramsey County Court House” (MLHP, 2015) (published first, 1889).

“Ramsey County Court House and the Men Who Inhabit It.” (MLHP, 2014) (published first, 1903).

“Dedication of the St. Paul City Hall-Ramsey County Courthouse” (MLHP, 2013) (published first, 1932).

“Photographs of the St. Paul City Hall-Ramsey County Courthouse” (MLHP, 2015) (1932).

In addition there are over four dozen memorials to members of this bar by the Ramsey County Bar Association in the “Obituary/Memorial” category in the archives of the MLHP. ■



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