

“ JUDICIAL HISTORY OF POLK COUNTY ” *

IN

HISTORY

OF

**THE RED RIVER
VALLEY**

PAST AND PRESENT

**Including an Account of the Counties, Cities, Towns
Villages of the Valley from the Time
of Their First Settlement and
Formation**

BY VARIOUS WRITERS

IN TWO VOLUMES

VOLUME II

ILLUSTRATED

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Judicial History.

In 1876 Polk county was detached from Becker and attached for judicial purposes to the county of Clay, and in February, was detached from Clay and organized for judicial purposes. The first term of district court was held in June, 1879, in a new store building the corner of Second and Main streets, city of Crookston. Hon. O. P. Stearns was the presiding judge. He was one of the ablest judges the state has ever had, and withal one of the manliest men.

During the earlier seventies there was not much need of legal services. It has been mentioned that W. G. Woodruff was the [874] first county attorney of the county. He was the first lawyer to locate in it, but he removed to Grand Forks. John McLean, whose recent sad death is much deplored, was the next lawyer here. He became county attorney in 1876 and held that office until 1881, and was one of the most active and public-spirited of the citizens of that time. He continued to practice law until 1888, when he went west to Washington state, but returning in a few years became city justice of Crookston, which office he held the time of his death. Next in order of time came William Watts, the present district judge, in the beginning of 1878; and in May of that year came Hon. Frank Ives, who had considerable experience as a lawyer and, forming a partnership with John McLean, for some years had a large law practice, and in 1892 was elected judge of the district court. He has retired from active service has reached a good old age, and now resides at Cass Lake, Minn., where he is the editor and proprietor of the "Cass Lake Times." In the spring of 1879 came Hon. Reuben Reynolds from Minneapolis, who practiced law in Crookston until 1885, when he became district judge. Though he did not take up the study of law until somewhat late in life he became well learned in the law and as a forensic and political speaker has had no superior among those who have resided in the Red River valley. He died in March, 1889.

Among other members of the bar who came to the county soon after district court was established in it, and attained to large practice, may be mentioned John Leo, who became county attorney and later removed to Washington state, where he has been a member of the legislature; Hon. H. Steenerson, the present member of congress, elsewhere mentioned, who soon became a

leader of the bar; R. J. Montague, an eloquent orator, who has been judge of probate, county attorney, and is now register of the United States land office; Arthur A. Miller, who is gifted with a very high order of intellectual and legal ability and is very prominent in business as well as in legal circles; and James G. Grew, a veteran of the Civil and Indian wars, in which he reached the rank of captain, and who, as lawyer and editor of the Crookston "Chronicle," exercised considerable influence in the affairs of the county. [875]

Probably the court trial that has aroused the greatest interest in the county was that of Archibald Gillan, in June, 1880, charged the murder of Phineas B. Snyder at East Grand Forks, by striking him upon the head with a beer faucet. Judge Davis Brower, one of our early legal lights, assisted the county attorney in the prosecution, while Judge Reynolds and W. W. Erwin, of St. Paul, were attorneys for the defendant. The "tall pine," as "Bill" Erwin was called, was the most brilliant criminal lawyer the Northwest has ever had, and he well maintained his great reputation on this occasion, thrilling the large attendance with impassioned eloquence. That Gillan killed Snyder was admitted. The grounds of defense were self-defense and insanity. The jury acquitted the defendant on the ground of temporary insanity. The verdict was not generally well received. It was quite plain Gillan did not intend to kill, but the opinion was he should have been convicted of manslaughter.



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