

“ Bench and Bar of Lac qui Parle County ” *
IN
HISTORY
OF
Chippewa and Lac qui Parle Counties
MINNESOTA

THEIR PEOPLE, INDUSTRIES AND INSTITUTIONS

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

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CHAPTER XIII.

BENCH AND BAR.

Lac qui Parle county is within the jurisdiction of the twelfth judicial district of Minnesota, the other counties in that district being Yellow Medicine, Chippewa, Swift, Kandiyohi, Meeker and Renville. Upon the creation of the district by the Legislature in 1875 John H. Brown, of Willmar, was appointed district judge by Gov. Cushman K. Davis and continued in that office by subsequent elections until his death, on January 20, 1890. Judge Brown was a native of Vermont, born at Rutland on May 1, 1824, and moved to Minnesota in June, 1855, settling at Shakopee. He was admitted to the bar the following year and practiced his profession at Shakopee until 1871, when he moved to Willmar, where he spent the rest of his life. Before his appointment to the bench Judge Brown held numerous offices of trust, both at Shakopee and at Willmar, having been county attorney of both Scott and Kandiyohi counties and was also judge of probate of the latter county. He also held city and school-district offices and otherwise took an active and sincere interest in public affairs in general. Judge Brown was succeeded on the bench of the twelfth district by Judge Gorham Powers, during whose incumbency the Legislature created a double bench for the twelfth district and in April, 1897, Judge G. E. Qvale, of Willmar, was appointed by the governor to serve with Judge Powers and has since been district judge. Judge Qvale is a native of Norway, born at Haugesund, September 24, 1860. In October, 1878, he came to the United States, proceeding directly to Minnesota, and in January, 1880, entered the law office of John W. Arctander at Willmar. On July 6, 1882, he was admitted to the bar and entered upon the practice of his profession at Willmar, where he ever since has made his home. In 1884 he was elected judge of probate of Kandiyohi county and held that office for six years, after which he was elected and served as county attorney for four years. As noted above, he was appointed judge of the court for this district in April, 1897, and has since been serving in that capacity, his present term to expire in January, 1917. Upon the death of Judge Powers, Judge Richard I. [535] Daly, of Renville, was appointed to fill the unexpired term and is now serving on the bench with Judge Qvale.

From the very beginning Lac qui Parle county has had high representation at the bar, and when the village of Lac qui Parle was the county seat there

was a group of lawyers there who gave a high tone to the practice of the legal profession hereabout. Among these may be mentioned F. W. Pearsall, L. R. Davis and H. L. Hayden, now all deceased, but all very prominent in the early history of the county; J. C. Pope, later of Morea, this state; Andrew Volstead, now of Granite Falls, present congressman from the seventh Minnesota district, and John A. Sorley, now of Tacoma, Washington. M. C. Chamberlain also practiced for a time at Lac qui Parle. During their residence at Lac qui Parle, Mr. Volstead and Mr. Sorley, who had studied law in the same office at Decorah, Iowa, were partners in practice, the former locating there in 1884 and the latter in 1885; but this arrangement did not continue long, for shortly afterward Mr. Volstead moved to Granite Falls, where he engaged in practice and where he has remained ever since. Mr. Volstead was elected to the fifty-eighth Congress from the seventh Minnesota district, consisting of fourteen counties, and has been re-elected to each succeeding Congress from this district. He never held any elective office in Lac qui Parle county, but for a number of years acted as assistant county attorney to K. O. Jerde. His former partner, John A. Sorley, remained at Lac qui Parle until a few months after Madison was established, when he moved to the latter village and held the position of city attorney there during the incumbency of John Oadson as mayor. In the spring of 1889 he moved to Grand Forks, North Dakota, and later represented that district in both the House and the Senate of the North Dakota Legislature. In 1909 he moved to Tacoma, Washington, where he has since made his home.

Among the other members of the bar in Lac qui Parle county, who have gone elsewhere, may be mentioned T. J. McElligott, county attorney of this county and also former mayor of Madison, who is now practicing his profession at Appleton. He was born in Milwaukee, but came to Minnesota with his parents when he was eight years old, the family settling at Glencoe. He was graduated from the law department of the University of Minnesota in 1893 and in that same year was admitted to the bar at Appleton. The next year he went to Bellingham and opened a law office, at the same time, in connection with W. W. Holmes, engaging in the publication of the *Bellingham Times*. In 1895 he formed a partnership with Frank Palmer for [536] the practice of law at Madison and remained in the latter city until 1904, when he returned to Appleton, where he ever since has been engaged in practice. During his residence at Madison, Mr. McElligott was twice elected mayor and was for eight years a member of

the board of education. He was chairman of the Lac qui Parle county Republican committee in 1900. Frank Palmer was a native of Dodge county, this state, who taught school in Lac qui Parle county from about 1885 to about 1895, in which latter year he was admitted to the bar and for a number of years practiced at Madison, where for some years he served as city attorney. He is now a resident of International Falls.

Another lawyer who formerly practiced at Madison is Elias Rachie, now of Minneapolis, who served in the lower house of the state Legislature from Lac qui Parle county in the sessions of 1905 and 1907. Previous to locating at Madison he was superintendent of the village schools at Sacred Heart and for one year, the winter of 1902-03, was an instructor at the Madison Lutheran Normal School. In the summer of 1903 he began the practice of law at Madison, and in the fall of 1904 was elected to the Legislature, being re-elected in 1906. In the fall of 1907 he moved to Willmar, where he remained until his removal, in 1912, to Minneapolis, where he has since been engaged in practice. The present member of the House from Lac qui Parle county is another attorney, Theodore Christianson, who is also editor of the *Dawson Sentinel*. He was born on a farm three miles west of Lac qui Parle village on September 12, 1883; was graduated from the law department of the University of Minnesota in 1900 and in June of that same year was admitted to the bar, immediately thereafter locating at Dawson, where he has been engaged in practice, as well as in the newspaper business since. He was elected state representative in 1914.

The present members of the bar in Lac qui Parle county are J. H. Driscoll, dean of the bar, said to be the oldest lawyer in continuous practice in the twelfth district; A. W. Ewing, H. L. Sorkness, Nathaniel F. Soderberg, H. L. Borgendale, Otto W. Shulz and Theo. S. Slen, all of Madison; H. O. Halvorson, of Dawson; Theodore Christianson of Dawson, and Clyde Hewett, of Nassau. H. L. Borgendale, who was born and reared in Lac qui Parle county, is the present clerk of court.



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