

**“ The First Lawsuit in Becker County ” \***

in

**A PIONEER HISTORY**

**OF**

**BECKER COUNTY  
MINNESOTA**

**INCLUDING**

***A BRIEF***

***ACCOUNT OF ITS NATURAL HISTORY***

***AS EMBRACED IN THE MINERAL. VEGETABLE AND ANIMAL  
KINGDOMS, AND A HISTORY OF THE EARLY SETTLEMENT  
OF THE COUNTY; ALSO, INCLUDING A LARGE AMOUNT OF  
VALUABLE HISTORICAL INFORMATION COLLECTED BY***

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**MRS. JESSIE C. WEST.**

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**AND NUMEROUS ARTICLES WRITTEN BY VARIOUS EARLY  
PIONEERS RELATING TO THE HISTORY OF  
THE SEVERAL TOWNSHIPS OF  
BECKER COUNTY**

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**BY ALVIN H. WILCOX**

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**\* MLHP editor: this chapter appeared on pages 582-584 of this history of Becker County, Minnesota. Though reformatted, the chapter is complete. The author's spelling and punctuation are unchanged.**

## **A Pioneer History of Becker County**

### **Chapter XXXII.**

#### **The First Lawsuit in Becker County.**

When I was in St. Paul in the spring of 1871, there was quite a breeze raised by the people of both St. Paul and Minneapolis over the report that a woman was going about exhibiting as a show her own daughter who was only eleven years old and herself the mother of a child.

The authorities soon put a stop to this show business, but I noticed the family on the streets several times afterwards. The name of the woman was Wilkins and her daughter's name was Panola.

I returned to Becker County soon afterwards and thought no more about them until the next fall, when to my surprise I found the whole family living in a comfortable log house in Lake Park Township.

Harvey Jones, one of the first settlers in Becker County had married the mother of the young mother, and they were all snugly housed in his new log cabin.

Matters did not, however, run smoothly in the Jones' household for a very long period of time. Jones was a bachelor up to the time of his recent marriage, nearly fifty years old and was not accustomed to having his authority in domestic affairs called in question. He complained that Panola and her mother were wasteful and extravagant and that their extravagance was backed up with an aggravating kind of impudence and abuse, and that his wife was not faithful and true. Later on, quarrels became frequent in this interesting family and the trouble finally culminated in Jones being arrested for administering family discipline to Mrs. Jones with an iron-wood sapling. A complaint was made out and a warrant issued by justice James G. McGrew of Audubon Township, which was placed in the hands of Captain F. K. Small, constable, and Jones was arrested about the last of October, 1871.

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Excitement ran high in the neighborhood. Some of the settlers took sides with Jones, but more of them were on the side of Mrs. Jones and Panola. I was camped in the vicinity at the time, and heard all sides of the case and my sympathies were with Jones.

Jones was tried before Squire McGrew and a jury of twelve men, and this was the first jury before which a case either civil or criminal was ever tried in Becker County. Here is a list of the jurymen: L. D. Sperry, Patrick Quigley, Moody Cook, Charles P. Wilcox, Hosmer H. Wilcox, William P. McKinstry, T. R. Anderson, John Lewison, David Pyle, A. J. Haney, A. B. Freeman and Brede Anderson.

Not a single person connected with this trial is now living in Becker County.

The jury brought in a verdict of guilty and Jones was sentenced to thirty days in the Otter Tail City jail. Captain F. K. Small was furnished with the commitment papers and he and the prisoner started for Otter Tail City on foot, a distance of forty-five miles. On the road through Detroit Township they passed the residence of John O. French, who was one of the constables of that township and Small made an arrangement with French to take Jones off his hands and deliver him to the jailer at Otter Tail City. When they reached Detroit village, Jones decided that he wanted to consult a lawyer and persuaded French to stop with him for a few minutes at the office of W. W. Rossman, who had just opened a law office. After entering Rossman's office French concluded it would be a good time to get a drink of water while the prisoner was consulting with his attorney, so he stepped out for a few minutes, leaving his overcoat and the prisoner in Rossman's care. The commitment papers were in the overcoat pocket. When French returned Jones stated that he had had all the legal advice he wanted for the present, and they again started on the road to Otter Tail City. They went on for two miles down through the Detroit woods until they came to about where the clubhouse is now, when Jones complained of feeling tired and sat down by a log to rest. French soon became impatient and tried to get Jones up and off again, but Jones finally told him he had gone far enough and was going back home. French told him he would see whether he went back home or not and took him by the collar and tried to pull him along, but Jones would not budge an inch. Finally Jones told him that he wanted to see what authority he had for taking him to jail anyway. "I'll show you," French said as he

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reached for the pockets of his overcoat to produce the commitment papers, but the papers were not to be found in the overcoat pockets or in any other pocket.

Not having any commitment papers French concluded he would have a hard time getting the prisoner off his hands at Otter Tail City, so they both started back home and that was the end of the first legal case in Becker County.

After that Jones always held a high opinion of Squire Rossman as an attorney.



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