

# Bench and Bar of Dodge County (1884)

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## Foreword

By

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The author of the following chapter in a history of Dodge County published in 1884, almost three decades after the county was formed, identified 1872 as a year of transition, when many of its early lawyers, who had been fired by the optimism and energy of the pioneer and found satisfaction and success, saw their communities and their practices decline, forcing them to relocate. One cause was the construction of the Winona & St. Peter Railroad, which brought relative prosperity to those towns and villages in its path but near ruin and abandonment to those not so proximate. He wrote:

But about this time a great change, or series of changes, took place, which resulted in the breaking up and scattering of the "Old Bar" of Dodge County. Unhappily for the old towns of the county and for the lawyers and their fellow townsmen who had invested their all and established their homes in those towns, the construction and operation of the Winona & St. Peter Railroad through the county left those towns "out in the cold," and began, in spite of all energy and enterprise, to turn away the tide of travel and to scatter and divide up the business. Capitalists and business men began to move away and the business to rapidly fall off, while the

investments and improvements already made became of little value and were daily shrinking more and more. Besides all this, the enactments of Congress, enlarging the jurisdiction of the United States Courts was concentrating a large part of the most remunerative law business into the large cities, at the expense of the lawyers in the country towns. After a hard struggle against fate, in which the people freely expended their money and their energies in the vain endeavor to secure the building of a railroad to their doors, it became apparent that the accumulations of the past must be abandoned. Men of such activities could not remain to “rust out” in a dead town.

The author, whose identity is not known, saw first-hand the dispersal of the “Old Bar,” which could not be sustained by community boosterism and professional camaraderie. Observations about changes in the profession — here, about the disintegration of the “Old Bar” — rarely appear in “bench and bar” sections of county histories published in the 1880s and in the next round of county histories appearing before the First World War.<sup>1</sup> They usually contain lists of jurors, profiles of judges and lawyers, sightings of “first” events, and similar data. While the author of this chapter generally adheres to this format, he now and then makes an unusually acute comment or even a surprising one as, for instance, that the first two District Attorneys for Dodge County, which was organized February 20, 1855, were not lawyers.

In another unusual departure, the author makes a passing reference to the court reporter:

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<sup>1</sup> His observations serve as a reminder that no scholarly history of any aspect of this state’s bar has been written so far. Anecdotes and war stories abound, but serious, in-depth studies of the bar association movement, the development of the regulation of the bar, the rise of large, multi-specialty firms, the emergence of specialties, and exclusionary hiring practices, among numerous other topics, have not been written. Someday a legal historian will publish studies of the state bar that will interest many and may discomfort a few.

Charles O. Ware (a son of John Ware, of Mantorville, now deceased), is the efficient and accurate stenographer of the court, and has been such ever since that office was first created and filled. He is an unusual favorite among all the officers of the court.

When this was written, Ware had been employed about seven years. In 1874, the legislature, for the first time, authorized district court judges to employ “stenographic or short-hand reporters” but, for some reason, the counties of Steele, Dodge and Renville were excepted.<sup>2</sup> Three years later,

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<sup>2</sup> 1874 Laws, Ch. 88, at 231-3, provided:

SECTION 1. Each of the judges of the district court and courts of common pleas in the first, third, fourth, sixth, seventh and eighth and ninth judicial districts, Houston county of the tenth district, and the fifth judicial district except the counties of Steele, Dodge and Renville, in this state, is hereby authorized in his discretion to employ and appoint a competent short-hand writer to make, in short-hand writing, a true record or report of the proceedings and evidence taken upon the trials of issues of facts in the several courts held in his district, and when required by the court, or either of the parties to any such trial, to transcribe such record or report into the words which shall be represented by the characters used by him in reporting such proceedings and evidence the same shall occur. Provided, however, that no such reporter shall be appointed in any county whose board of county commissioners shall not first authorize such appointment.

SEC. 2. Before such reporter shall enter upon the performance of his duties he shall take and subscribe and take oath that he will, to the best of his knowledge and ability, keep in short-hand writing a true, full and accurate record of all the proceedings taken and evidence given upon the trials of issues of fact in the district court, when required so to do by the judge of said court, and that he will make and file with the clerk of the court a true and full transcript of his record or report in each case, into the words represented by the signs or characters which he shall use in his short-hand writing. Such oath shall be filed in the office of the clerk of the district court in one of the counties in the district for which he is appointed.

In reporting or recording the evidence of witnesses sworn and examined upon the trial of issues of fact, he shall record or report the questions put to the witnesses and the answers thereto given by be witnesses, in the words used by the questioners and the witnesses. He shall not be required to report or record the arguments of counsel, but shall record all objections and the grounds thereof, as stated by counsel, and also the decisions or rulings of the court thereon, and exceptions taken by counsel to such decisions or rulings, and shall immediately upon the completion of any trial file his report in such short-hand writing in the office of the clerk of the court where such trial was had, which report shall remain

the legislature amended the statute to permit any judge to hire a court reporter.<sup>3</sup> With this authority, Judge Samuel Lord hired Ware.

The employment of court reporters in the 1870s altered trial and appellate practice in the state just as, in later decades, the ways of the profession

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on file for the use of all parties interested, and in the performance of his duties he shall be subject to the orders and discretions [directions] of the court, and the judge may at any time discharge such reporter and employ and appoint another.

SEC. 3. When the record or report of a trial shall have been so made, transcribed and filed, and approved by the judge before whom such trial was had, it shall have such force and effect as a record of the court, and as a case, or bill of exceptions, as the court may by general rule or order prescribe.

SEC. 4. The amount or rate of compensation to be paid to such short-hand reporter shall be fixed by the judge who appointed him, and each county shall pay the compensation for his services during the time he shall be employed in the cases tried therein. The judge shall certify the time during which he shall be employed at any term in the county, and the amount to which he is entitled therefor. Upon the presentation of such certificate of the judge to the county auditor of the county, he shall draw his order in favor of such reporter, upon the county treasurer, for the amount so certified. But such compensation shall not exceed ten dollars per day while employed in court and fifteen cents per folio of one hundred words for the transcript, and provided further that when such reporter shall be required by either of the parties to an action to transcribe his record into longhand writing the fees for such transcription as above provided for shall be paid by the party requiring the same.

SEC. 5. This act shall be in force from the time of passage.

Approved February 19, 1874.

<sup>3</sup> 1877 Laws, Ch. 53, at 84-5, provided:

Sec. 1. Each of the judges of the district court and of the courts of common pleas in this State, is hereby authorized, in his discretion, to employ and appoint a competent short-hand writer, to make in short-hand writing, a true record or report of the proceedings and evidence taken upon the trial of issues of fact in the several courts held in his district; and when required by the court or either of the parties to any such trial, to transcribe such record or report into the words which shall be represented by the characters used by him in reporting such proceeding and evidence as the same shall occur. *Provided, however,* that no such reporters shall be appointed in any county whose board of county commissioners shall not first authorize such appointment. *Provided further,* that the provisions of this act shall not apply to the exempted county of Ramsey, or be construed as repealing the special act relating thereto.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 20, 1877.

were changed even more by the typewriter, telephone, word processor and internet (comparatively less so by the photocopier).

The Chapter on the “Bench and Bar” appeared first as Chapter 10, pages 847-856, of *History of Winona, Olmsted, and Dodge Counties*, published in 1884 by H. H. Hill Company of Chicago. “Biographical Sketches” of several lawyers mentioned in this chapter conclude this article: A. J. Edgerton (p. 1013-4), George Becker Edgerton (1014), A. D. La Due (1063), Ambrose La Due (1064), Squire L. Pierce (1054), Erasmus Cordenio Severance (1065-67), and Robert Taylor (1079). Although Erasmus Severance was not a lawyer, his profile is posted because he was the father of Cordenio Severance (1862-1925), who became one of the state’s most prominent lawyers in the first quarter of the twentieth century (and who receives one sentence at the end of the chapter). For more about him, see James Grafton Rogers, “Cordenio Arnold Severance” (MLHP, 2008). These excerpts are complete, though reformatted. Several misspellings have been corrected. Page breaks have been added.

For an account of the first county courthouse, see “Dodge County Court House (MLHP, 2011). □

HISTORY  
OF  
**WINONA, OLMSTED, AND DODGE**  
COUNTIES.

TOGETHER WITH

**BIOGRAPHICAL MATTER, STATISTICS, ETC.**

GATHERED FROM MATTER FURNISHED BY INTERVIEWS WITH OLD SETTLERS,  
COUNTY, TOWNSHIP AND OTHER RECORDS, AND EXTRACTS FROM  
FILES OF PAPERS, PAMPHLETS, AND SUCH OTHER  
SOURCES AS HAVE BEEN  
AVAILABLE.

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CHICAGO:  
H. H. HILL AND COMPANY, PUBLISHERS.

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1884.

## CHAPTER X. BENCH AND BAR.

In the Territorial days, and before the organization of the county, the settlers had to go to Red Wing and Hastings to attend court. Under the Territorial regime the Hon. William H. Welch, Chief Justice, residing at Red Wing, presided in the judicial district which embraced this county. Upon the organization of the State Government, Dodge County was included in the fifth judicial district, and the Hon. N. M. Donaldson, of Owatonna, was elected District Judge. This position he occupied till the first of January, 1873, at which time he was succeeded by the Hon. Samuel Lord, of Mantorville. On the death of Judge Lord, in February, 1880, the Hon. Thomas S. Buckham, of Faribault, went upon the bench, by appointment of Governor Pillsbury. At the general election the following autumn, he was re-elected without opposition, and is still the presiding judge of the district.

When the county was organized Samuel Burwell was appointed District Attorney under the Territorial organization, but we do not understand that he was a member of the bar. At the first election in the fall of 1856, Israel Rounds (who was not a lawyer), was elected District Attorney, but the following year he resigned and A. J. Edgerton succeeded him by appointment. Upon the adoption of the State Constitution, the office of District Attorney ceased to exist. In 1858, at the first general election after the admission of the State into the Union, G. B. Cooley was elected County Attorney, and by successive re-elections continued in the office till 1868. He was succeeded by Samuel Lord. In 1869 Mr. Lord resigned the office that he might enter the State Senate, and A. J. Edgerton was appointed to succeed him. Afterward Robert [848] Taylor was County Attorney till his removal to Winona. He was succeeded by W. A. Sperry, who filled the office till the first of January 1879. B. F. Latta then occupied the place for a term of two years and was succeeded for a like term by Robert Taylor, who had returned to the county. On the 1st of

January 1883, Richard A. Moses took the office and is the present incumbent.

Nelson Payne was appointed Judge of the Probate Court in 1855, and held the office till after the first election in the fall of 1856. Horace W. Pratt was then elected and continued in the office to the end of the year 1860. He was succeeded by Samuel Lord, who, in 1861, removed, for a time, from the State. The office having been declared vacant, G. B. Cooley was first appointed and afterward elected to the office, which he continued to hold, by successive re-elections till the end of the year 1869. He was succeeded for a term by Abner Remmington, Charles D. Tuthill held the office during the years 1872 and 1874, and J. F. Ostrander in 1874, and till his death in 1875. J. A. Norton then took the office by appointment, and was afterward elected for a full term, and was succeeded by Charles H. Benton, who has ever since held the office and is the present incumbent.

The first Clerk of the Court was J. H. Shober, and after him J. E. Bancroft, in Territorial times. Upon the organization of the State Courts, Z. B. Page was elected Clerk of the District Court, which position he filled till the close of 1865. G. B. Cooley acted for a considerable time as his deputy. Robert Taylor was the next Clerk of the Court till the first of January 1870, at which time he was succeeded by Ambrose La Due, who held the office till the close of 1873. I. P. Brewer filled the office for the next four years till the end of 1877. He was succeeded by J. S. Shuck till the close of 1881, at which time the present incumbent, William H. R. McMartin, entered upon the duties of the office.

J. B. Hubbell was the first sheriff of the county, having been appointed to the office in 1855. In 1856 C. H. Moses was elected sheriff, and held the office till September 1857, when he resigned. Joel Watkins was appointed to fill the vacancy, and was also elected for the term which ended with the year 1859. He was succeeded for a term by M. B. Dolson. J. F. Wright next held the office during 1862 and 1863, when he was succeeded by William West, for two terms till the close of 1867, and D. Keller for the



years 1868 and 1869. In the fall of 1869, M. Edison was elected sheriff, and [849] qualified, but appointed Alfred Brown his deputy, and the latter performed the duties of office during the term, which closed with the year 1871. Ebor K. Whiting was the next sheriff, and held for two terms till the close of 1875. J. E. Getman then took the office which he has ever since held, his entire term of office being longer than that of any other officer of the county since its organization.

Charles O. Ware (a son of John Ware, of Mantorville, now deceased), is the efficient and accurate stenographer of the court, and has been such ever since that office was first created and filled. He is an unusual favorite among all the officers of the court.

Few counties of the State, if any, in the early settlement of the country, were more fortunate than Dodge, in the men that composed its bar and adorned the legal profession. In the first settlement of a community and the formation of its society, perhaps no class of men exert a greater influence than the lawyers, who, from the force of circumstances become at once leaders and teachers of the people in almost every secular department of life.

In pioneer life, where very little is known in the way of public instruction or entertainment, where the voice of the lecturer or orator is seldom heard, and the influence of journalism is scarcely felt, and even the preacher makes but few visits among the people, the forum becomes the great place of attraction—where the men, at least, assemble in great numbers to be entertained and instructed upon every occasion of a "law suit."

Moreover, on every social, industrial, or holiday gathering of the people of both sexes, the lawyers are largely depended upon for the "toasts" and "speeches," as well as for a large share of the conversational entertainment of the occasion. And when each period of political agitation rolls around, it is very largely to the members of the legal profession that the people look for enlightenment, from the rostrum or "stump."

As the country grows older all this changes to a greater or less extent, but in the earlier history of the community, as a general thing, the members of the bar exert a great influence in shaping the sentiments and characteristics of the people, find in giving tone to the society in which they move, as well as in the development of the industries and resources of the country. In this respect Dodge County has not been an exception to the rule stated, for the impress of the early Dodge County bar is still seen in nearly everything about us. [850]

The first practicing lawyer to locate in the county was the Hon. A. J. Edgerton, a native of Home, New York, and a graduate of Wesleyan University, Connecticut. In the summer of 1855, at the age of twenty-eight years, he located at Mantorville, having previously completed his legal studies, and at once entered upon the practice of law.

A man of ripe scholarship, possessed of a vast store of general information, and gifted with rare powers as a conversationalist and a public speaker, he at once took high rank in the legal profession, and did much toward the building up of the reputation for strong legal talent which the bar of the county speedily won. This is not the place to speak of his services in other fields. For twenty-six years, except the period covered by the civil war, when he was in the military service, and a few short intervals of time spent in offices of trust in political life, his energies were employed, for the most part, among his brethren of the bar, in the earnest, active practice of his profession in this county and throughout southern Minnesota. Quite recently, he removed from the county to Yankton, Dakota, to accept the responsible position of chief justice of that territory.

In the fall of 1855, A. D. La Due, already a lawyer of experience and high reputation in the bar of Wisconsin, and who had seen service in journalism and political life as well, came from La Crosse to Mantorville. In company with Anson Pratt he at first engaged in the enterprise of laying out the town site of Mantorville, and in the spring of 1856, H. W.

Pratt, a son of Anson Pratt, having also come up from La Crosse, located at Mantorville, he and Mr. La Due opened an office and began the practice of law under the firm name of La Due & Pratt. For ten years thereafter they conducted the business with great success, building up a large practice, and taking an active part in all the enterprises and material developments of the times. Mr. La Due afterwards became the attorney of the Winona & St. Peter Railroad Company, and in 1866 removed to Winona. About the same time Mr. Pratt removed to Owatonna, retired from the practice and entered upon, and has since carried on an extensive business in the buying and shipment of grain along the lines of the Chicago, Milwaukee & St. Paul Railroad in this State. Mr. La Due removed to Clinton, Missouri, in 1868, where, for a time, in company with his brother, Joshua La Due, he followed his profession, and also published a local paper. Afterwards he became the attorney of the Missouri, Kansas & Texas Railway Company, [851] and still later removing to Kansas City, he entered upon the management of the enterprise of the Memphis, Kansas City & Mobile Railway, wherein he made large investments, which he eventually lost. Next we find him in Little Rock, Arkansas, editing the *Little Rock Herald* for a year or so; then, in search of lost health for himself and his family, on the unbroken prairies of Dakota, where the beautiful city of Mitchell has since sprung up. About this time he lost by death his wife, who had been his companion and co-worker during all these years of activity. Then he became engaged in business for the Chicago, Milwaukee & St. Paul Railway Company, and removed to Milwaukee, where he still resides. He is one year the senior of Judge Edgerton, and in the earlier history of Dodge County and till his removal therefrom, ranked among its foremost lawyers and enterprising citizens.

In the year 1856, the bar of Dodge County received another most valuable accession in the person of Squire L. Pierce, a lawyer who had already had experience as a student and practitioner in the courts of Ohio and Indiana. At the age of twenty-four, he removed from Wabash, Indiana, where he had been prosecuting attorney, and, locating at Wasioja (then Mantorville's rival for the county seat), began the practice of law.

Col. James George also located at Wasioja, and was for some time an earnest, active practitioner at the bar of this county, but at the breaking out of the war he entered the Union army where he made a brilliant record. Upon the return of peace he settled in the legal profession in Rochester, in Olmsted County, to which his history properly belongs. After a few years Wasioja having given up the struggle for the prize of the county seat, Mr. Pierce removed to Mantorville, where he continued and extended his business. He devoted his energies to the exclusive practice of law, winning success against all odds, and establishing a large, well-paying business. This he steadily pursued till the year 1872, when he removed to St. Paul, where he is still pursuing the practice of his profession. Mr. Pierce was always one of the foremost men and most prominent lawyers of the county, and no man has more earnest friends and admirers, nor a greater number of them in Dodge County than Squire L. Pierce.

Ambrose La Due, who is a brother of A. D. La Due heretofore spoken of, came to the county in 1856, and was closely identified with all the toils and struggles of those early days; but he did not begin the practice of law till about the year 1874, so [852] that he does not claim to be one of the members of the "old bar" of Dodge County. And yet he was from the first so constantly associated with the bar in all the details of its work and so familiar with the courts and their officers and so identified with the scenes of the forum that one thinks of him as being a member of the bar from the time of the first organization of the county in 1856. He removed from his native town of Westfield, New York, in 1851, at the age of sixteen, to Wisconsin, and assisted his brother, A. D. La Due, for a time in the publication at La Crosse of the newspaper known as *The Spirit of the Times*, at the same time pursuing the study of the law. In 1853 he was engaged for a time on the *Milwaukee Sentinel*, and in 1854 and 1855 he was in the county clerk's office in Milwaukee. In 1856 he removed to Mantorville, where he still resides and is now pursuing the practice of law.

In 1857, Grove B. Cooley, who was born at Attica Center, and educated at Batavia, New York, and who had for some time been the honored

President of Brockway College at Ripon, Wisconsin, where he had also pursued his studies in the law, removed to Dodge County. He located at Mantorville, being then thirty-one years of age, and at once began his work as a lawyer, rapidly advancing to success and speedily winning a reputation of the highest merit as an advocate at the bar. Earnest and eloquent as a speaker, clear and forcible as a thinker and writer, and warm-hearted and generous even to a fault, he easily won the sympathies of his hearers and was, to an eminent degree, successful as an advocate. He established a large practice, which, if he had possessed an equal talent of financiering, must have brought him a fortune; but like other members of the bar of this county, the accumulation of wealth did not seem to enter into his ambition. In 1872 he removed to the city of Minneapolis, where the recognition of his merit soon elevated him to the bench which he occupied through repeated re-elections till recently, and he is still living in the city.

In 1859 there was added to the bar of this county the Hon. Samuel Lord, who, as a lawyer, (as distinguished from the advocate) became the acknowledged leader of the legal fraternity in the county. In thoroughness of legal study, clearness of logical application and impartial accuracy of judgment, Mr. Lord had few if any superiors in the State, and his life and labors in the profession added no little luster to the bar of Dodge County. He was born at Meadville, [853] Pa., in 1831, was educated there at Allegheny College, and studied law in the office of Joshua Douglass. Came to this State in 1856 and settled in Olmsted County, where he practiced law till 1859, when he removed to Mantorville. Here he continued to reside and practice his profession (except for a period of about two years that he spent in his native state), until the fall of 1872. He was then elected judge of this judicial district, and when upon the bench, where he continued as the judge till his death, which took place at Mantorville on the 12th day of February, 1880. A writer speaking of him in 1879, while he was still living, says:

"He is learned in the law, and a man of liberal culture; is patient and pains-taking in his official duties, cool in his deliberations, strictly

impartial, and a man of the highest integrity. Such men honor the ermine."

In the Autumn of 1864 Robert Taylor (whose wife is a sister of Judge Lord, just referred to above,) came to Minnesota in search of health. Being able to do little else, he began the study of law with his brother-in-law, with little thought at the time of ever entering upon its practice; but he soon became engrossed and so deeply interested in the study that he gave his whole energies to it, and in a year from that time was admitted to the bar. About the same time, in the fall of 1865, he was elected to the office of clerk of the district court of the county, a position which he filled for four years till January 1st, 1870. Then, at the age of thirty two years, he entered actively into the practice of law at Mantorville. On the first of January, 1874 he removed to Winona, and for four years pursued the practice of law in co-partnership with the Hon. Thomas Wilson of that city, and for two years thereafter alone. In the month of February, 1880, he returned to Dodge County and located at Kasson, where he still is engaged in his profession. He is a native of Venango County, Pa., and received his education at "Hillsdale College," in Hillsdale, Michigan.

John Ware settled at Mantorville in the practice of law in 1867. For a long time before he had been an able representative of the bar of Fond Du Lac County, Wis., established in business at Waupun. He was born in Broome, County of Sheffield, Canada, to which place his parents had removed from Massachusetts. He was educated at Potsdam, N. Y. At Hogansburg, N. Y. he pursued the study of law, and tried his first lawsuit defending and [854] securing the acquittal of an Indian, who was charged with the crime of murder. Mr. Ware continued with great ability the practice of law at Mantorville, after his settlement there till the 14th of November, 1872, when he died, and his remains were taken for burial back to his old home at Waupun. His widow and several of his children are still residents of this county.

In those days, prior to 1872, the bar of the county was "in its glory," and those then in practice have come to be designated "The Old Bar" of the

county. Business was then for the most part good, and many cases were constantly arising of considerable importance and of deep interest to the professional lawyer who enjoyed "hard study." Then the uniform courtesy of the members of the bar toward each other, and the evident desire of all to get at the merits of each controversy and to disregard mere technicalities, greatly lightened the labor and made pleasant the otherwise vexatious pursuit of the practitioner at the bar. But about this time a great change, or series of changes, took place, which resulted in the breaking up and scattering of the "Old Bar" of Dodge County. Unhappily for the old towns of the county and for the lawyers and their fellow townsmen who had invested their all and established their homes in those towns, the construction and operation of the Winona & St. Peter Railroad through the county left those towns "out in the cold," and began, in spite of all energy and enterprise, to turn away the tide of travel and to scatter and divide up the business. Capitalists and business men began to move away and the business to rapidly fall off, while the investments and improvements already made became of little value and were daily shrinking more and more. Besides all this, the enactments of Congress, enlarging the jurisdiction of the United States Courts was concentrating a large part of the most remunerative law business into the large cities, at the expense of the lawyers in the country towns. After a hard struggle against fate, in which the people freely expended their money and their energies in the vain endeavor to secure the building of a railroad to their doors, it became apparent that the accumulations of the past must be abandoned. Men of such activities could not remain to "rust out" in a dead town. Judge Lord, having been elevated to the bench, removed with his family to Faribault. La Due and Pratt had already gone from the county, as had also J. Newhart whom we forgot to mention till now. He was a young man of fine business talent, who studied [855] with Mr. Pierce and was admitted about the year 1868. For a year or two he pursued the legal profession in co-partnership with Mr. Pierce at Mantorville, and then removed to New Ulm, where he still resides. General Edgerton secured the remunerative position of Railroad Commissioner, which, for the time, at least, took him out of the practice and away to the State Capitol. Mr. Cooley removed to Minneapolis, and Mr. Pierce to St. Paul. Death carried away

Mr. Ware, and Mr. Taylor removed to Winona, and thus the "Old Bar" was broken up and its history completed.

Other men, younger in the practice, began now to occupy the field. Wesley A. Sperry, a young man of highest merit, who had just completed his studies, began the practice at Mantorville, and afterward removed to and located at Kasson. Here he remained in the business till 1879, when he removed to Owatonna. At Kasson G. A. Milliken, who, with slight preparation, secured, in another county, admission to the bar, devoted himself to collections as a specialty till his decease, which occurred in October, 1873.

J. S. Shuck and J. W. Smallidge also located at Kasson and began the pursuit of law practice, but with moderate success. Mr. Shuck afterward filled the office of Clerk of the Court in the county, and for a time was publisher of the *Mantorville and Kasson Express*. In 1882 he removed to Fullerton, Nebraska, where he is now engaged in journalism. Mr. Smallidge removed to Claremount, where he remained till very recently. It is understood that he took up his residence somewhere in Rice County, which had been his home prior to his locating at Kasson. Joseph L. Ware, a son of John Ware, (already spoken of), was admitted and practiced at Kasson from 1875 to 1880, when he removed to Goodhue County, and afterward to Ramsey County, where he now resides. C. H. Benton and B. F. Lalla took the field at Dodge Center where they are still engaged in the practice; they are now, we believe, the oldest members of the present bar, if we except Mr. Taylor, who, as before stated, returned to the county in 1880, and is located at Kasson. Nelson P. Bromley and Samuel J. Nelson, each also pursued the practice for some time at Kasson, but have "gone west." They are now located in Dakota; Mr. Bromley at Redfield and Mr. Nelson at Grafton, in that Territory.

After completing his term of service as Railroad Commissioner, General Edgerton again opened a law office in the county, locating at Kasson, where he pursued the practice with his usual ability and [856] success (except as he was called away from home in the discharge of his duties as



State Senator and as United States Senator), till 1872. When he removed to his new field of labor, in Dakota, he left his large practice in the hands of son, George B. Edgerton, one of Dodge County's first born sons, recently admitted to the bar in the county, and who still "holds the fort" at Kasson. George is "a chip off the old block." He received his general education at Lawrence University, Appleton, Wisconsin, and pursued his legal studies at the Columbia Law School, New York.

At Mantorville, Miles F. Bancroft, son of J. Earl Bancroft, of pioneer journalistic fame, pursued the study of the law and was admitted to the bar, and had begun practice, when, in March, 1880, he was called away by death, George A. Norton, a native of Wasioja, (a son of Hon. Ichabod A. Norton, for some time Judge of Probate of the County), studied in the office of W. A. Sperry at Kasson, and became a member of the bar in 1880. He is located at Mantorville, at which place Ambrose La Due is also pursuing the practice at the present time.

In 1882, Richard A. Moses, a native of Connecticut, educated at the State University of Michigan, was admitted to the bar of the county, and is now County Attorney.

In 1884, C. A. Severance, son of the Hon. E. C. Severance, of Mantorville, was also admitted, and has an office at Kasson. Such, brief, is the narrative of the Dodge County bar.

In the proper department of this work will be found biographical sketches of most of the people mentioned in this chapter.

## BIOGRAPHICAL SKETCHES

Alonzo Jay Edgerton, pioneer attorney of Dodge County, is descended from Puritanic ancestors, and both his grandfathers served as colonial soldiers during the Revolution. His maternal grandsire was held by the British as a prisoner for two years at Montreal. Lorenzo Edgerton, father of the subject, was a farmer, a native of Connecticut; Margaret the mother, was a native, of the same commonwealth—as were his progenitors for several generations on both sides. On the 7th of June, 1827, at Borne, New York, A. J. Edgerton was ushered into the world. He grew up on the farm, and prepared for college at Louisville,—his native State. In 1847 he entered the sophomore class of Wesleyan University at Middletown, Connecticut. Three years later he graduated from that institution, and engaged in teaching for three years. During his last year in college and while teaching he pursued the study of law. In the summer of 1855, he located at Mantorville, and was there admitted to the bar, entering at once upon a lucrative practice. For twenty years, except while in the military service, he continued to practice in this county. In 1862 he became captain of Company B, 10th Minnesota Infantry then forming—every man of his company being a resident of Dodge County. In February, 1864, he was promoted to Colonel, and in the summer of 1865 was brevetted brigadier general. For two years he held command of the northern district of Louisiana, and was mustered out in March, 1867. Gen. Edgerton, as a soldier, was cool and courageous, and by his kindness to his men became a universal favorite.

Previous to the outbreak of the rebellion, Mr. Edgerton was a Democrat, and served as a delegate in the national convention of that party at Charleston in 1860. He has ever since acted with the Republicans, and was a presidential elector of the latter party in 1876. Soon after settling here, he served one term as prosecuting attorney; was elected to the State Senate in 1858, and again in 1876, being unanimously chosen president pro. tem, of that body at the session of 1878. In 1871 he was appointed by the governor as railroad commissioner, and served the people in that

capacity four years, guarding their interests without doing injustice to the corporations. On the appointment of Senator Windom to a position in President Garfield's cabinet in March, 1881, Mr. Edgerton was appointed by Gov. Pillsbury to succeed Mr. Windom in the United States Senate, and he served through the session of the following winter. When, at the ensuing election, Mr. Windom again became a candidate for the position, Gen. Edgerton withdrew in Windom's favor. In December, 1881, the general was appointed chief justice of the Supreme Court of Dakota Territory, an office for which his long experience and ripe scholarship and judgment are most befitting, and his administration has been most satisfactory to the people at large.

In 1878 General Edgerton removed from Mantorville to Kasson, and on his removal to Dakota his practice was continued by his son, sketched below. The judge is a thorough student, and his miscellaneous library includes some of the finest works of all ages. In the Masonic order he is a Knight Templar, and has filled offices in the State lodge and chapter. Mrs. Edgerton, born Curtis at New Britain, Connecticut, and christened Sarah, was united to her husband October 8, 1850, and has been a faithful helpmeet and companion. Of nine children born to this couple, seven are now living, resident as follows: Edward G., Yankton; George B., see sketch below; Henry W., Clifton, Dakota; Emma, Margaret, William M. and Alonzo J., with parents. [p.1013-14]

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George Becker Edgerton, attorney at Kasson, is the oldest native voter of Dodge County. He was born at Mantorville, June 11, 1857, and was reared in that village. After a course in the public school, he entered Lawrence University at Appleton, Wisconsin, where he pursued the classical course. In 1879 he entered Columbia Law School, in New York City, and took the full course of that institution. At a special term of court at Mantorville, in June, 1880, he was admitted to the bar, and began business in partnership with his father (see sketch above), whose practice he took upon the removal of the latter to Yankton. Mr. Edgerton is pursuing the same steadfast course which marked his father's practice

here, and is reaping the same reward in the esteem of the courts and of the people. On the 17th of July, 1883, he was united in marriage to Miss Josephine A. Goodwin, of Appleton, Wisconsin, a graduate of Lawrence University. May 11, 1884, a daughter was born to this couple, which was in due time christened Margaret Goodwin. Mr. Edgerton is a member of the Masonic order, and an active worker in the Republican party. He will yet be heard from by the people of the State. [p.1014]

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Albert D. La Due, one of the pioneers of Dodge county, is now an attorney for the Chicago, Milwaukee & St. Paul Railway, and resides in Milwaukee. He is a native of Genesee county, New York. He was born in the town of Leroy, November 22, 1827. Previous to his majority he lived in Chautauqua county, at first assisting his father on the farm. When he was sixteen years old he entered the office of the Mayville "Sentinel," and became master of the "art preservative." In 1849 he went to Wisconsin, locating at Sheboygan. Here he resuscitated a newspaper that had been burned out, and named it the "Democrat." He also published from the same office the Manitowoc "Herald," and Sheboygan "Newsbode," a German paper. In the fall of 1850 he was elected to represent the Sheboygan district in the state legislature. During the winter following he visited La Crosse, and next spring established there the "Spirit of the Times," the first paper established there. Next year he began the publication of the "National Democrat," a paper which continued until "Brick" Pomeroy moved it to New York. In the fall of 1852 he was elected to the legislature, being the first representative from the La Crosse district, and served through a regular and extra session; the latter called for the trial of the impeachment of Judge Levi Hubbell. He secured the charter of the Milwaukee & La Crosse Railroad, of which he was one of the projectors. In the early part of 1856 he came to Mantorville, bringing newspaper material, and giving some time to editorial work. Here he entered upon a large and successful law practice. He spent the winter of 1856-7 in Washington, laboring for the land grants to several railroads in the then territory, and secured permission from the government to enter

that portion of section 16 embraced in the town plat of Mantorville. For over three years he was employed as attorney by the Winona & St. Peter Railroad Company, with office at Winona. In 1868 he went to Missouri, and superintended the construction of what is now the Missouri, Kansas & Texas Railway, for which he was several years attorney. Since 1878 he has been employed by the Chicago, Milwaukee & St. Paul Railway. In 1846 he married Ann E. Slayton, a native of Leroy. Two sons have been given to him: Henry L. and Claude, both now resident in Milwaukee. Mrs. La Due passed from earth September 13, 1880. She was a lady highly respected in Mantorville, Winona and La Crosse, where she was known for her intelligence and great force of character. In speaking of her demise, a paper published at Wells, Minnesota, says: "Late in the fall of 1879, the deceased was taken with a painful illness which subsequently was pronounced by the most skillful physician in Kansas City, Missouri, a malignant cancer of the uterus. In July last past, Mr. La Due brought the deceased to Wells, in a very feeble condition, and since here we believe Dr. McArthur, of La Crosse, has been consulted. But it would seem that no human power could stay the disease, and death was a relief from suffering. It would seem unnatural to us mortals, that one who has spent her strength all through life for the relief of others, should so be called upon to suffer. The deceased in health was always cheerful and full of vivacity. She was a noble wife, and an affectionate mother. She died in the arms of her husband, surrounded by her entire family. The many friends and acquaintances of A. D. La Due throughout the west and southwest will deeply sympathize with him and his two sons, in this seemingly untimely dispensation of Providence." [p.1063]

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Ambrose La Due, one of the pioneers and most successful attorneys of Dodge county, is a native of Westfield, Chautauqua county, New York, where he was born on the last day of January, 1835. His father, Joshua, was a native of that State, and his mother, Julia, nee Cowles, of Hartford, Connecticut. The name is of French origin, but the family has been many generations in America. Joshua La Due was one of the pioneers of Chautauqua county, where he died at the age of seventy-one, and his

widow at eighty-four. The son, whose name heads this sketch, very early began work in a printing office, at Erie, Pennsylvania, and acquired some knowledge of the craft. When sixteen years of age he joined his elder brothers, who were then publishing a paper at La Crosse. In 1853 he went to Milwaukee, and was employed in the post office for a year. During this time he was studying and improving his mind, giving considerable attention to the law. In the fall of 1856 he became a resident of Mantorville, and engaged in various kinds of employment; was at one time associate editor of the Mantorville "Express." He was for some time employed by the Winona & St. Peter Railway Company as a surveyor, and assisted in laying out the line from Byron to Owatonna. From 1866 to 1868 he was station agent at Kasson. In the fall of 1869 he was admitted to the practice of law, and about the same time was elected clerk of the district court on the "people's ticket" by a majority of one hundred and seventy, the largest of any candidate. Mr. La Due has always been a democrat, and this election was carried by the people as against corruption in county affairs. In 1874 Mr. La Due opened a law, real estate, and insurance office in Mantorville, and is doing a lucrative and extended business. His fine home on the heights north of the court-house is one of the most pleasant in the county. He also has a farm of eighty acres near the village, and is one of the most active promoters of Mantorville's interests. He is Master of the home Masonic lodge, and a member of Kasson chapter and Rochester commandery, K. T. Himself and family are communicants in the Episcopal church. His marriage took place in 1858, the bride being Miss Sarah A. Garrison, daughter of a pioneer whose biography appears elsewhere. Of three children born to this couple, one survives: Jerome George, born July 25, 1875. Lily and Ambrose Garrison died of scarlet fever within three days, aged respectively fourteen and twelve years. [p.1064]

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Squire Littell Pierce. The following sketch has been kindly furnished us by Mr. Pierce: "My grandfather was Michael Pierce, who, with his family, migrated from Morristown, New Jersey, to Cincinnati in 1802.

He located twenty miles from that place in Butler county, where he laid out and founded the village of Trenton, on the Miami river. Here he lived a prosperous life, and died at a greatly advanced age, leaving a large family of children and grandchildren. Not a person bearing his name, descended from him, now remains in the state of Ohio. I was born on March 6, 1832, at Trenton. At the age of eighteen I entered the law office of M. B. Chadwick, at Eaton, Preble county, Ohio, as a student. At twenty-one I was admitted to the bar at that place, and immediately after located at Wabash, Indiana. In 1854, immediately after the repeal of the Missouri compromise, I was elected a delegate to the democratic congressional convention which met at Marion, Indiana. On the refusal of that convention to denounce the act of repeal of the Missouri compromise, I withdrew from that convention and joined in a call for a convention of all persons who were willing to engage in defeating the democratic nominee. This was probably the first convention of what is now the republican party. The persons composing it were then called the fusion or independent party. It nominated Judge John U. Pettitt for congress, who was triumphantly elected, and at the same time I was elected prosecuting attorney, being then twenty-two years of age. In 1855 I was married to Mary J. Adams, of La Gro, Indiana. She was then a delicate but attractive girl of eighteen, and for the benefit of her health as well as that of my own, which had become impaired by the climate, we removed to Wasioja, Dodge county (1856), where we dwelt until 1872; then we removed to St. Paul, where we still reside. At the first state election in Minnesota I was chosen judge of probate of Dodge county, but did not qualify. In 1860 I was elected county attorney, and held the office two terms, and declined to be a candidate for a third term. I have never since held any office, but made the practice of law my chief business." [p.1054]

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Erasmus Cordenio Severance, state senator from Dodge county, is a son of Otis and Abigail (Stratton) Severance, of Massachusetts. His paternal grandparents were Solomon Severance and Hannah Hoyt, of Shelburne, Massachusetts, and his maternal grandparents were Eliphalet

and Elizabeth (Stebbins) Stratton, natives of Deerfield, same state. E. C. Severance was born in Greenfield, Luzerne county, Pennsylvania, October 12, 1829. His early days were passed on his father's farm there, and he attended the common school and an academy at Dundaff. At fifteen he began mercantile life as clerk in a store, and continued to be employed in this way until he came west. For seven years he worked for the firm of Grow Brothers—of which the well-known congressman, Galusha A. Grow, was a member—at Glenwood. In the fall of 1855, actuated by the same spirit which leads to the development of all new countries, he paid a visit to this state and spent the winter in Olmsted county. Believing in the possibilities of this region, he located in July, 1856, in Milton, Dodge county. In the fall of this year Pettitt & Severance put up a steam saw mill on the western border of section 15, and with a half dozen employes, including one woman who kept house, they wintered in a small log cabin on the premises. They got out timber when they could, but were much impeded by cold and deep snow, for which the winter of 1856-7 is so well remembered by old settlers. Their lumber found a pretty ready sale among the incoming settlers until the financial crash of 1857 destroyed business relations. The great hailstorm of 1858 destroyed the crops of settlers in this locality, and Mr. Pettitt became discouraged, and sold out to his partner and left. Mr. Severance relates that on one occasion a man who owed him for lumber drove up with a two-hundred-pound sack of cornmeal, and was greeted as a savior, for they were reduced to a few pounds of flour and could not tell whence another supply would come. It was about this time that Mr. Grow visited his former clerk and offered him employment whenever he desired to return to his native state. But Mr. Severance was gifted with perseverance, and determined to continue where he was. The sequel demonstrated his wisdom in so doing, for with the advance in prices of lumber during the civil war, the mill became a source of good profits. In 1860 Mr. Severance was elected county auditor, and was twice re-elected, thus holding the office six consecutive years. He continued to operate the mill until some time after his retirement from that office, and then sold. In 1868 he opened a lumber yard in Mantorville, and continued the business there until 1881. A part of this time he also sold lumber at Dodge Center, and sold out the latter yard



about the same time the former was closed. Since then his time has been largely occupied in looking after his farming lands, of which he has parcels in Westfield, Mantorville and Milton. In the fall of 1883 he was elected by the republicans to represent the senate district comprising Dodge county in the state legislature. September 28, 1859, E. C. Severance was united in marriage with Miss Julia Amanda Arnold, sister of G. B. Arnold, whose parentage is elsewhere given in this volume. Mrs. Severance was born at Brookline, Connecticut, June 29, 1835. A son was born to this couple, June 30, 1862, and named Cordenio Arnold; and a daughter, September 14, 1869, named Carrie Anna. All are members of the Congregational church. [p.1065-67]

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Robert Taylor was born in the town of Canal, Venango county, Pennsylvania, October 1, 1837, and was brought up on his father's farm, receiving his early education in the typical country log school house of those times. On his father's side of the house he is of English and German, and on his mother's side, of Irish descent. His grandfather, Robert Taylor, came from England in colonial times and settled at Shamokin, Northumberland county, Pennsylvania, where he was married to Hannah Schrontz. He was a soldier in Washington's command in the war of the revolution. David Taylor, the father of the subject of this sketch, removed in early manhood from Northumberland to Venango county, where he was married to Sarah Foster, whose parents had emigrated from north Ireland. Of this union were born five children: Albert Taylor, now of Ainsworth, Washington county, Iowa; John Taylor, of Kewanee, Illinois; Rebecca Bean, wife of Andrew Bean, of Cocbranton, Pennsylvania; David F. Taylor, of Canal, Pennsylvania; and the subject of this sketch, who is the third in order of birth in the family, and also- two others, Hannah and William A., who died in childhood. At the age of eighteen Robert began teaching school at Waterloo, Pennsylvania, and a year later he went to Meadville, Pennsylvania, and began and carried on his preparatory studies in the Meadville Academy. Here he made the acquaintance of Pamela A. Lord, daughter of Enoch

Lord, of Meadville, and sister of Judge Samuel Lord, now deceased, of Mantorville, Minnesota, which lady in after years became and is now his wife. In 1859 he entered college at the Hillsdale College, Hillsdale, Michigan, where, by hard application, meeting all his expenses by his own toils and exertions, he so progressed that upon the breaking out of the war in 1861 he had entered upon the senior year in the college course, and had also entered upon the work of preaching the gospel on Sabbath days in a Free Baptist church some ten miles away. On the breaking out of the war he enlisted in the ranks, leaving his studies and ministerial work, and entered the field in the 2d Mich. Cav. Vols. A year afterwards he was made the chaplain of his own regiment, to which position he was commissioned upon the petition of the regiment itself. In 1864 he returned home much shattered in health, and undertook to complete his course at his college, and also to pursue his labors in the ministry, but was compelled to abandon both, and in the fall of 1864 he and his wife removed to Mantorville, Minnesota, where he afterwards studied and began the practice of law, being for a time a copartner in business of Judge Lord, with whom he had studied. In the winter of 1873 he went to Winona and for several years was a copartner, in the law practice, of Judge Thomas Wilson, of that city; but in 1879 he returned to Dodge county and settled at Kasson, where he still resides and is engaged in his profession as a lawyer, and is now, we believe, in practice, the senior member of the Dodge county bar. [p.1079] ■

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