

“The Bench and Bar of Renville County”

BY

JAMES MCBRIDE GEORGE

FOREWARD

BY

**DOUGLAS A. HEDIN,
EDITOR, MLHP**

When James McBride George wrote a chapter on lawyers and judges for a history of Renville County, published in 1916, he was only 28 years old and no longer lived there. Born in South Dakota in 1888, his family moved sometime thereafter to Renville where he attended the local high school. He received his law degree from the University of Minnesota’s College of Law in 1910, worked for a few law book publishers in the twin cities, and in 1912 moved to Winona, where he entered private practice. Judge Arthur H. Snow made a solitary reference to George in his chapter on the “Bench and Bar of Winona County” in a history of that county published in 1913: “The bar of Winona is now represented as follows: ...and J. M. George (in private practice).”¹ Aside from a tour in the army during World War I, George spent the rest of his life in Winona.

Though he had left Renville, something or somebody encouraged George to write Renville County’s legal history. Several comments suggest that he retained a fondness for the county of his boyhood. That he undertook this

¹ Arthur H. Snow, “The Bench and Bar of Winona County,” in Franklyn Curtiss-Wedge, ed., *I The History of Winona County, Minnesota* 260, 274 (Chicago: H. C. Cooper Jr. & Co., 1913) (“J. M. George” was the last on Snow’s list of active practitioners).

endeavor demonstrates his interest in local history. He later served on the Board of Directors of the Winona County Historical Society.

Except for its length, the following chapter is typical of other “bench and bar” histories that appeared in county histories edited by Franklyn Curtiss-Wedge and published in the years immediately preceding World War I. Regrettably, there are several typographical and spelling errors that would have been found if the editing was more thorough. Though it falls far short of modern standards of historical scholarship, George's article contains information found nowhere else, and it should surprise no one when it is someday mined by an enterprising legal historian.

With some amusement, he describes “the first term held in the county,” which opened on September 1, 1868, “the Hon. Horace Austin presiding”:

The seven cases on the court calendar were marked as follows: No. 1. George McCulloch vs. Terence Brazeil; stricken from the calendar on motion of Sam McPhail, Esq. No. 2. Terence Brazeil vs. John Tracy; marked for trial. No. 3. John O. Payne vs. E. T. Tillottson; marked for trial No. 4. George Bowers vs. Terence Brazeil: passed. No. 5. George Bowers vs. Terence Brazeil: passed. No. 6. Terence Brazeil vs. John Tracy: for trial. No. 7. Terence Brazeil in name of wife vs. John Tracy: for trial.

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Court duly opened the following morning....Case (No. 4) of George Bowers vs. Terence Brazeil was dismissed. Case (No. 5) of George Bowers vs. Terence Brazeil was called and the following jury empaneled: Joseph Dean, F. Blume, Magner Johnson, James Burch, Joseph Le Baron, Franz Smith, George Burch, Opatrick Ryan, Henry Seely, William Phelps, John A. Bush and A. D. Corey. George Bowers, the plaintiff and

George McCulloch were sworn as witnesses for the plaintiff and the defense rested. The case was argued by P. H. Swift for the defendant and E. St. Julian Cox for the plaintiff. John D. White was sworn as officer of the jury. Cases 6 and 7 were dismissed. In the afternoon the jury brought in a verdict of “Guilty” in the case of Bowers vs. Brazeil. As the case was a civil one, the reader wonders of what the defendant was “guilty,” and what the result of the verdict.

The reader also “wonders” who Terence Brazeil was—aside from being a party to six of the first seven cases on the court’s initial calendar.

George cites every appeal from the Renville District Court to the Minnesota Supreme Court from 1871 through 1914. The subject of the litigation is not noted, but the names of the appellate lawyers are—and that may be why he included this useless information that takes up several printed pages.

Most of the following chapter consists of short biographies of practicing lawyers. The subjects themselves wrote their own profiles² and several reveal a narcissistic streak. John McDonough Freeman’s profile notes that “he has always enjoyed a large practice, and is one of the busy men of the county,” while Frank H. Hopkins’s states, “Mr. Hopkins is a popular and influential man and has always been greatly interested in public affairs.” George may have edited these profiles, or tried to—several lawyers conclude their personal profiles with tributes to their parents, subjects far removed from the legal history of the county that he was assigned to write.

James McBride George died in Winona on March 31, 1967, at the age of 79. Interestingly, the headline on his obituary in the *Winona Daily News* identified him as a lawyer, but the text emphasized his accomplishments and success in the world of business, not law:

² County histories at this time were published by subscription. A subscriber’s biography, and sometimes a photograph, might appear in the published history. This was one of the benefits of subscribing. The subscriber could write his or her own profile. Several in George’s chapter exhibit markedly different writing styles.

WINONA DAILY NEWS

Friday, March 31, 1967

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J. M. George. Lawyer, Dies

J. M. George, 79, 1750 Gilmore Ave., a lawyer, civic worker and leader in the direct selling industry throughout the United States died at 9:50 a.m. today at Community Memorial Hospital.

He had been admitted Wednesday evening after suffering a stroke. Prior to that he had not been ill.

He had served as president and general counsel for the National Association of Direct Selling companies, with headquarters at 165 Center St., from 1925 until the time of his retirement in June 1964. He also was executive secretary of the Inter-State Manufacturers Association with headquarters in Winona, from early in 1900 to the time of his retirement.

He was interested and active in Chamber of Commerce affairs at the national, state and local levels and was listed in "Who's Who in the Midwest in Commerce and Industry."

HE WAS BORN Feb. 7, 1888, in South Dakota to William Wallace and Josephine Kribbs George and came to Winona in 1912 after living in Minneapolis. He married Genevieve Schauer Jan. 27, 1923.

He attended Renville High School and received his L.L.B. degree in 1910 at the University of Minnesota. There he became a member of Phi Kappa Sigma and Delta Theta Phi. He

was associate editor of the Kief-Davidson Co., Minneapolis, 1910-11, and was associated with the Lawyers Co-op Publishing Co., St. Paul, from 1911-12.

He practiced law with the former firm of George, Brehmer & McMahon here, starting in 1912. He had been a director of the Peerless Chain Co., Vulcan Manufacturing Co., Inc., the former Siefert-Baldwin Motor Co., director and secretary of the Winona Monument Co., director of the Winona Industrial Development Association; member of the American, state and local bar associations, Southeastern Minnesota Legislative Study Group, and past member of the first national commission on domestic distribution. He was an active Republican.

TEN YEARS ago Salesman's, Opportunity, a leading magazine for salesmen, put Mr. George on its front cover. In the course of a long article about his work with the National Association of Direct Selling Companies, the magazine commented:

“Today the association's work is the most important single force affecting the lives, of at least a million full-time and six or seven million part-time direct salespeople in the field. Without the National Association of Direct Selling Companies and its powerful voice working constantly in their behalf, the recognition and prestige that has elevated their status and made their work more attractive might never have been achieved.

“Briefly, the association has become the spokesman for the entire direct selling industry.”

When Mr. George became affiliated with it, said the magazine, “the association was still in its swaddling clothes.” From the beginning he advocated high ethical standards in the direct selling business, a policy not generally accepted 44 years ago.

Later the U.S. Department of Commerce made him a member of the first committee ever established on domestic distribution. Early during World War II he was appointed a member of the Industry Advisory Committee for Private Motor Transport under the Office of Defense Transportation. During World War II he also was on the state defense committee and later he served on the national committee on size and weight limitations of the American Retail Federation.

HE SERVED as an Army captain of artillery during World War I; was a member of Sen. Thye's Hungarian Emergency Relations Committee; director of the Winona County Historical Society; member and director of the Minnesota Sons of the American Revolution, member of Winona Country Club and Arlington Club and played a prominent part in starting the American Legion Memorial Club in Winona. He was a member of the National Guard from 1920-23 and had part in the dedication of the Matthew Marvin U. S. Army Reserve. Center here several years ago.

Survivors are: His wife; one daughter. Mrs. John (Mary) Hennessey, McLean, Va.; five grandchildren, and two sisters, Mrs. Jessie Berg, St. Petersburg, Fla., and Mrs. Shirley Quast, Tarpon Springs, Fla.

Fawcett Funeral Home is in charge of arrangements which are incomplete.

A memorial is being arranged.

The following chapter appeared on pages 1239-1256 of the first of a two volume history of Renville County. Though reformatted, the text is complete. Five photographs are omitted.³ Page breaks have been added. Grammar, spelling and punctuation have not been changed. ■

³ Photos of Richard T. Daly, Lynas D. Barnard, Charles N. Matson, George F. Gage and Frank Murray are omitted.

“The Bench and Bar of Renville County ”

IN

THE HISTORY

OF

**RENVILLE COUNTY
MINNESOTA**

COMPILED BY

FRANKLYN CURTISS-WEDGE

**Member of the Minnesota Historical Society, editor of the Histories of Winona,
Wright, Fillmore, Freeborn, Mower, Dakota, Rice, Steele
and Goodhue Counties, Minnesota.**

ASSISTED BY

A LARGE CORPS OF LOCAL CONTRIBUTORS

UNDER THE DIRECTION AND SUPERVISION OF

**HON. DARWIN S. HALL,
HON. DAVID BENSON and
COL. CHARLES H. HOPKINS,**

Renville County Pioneer Association Committee.

ILLUSTRATED

VOLUME I

**CHICAGO
H. C. COOPER JR. & CO.
1916**

CHAPTER XXXIX.

BENCH AND BAR

Early Judicial Affiliation—Territorial Judges—District Judges—Early Courts—Murder Cases—Appeals From the District Court—Present and Former Attorneys—Admissions to the Bar—Biography—Written by James McBride George, LL.B.

On June 11 Alexander Ramsey, the first territorial governor of Minnesota, issued a proclamation dividing the territory into judicial districts. The county of La Pointe and the region north and west of the Mississippi and north of the Minnesota river and of a line running due west from the head waters of the Minnesota to the Missouri river constituted the second of these three districts. Judge Bradley B. Meeker was assigned to preside over this district. Court was ordered to be held at the Falls of St. Anthony, now Minneapolis, on the third Monday of August.

By an act of legislature October 27, 1849, the entire territory was divided into nine counties. Wabashaw county, as designated under this act, was comprised of practically the entire southern half of the present state of Minnesota and the southern portion of South Dakota, thus including the southern one-half of the present Renville county.

Itasca and Wabashaw counties were for judicial purposes attached to Washington county to make up a new second judicial district, with Hon. David Cooper on the bench.

Under the same act Dakotah county was created and consisted of all the territory west of the Mississippi, south of a line west of the mouth of the Clearwater river, east of the Missouri and north of a line drawn due west from a point on the Mississippi opposite the mouth of the St. Croix river. It thus included the northern part of what is now Renville county. Dakotah, Wahnahta and Mahkahto were attached to Ramsey county for judicial purposes and constituted the new first judicial district under Judge Aaron

Goodrich, who was to hold court at St. Paul annually on the second Monday of April and the second Monday of September.

The legislature of 1851 by Chapter I of the Revised Statutes, passed Jan. 1, reapportioned the territory into new counties. The present county of Renville, under the new distribution, was entirely embraced in Dakota county, which county was again attached to Ramsey for judicial purposes.

By an act passed March 5, 1853, Renville county was embodied in Pierce and Nicollet counties, and the residents of the territory now composing Renville county were compelled to seek redress of the law in Nicollet county.

Not until Feb. 20, 1855, was there created in the territory of Minnesota a county named Renville. This new county included all of the present area, and small parts of Meeker, Kandiyohi and Chippewa counties.

The constitution of the state of Minnesota effective May 11, 1858, provided for six judicial districts dividing the state into six approximately equal parts. The county of Renville, with the counties of Le Sueur, Sibley, Nicollet, Blue Earth, Faribault, McLeod, and Brown, comprised the Sixth district.

During most of its early history court was not held within the county. Citizens who were in pursuit of the due process of law were often compelled to yoke the favorite team of oxen for the long trip to St. Peter or Faribault.

By an act approved March 8, 1860, a new Renville county was created and attached to Nicollet county for judicial purposes "until the county officers of said county shall have been elected and qualified as contemplated by the act." The act further provided that the county, upon proper organization, should become part of the Sixth judicial district

By the act of March 5, 1862, Renville was detached from Nicollet county for judicial purposes, transferring all Renville county cases from the

Nicollet county court to the court of Renville county, with court to be held the first Monday of October.

However, on September 29 of the same year, after the Indian massacre, the county was, by act of legislature in the special session, reattached to the county of Nicollet for judicial purposes and all Nicollet county judicial officers were given full power in the county.

Renville remained attached to Nicollet county for judicial purposes until 1866, when the act last mentioned was repealed.

In 1861 a part of Renville county was designated as being within the bounds of Lincoln county, created at that time. This was repealed in 1866.

In 1870 an act was passed reestablishing Lincoln county and annexing part of Renville county subject to a favorable election [1240] held in Renville county. It is not known what was the result of this election, but under the act Lincoln county was to be attached to Renville for judicial purposes which, of course, would result in no change of the place of holding court.

When the ninth district was created March 11, 1870, Renville county was included therein. In the middle nineties it was made a part of the twelfth district.

The first judge of the sixth judicial district was James M. McKelvey. He served from May 24, 1858 to Dec. 31, 1864, but never held court within the boundaries of the county. A number of Renville county cases during his term of office were heard at St. Peter.

The first term of court within the county was held by Judge Horace Austin at the second story of the Dakota House in Beaver Falls in September, 1868. The first court house was not built until 1872. It was of stone and was combined with the county jail; the entire cost of the structure not exceeding \$2,000.

The Hon. Horace Austin became judge of the Sixth judicial district Jan. 1, 1865, and held court in Renville county three and one-half years later and in the autumn of 1869. He was followed by the Hon. M. G. Hanscomb of St. Peter Oct. 1, 1869, who occupied the bench in that district only until Dec. 31 of the same year. He, however, was appointed the first judge of the new ninth district March 11, 1870, which position he retained until Jan. 1, 1877. He held his first term in Renville county Sept. 6, 1870, followed by a term each fall thereafter.

His successor was E. St. Julian Cox, of St. Peter, who remained on the bench until March 22, 1882. His first term was held in the county March 19, 1878. His last term opened May 24, 1881. In the meantime, however, the Hon. D. A. Dickinson of Mankato from the sixth district presided over the term beginning Nov. 10, 1879, and the Hon. Wm. Sohren of Minneapolis from the fourth judicial district presided over the term opening Feb. 16, 1882.

On April 4, 1882, the Hon. H. D. Baldwin of Redwood Falls became judge of the ninth judicial district and held his first term of court in Renville county, May 23 of that year. He held office until Jan. 3, 1883, his last term of court opening Nov. 28, 1882.

Hon. B. F. Webber, of New Ulm, became the next incumbent, Jan. 3, 1883, and held office until some time in October, 1896. He held his first term in the county Jan. 23, 1883. He presided over court in the county the last time Oct. 27, 1896.

In the meantime the twelfth judicial district had been formed and sometime in 1896 or 1897 Renville was made a part of that district. At the time of this annexation Hon. Gorham Powers, of Granite Falls, was judge of the twelfth. He assumed office Jan. 31, 1890, and died April 15, 1915, shortly after his resignation on account of ill health. His first term was held within the county May 18, 1897; his last term May 13, 1913.

Hon. G. E. Quale, of Willmar, became judge of the twelfth judicial district April 30, 1897, thereby giving the district two judges. He held his first term

in Renville county May 17, 1898. Subsequently he held terms in the county Nov. 15, 1898, May 12, 1902, May 9, 1904, May 9, 1910, July 11, 1910, Nov. 10, 1913, May 11, 1914, Nov. 9, 1914, May 10, 1915, and July 12, of the same year. During the last term of office of Judge Powers he was in exceedingly bad health, which made it necessary for Judge Quale to take his place in Renville county.

The Hon. Richard T. Daly, of Renville, the successor of Judge Powers, was appointed by Guv. W. S. Hammond, Feb. 25, 1915. His first term was held at Willmar, March 15, 1915.

First Term Held in County.—The first Renville county term of court for the sixth district opened on Sept. 1, 1868, Hon. Horace Austin presiding. The grand jury consisted of the following named citizens: George Geiske, John Tracy, Clement Trettar, Russell Butler, George Berry, Walter Cleft, Judson Sealy, M. S. Spicer, Nelson C. Frazier, Willard Drury, Datis Rector, Wolfgang White, Henry Ahrens, Perry Burch, Lemuel Herbert, George McCulloch, Victor Reike, Henry Dreyer, Louis Thiele, Burt Nichols, Rufus W. Earle, Homer Smith, James W. Butler and Jerome Comstock.

George McCulloch and Russell Butler were excused, and G. P. Greene was added to the list. Rufus W. Earle was appointed foreman. O. T. Tubbs was appointed officer of the jury.

The seven cases on the court calendar were marked as follows: No. 1. George McCulloch vs. Terence Brazeil; stricken from the calendar on motion of Sam McPhail, Esq. No. 2. Terence Brazeil vs. John Tracy; marked for trial. No. 3. John O. Payne vs. E. T. Tillottson; marked for trial. No. 4. George Bowers vs. Terence Brazeil: passed. No. 5. George Bowers vs. Terence Brazeil: passed. No. 6. Terence Brazeil vs. John Tracy: for trial. No. 7. Terence Brazeil in name of wife vs. John Tracy: for trial.

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Court duly opened the following morning. Joseph Preston, William Tracy, Henry Blume, Dennis O'Shea, Holder Jacobus, Walter Rea, John Dagen, Frank Hall, Carl Holtz, Christian Sperber, C. Rich, James Gaffney, Henry Timms and R. R. Corey were excused from further [1241] attendance as petit jurors at that term. Case (No. 4) of George Bowers vs. Terence Brazeil was dismissed. Case (No. 5) of George Bowers vs. Terence Brazeil was called and the following jury empaneled: Joseph Dean, F. Blume, Magner Johnson, James Burch, Joseph Le Baron, Franz Smith, George Burch, Opatrick Ryan, Henry Seely, William Phelps, John A. Bush and A. D. Corey. George Bowers, the plaintiff and George McCulloch were sworn as witnesses for the plaintiff and the defense rested. The case was argued by P. H. Swift for the defendant and E. St. Julian Cox for the plaintiff. John D. White was sworn as officer of the jury. Cases 6 and 7 were dismissed. In the afternoon the jury brought in a verdict of "Guilty" in the case of Bowers vs. Brazeil. As the case was a civil one, the reader wonders of what the defendant was "guilty," and what the result of the verdict.

The first indictment of which there is any record in the minutes is that against Jeremiah P. O'Shea, Sept. 7, 1870. He was bound over to the next term.

No court records appear from the September term of 1868 to the September term of 1870.

Murder Cases.—Like "the annals of the poor," the list of serious crimes in Renville county is brief. Whether this happy state of affairs be due to the inherent law abiding character of its people, or to the well known vigilance of its police officers, or, what is more likely, to the feeling of contentment among its people, "their wants but few, their wishes all confined"—the fact remains that crime is perhaps the only crop that does not grow abundantly on this fertile prairie.

The following cases are related to show that there is some foul seed, however, among the grain and that the weeding-out process is not yet complete.

In 1882 the grand jury indicted Andreas Anderson, living in Henryville, for the murder of his wife, Caroline. It appears from the testimony of witnesses that Anderson, on the afternoon of February 22, attempted to shoot his wife, but that the shotgun was taken from him and the load fired into the air by his daughter; that soon after he stabbed her with a pocket knife, from which wounds she died five days later; and that upon capture by a neighbor he had confessed to the deed.

At the trial an attempt was made to show that he was insane, but the jury found him guilty of murder in the second degree and he was sentenced to Stillwater for life, a motion for a new trial having been dismissed. In 1891 his sentence was commuted to end August 1 of that year on the grounds that he was probably insane at the time of the crime.

In the same year that the Anderson crime was committed, a farmer named Ole Lee was found dead about sundown near the village of Franklin. He was returning from town, whither he had hauled a load of wheat that day. When found he was lying in the road with a bullet hole in his head. William Henry Eagan, a lad of about fifteen years, was captured on the train next day near Fairfax heading for Minneapolis. He pleaded guilty to the crime and was sentenced to hard labor in states prison for life Nov. 27, 1882, just seven days after the crime was committed he received a full pardon Dec. 29, 1892, among the reasons given for his pardon being the fact of his extreme youth, that it was believed he committed the act in self defence, and that he plead guilty under advice of his attorney, and for the reason that the people were "very much exasperated over another murder in the community."

On April 24, 1886, Albert Reigel, in the township of Beaver Falls, shot Paul Gunderjohn, otherwise called Henry Schultz, with a shotgun, from which injury the latter died two days later. Indicted for murder, Reigel was found guilty by the jury of manslaughter in the second degree.

It appears that the two men had set out from Renville well supplied with liquor late in the afternoon; and that on the way, both being intoxicated,

and while Schultz was lying in the wagon box with a gun nearby, Reigel had touched the gun and it was unexpectedly discharged.

Reigel was sentenced to confinement at hard labor at Stillwater for two years.

A sensational case that created considerable excitement at the time was the shooting at Hector of William C. White, an attorney, with a pistol in the hand of Lincoln H. Parker, on the afternoon of July 31, 1888. White died on August 11. His wife, who was a sister of Parker, had died but a short while before, and it seems that the shooting was the outcome of a quarrel that arose between the two men concerning her. Parker had just arrived on the train that day and the affray occurred at the post office a short while after. The jury acquitted Parker "by reason of insanity."

Charles Howey, a transient farm laborer, was found dead near a livery barn at Bird Island, Jan. 30, 1903. A coroner's inquest held a few days later brought in a verdict of death caused by "heart failure due to alcoholism."

At the inquest it developed that Howey had been seen on that day with a large roll of money, amounting to not less than one hundred dollars. When he was picked up in the snow the only money found on his person was a silver dollar and a twenty-five cent piece was discovered nearby imbedded in the melted snow and ice. Abrasions on the skin on forehead and nose and a pool of blood in the snow aroused the suspicion of many that he had been foully dealt with in order to secure his money. [1242]

When, after the jury's verdict, preparations were made to bury the body, an injunction was secured against the burial and another inquest was held about ten days later. Examination of the vital organs showed evidence of inflammation in the region of the brain and a fatty degeneration of the heart. The coroner's jury decided that his death came by rupture of the valves of the heart.

Considerable excitement was engendered during the progress of the case, although no evidence of foul play was found. It seems likely, however, that robbery was committed.

William Olson, a transient laborer, was shot in a holdup in a box car at Bird Island, Sept. 4, 1913. With two other laborers he was aroused from sleep and his money demanded. Details of the affair are lacking except that Olson was shot twice from the effects of which he died a short while later. Night watchmen at the depot followed a retreating figure, but he escaped in the darkness. The murderer has never been apprehended.

On Saturday morning, August 5, 1911, the county seat was stirred by the news of one of the most terrible tragedies in the history of the county. At the home of William Wolff, in the east end of Olivia, lay three dead bodies—father and daughter, and the son of a former neighbor—mute but compelling evidence of the night's horror. Beyond the immediate comprehension of the mind—so appalling were its aspects to the townspeople—the calamity seemed like some terrible nightmare which could not, perforce, be driven from the mind. Father, honest in life and generous, the afternoon of life suddenly changed to night; daughter, springtime's flower cut down by Time's relentless sickle; youth, so heated in passion, now so cold in death. Misfortune never wore more sombre hue.

At about one o'clock Saturday morning, Mr. and Mrs. Wolff had been awakened by the cries of the daughter, Cora, who occupied an adjoining room upstairs. The father immediately proceeded to the girl's room while the mother hastened to light a lamp. Hearing the report of a revolver, the latter hurried out of the house and summoned the sheriff, the county jail being only a few blocks distant. Together with the village marshal they proceeded to the bedroom, only to find the door closed and blocked. Two shots rang out and the officers believed they were being fired upon. Forcing the door they entered the room. Three dead bodies met their dumfounded gaze. Mr. Wolff's body had fallen against the door, that of Cora lay at the other end of the room, and across her body that of Edward Corey.

Physicians located three bullets in the body of the father, two in that of the daughter, and two in Corey's breast. At the inquest held the jury's verdict was that William and Cora Wolff had been shot killed by Edward Corey and that latter had met death at his own hands.

In commenting on the motive for crime, the Olivia Times relates the following: "It seems clear that young Corey was actuated to commit the crime by a desperate love for the girl. It appears he became infatuated with her some time ago and, although she tried repeatedly to avoid him, he continued to force his attentions upon her. They were reared in the neighborhood and saw much of each other but it appears she never encouraged him in his wooing or returned his affections. While attending school at Mankato last winter she received a visit from him, and at that time she gave him to understand she did not regard him as a lover. On the day before the murder he had prepared to leave town, intending to go to Montevideo where he was offered a position. He left his father's home, two miles south of town, in the morning and after coming to town called at the Wolff home, presumably to say goodbye to Miss Cora. She refused to see him and Mr. Wolff ordered him away. Whether he made any threats at this time is not known for a certainty but his actions were such as to alarm Miss Wolff, for shortly afterward she went to see Sheriff Vick and informed him she was afraid Ed would do her harm. Mr. Vick hunted up Ed, who was still in town, and advised him to stay away from the Wolff place, and threatened him with arrest should he repeat his visits there. Ed promised to do as advised, saying that he intended leaving town that day. He did leave, but it appears he went to Hector, where he remained during the afternoon, boarding the westbound evening passenger train. It is supposed he came as far as Bird Island, as he is reported as having been seen at both Hector and Bird Island that evening, and that he walked from Bird Island to Olivia during the night. Upon arriving at the Wolff home he took off his shoes, leaving them upon the porch, and by means of a key which he had secured in some way, he gained entrance to the house. Just what his intention was in going into the house cannot, of course, be known, but it is altogether likely that his mad love for the girl rendered him temporarily insane and that his only thought was to do away with her....

“Both the Wolff and Corey families are old and respected residents of this community and are numbered among our best people. Both are sorely tried by the terrible affliction that has come upon them and are deserving of heartfelt sympathy.”

Appeals From District Court for Renville County.—The first appeal taken from the District Court for Renville County was *Jewell vs. Weed et al.* and is of special interest, due to its illustration of early conditions. At that time (1871) Renville had no permanent county seat and Beaver [1243] Falls had been designated as the temporary seat of government. Certain enterprising citizens of that community procured the enactment of a statute authorizing a bond issue of \$2,000 to construct a county jail and designating Beaver Falls as the county seat. This same act provided that the bond issue should be voted upon at the next town meeting upon notice from the county auditor. There were at the time thirteen township organizations in the county. It appears that in order to procure the passage of the act and the subsequent bond issue the aforesaid enterprising citizens of Beaver Falls kept all knowledge of their activity from reaching the western and northern portions of the county. Only two of the thirteen townships were notified of the proposal to issue bonds at the next town election and as a consequence the issue was authorized and Beaver Falls became the permanent county seat. This action was brought by certain outlying taxpayers to declare the election null and void, claiming the enactment of the law and the bond election to have been fraudulently and secretly accomplished. The Supreme Court held that no matter how unfair the actions of the Beaver Falls citizens were they were not fraudulent because the election complied with the requirements of the statute and the court had no power to inquire into the motives of the legislature or the sponsors of the bill in obtaining its passage. This case is reported in 18 Minn. 247.

The next case appealed was *Donahue vs. Ladd* (31 Minn. 244) in 1883, relating to adverse claims in a lien on realty tried before Judge Webber. The Supreme Court sustained him in his findings. The attorneys were C. H. Benton for appellant and Peck & Little for the respondent. This was followed by *Van Meeter vs. Knight*, 32 Minn. 205, relating to a mortgage foreclosure tried before Judge Webber in 1884. The attorneys were Peck &

Little and Crass, Hicks & Carlton. Judgment was affirmed. In 1885 appeal was taken from the judgment of M. O. Little, Esquire, acting as referee in the case of Kellogg vs. S. N. Olson, 34 Minn. 103. The judgment was affirmed. The attorneys were Arctander & Quale; Stringer & Seymour.

In the next case at the same term the Supreme Court failed for the first time in the history of the county to entirely agree with the trial judge. The verdict of the jury was modified to the extent of allowing plaintiff items plainly due him and the court exercised its discretion and denied a new trial on condition that defendants' stipulate to allow the items referred to above. In this case, Ladd vs. Newell et al., 34 Minn. 107, the attorneys were C. H. Benton; Hart & Brewer.

After a lull of three years an appeal was taken in the case of German-American Bank of Hastings vs. White, 38 Minn. 471 (1888). The trial judge was Webber and the Supreme Court remanded the case for modification of judgment, striking out an allowance of \$80 in damages claimed to be excessive. The attorneys were S. & O. Kipp; Stringer & Seymour.

No cases were appealed from this date to 1892, when Dean vs. County Commissioners, 50 Minn. 232, went up and was reversed and remanded. The attorneys were F. R. Allen, Thomas E. Boylan and R. T. Daly.

In 1895 the county commissioners brought suit against the Bank of Fairfax to recover a deposit of several thousand dollars. The plaintiffs won and defendants appealed. Judgment was affirmed. County Commissioners vs. Gray, 61 Minn. 242. The attorneys were H. W. Childs, George B. Edgerton and S. R. Miller; McClelland & Tiff.

The following year a very interesting case went up, involving a contest of the vote taken at a county seat removal election. It was proposed at the election to remove the county seat to Olivia from Beaver Falls. Those voting for removal numbered 2,219, those voting against removal numbered 1,780, and there were 68 votes that could not be read. The trial court in the case of Smith vs. Board of County Commissioners, 64 Minn.

16, held that the vote of removal, being over 55 per cent of the sum total of 1,780 and 2,219, the county seat should be removed to Olivia. The statute covering the matter required that 55 per cent of all votes cast on the question must favor removal or the question is lost. As a consequence the Supreme Court reversed the lower court and held that the 68 unintelligible votes should have been added to the two sums above mentioned, thereby bringing the percentage of favorable votes below 55 and the county seat remained at Beaver Falls. Attorneys for contestants were Thomas E. Boylan, John Lind and G. T. Christianson; for the county S. R. Miller, County Attorney George W. Somerville, Lyndon O. Smith and A. J. Volstead,

From this point on the affairs of litigation in the county became much more frequent, several cases a year at times going to the Supreme Court. Following is given a brief outline of appealed cases up to the present time:

1896. Adamek vs. Piano Manufacturing Company, 64 Minn. 304. Judgment affirmed. Attorneys, M. A. Spooner and S. A. Flaherty; McClelland & Tiff. 1896. State vs. Iago, 66 Minn. 231. Reversed and new trial granted. Attorneys, McClelland & Tiff and R. T. Daly; H. W. Childs and George B. Edgerton. 1896. Ramsland vs. Roste, 66 Minn. 129, Judgment affirmed. Attorneys, R. T. Daly and C. A. Fosness; McClelland & Tuft. 1897. Holden vs. Great Western Elevator Company, 69 Minn. 527. Judgment affirmed. Attorneys, John A. Dalzell and Koon, Whelan & Ben-[1244]-net; Baldwin & Patterson and E. E. Harriott. 1898. Altman & Layton Company vs. O'Dowd, 73 Minn. 58. Judgment affirmed in part. Attorneys, Charles G. Laybourn; R. T. Daly. This was the first appealed case tried before Judge Powers. 1900. Bloemendal vs. Albrecht, 79 Minn. 304. Judgment affirmed. Attorneys. Ed. H. Huebner; J. M. Freeman. 1900. State ex rel. Brown vs. Butler et al., 81 Minn. 103. Judgment affirmed. Attorneys, McClelland & Tiff and Childs, Edgerton & Wickwire; A. V. Rieke. George W. Somerville and Lynson A. Smith. This was another election contest for removal of the county seat to Bird Island. Removal was lost, due to failure to give the required notice. 1901. Creamery Company vs. Lanning, 83 Minn. 19. Judgment affirmed. Attorneys, Erick L. Winje; G. T. Christianson. 1901. State ex tel. Olson vs. County Commissioners, 83

Minn. 65. Judgment affirmed. Attorneys, Frank Clague and A. V. Rieke; Eric L. Winje. 1901. State vs. Larson, 83 Minn. 124. Judgment reversed. Attorneys, A. J. Volstead, E. L. Winje, Robert Jamison and Cobb & Wheelwright; A. V. Rieke, county attorney, and W. C. McDowell. 1901, Evenson vs. Keystone Company, 83 Minn. 164. Judgment affirmed. Attorneys, George S. Grimes; L. H. Schellbach and A. J. Volstead. 1901. Blume vs. Scheer, 83 Minn. 409. Judgment reversed. Attorneys, A. V. Rieke and Sommerville & Olson; Baldwin & Howard, John Dalzell and W. A. McDowell. The defendant had charged the plaintiff with having whipped her husband, resulting in his death. The plaintiff sued for defamation of her character and obtained, a verdict for \$5541, which was erroneously reduced to \$100 by the trial court. 1901. United States Investment Corporation vs. Ulrickson, 84 Minn. 14. Judgment affirmed. Attorneys, George Cudhie and Olson & Johnson; James D. Shearer: 1901. McGinty vs. Kelly, 85 Minn. 117. Dismissed, affirming action of District Court. Attorneys, S. R. Miller and F. C. Irwin; John J. Shoregge. 1902. Fort Dearborn Bank of Chicago vs. Security Bank of Renville, 87 Minn. 81. Judgment affirmed. Attorneys, Daly & Barnard; A. J. Volstead and W. A. McDowell. 1903. Keystone Company vs. Howe, 89 Minn. 256, Judgment affirmed. Attorneys, Daly & Barnard; George S. Grimes. 1903. Chairman Board of Health, Village of Buffalo Lake vs. County Commissions, 89 Minn. 402. Judgment affirmed. Attorneys, Frank Murray, county attorney; R. H. McClelland and C. M. Tiff. 1903. Barkey vs. Johnson, 90 Minn. 33. Judgment affirmed. Attorneys, J. J. Shoregge and J. W. Willis. 1904. State ex rel. Olson vs. Leindecker, 91 Minn. 277. Judgment affirmed. Attorneys, B. H. Bowler; Daly & Barnard. 1904. Kubesh vs. Hanson, 93 Minn. 259. Judgment affirmed. Attorneys J. M. Freeman; J. J. Shoregge. 1904. Davis v. Kuck. 93 Minn. 26. Judgment affirmed. Attorneys, Bowers & Howard; J. M. Freeman. 1904. Swenson v. Village of Bird Island, 93 Minn. 336. Judgment reversed. Attorneys, W. M. Babcock; B. H. Bowler. 1905. State ex rel. Kellgen vs. McMahan, 94 Minn. 532. Judgment affirmed. Attorneys Parsons & Bowler; Frank Murray and Thomas H. Quinn. 1905. Welsh vs. Brainerd, 95 Minn. 234. Judgment affirmed. Attorneys, John Lind and A. Ueland; John A. Dalzell and W. A. McDowell. 1905. Heins vs. County Commissioners, 96 Minn. 188. Judgment affirmed. Attorneys Frank Murray, county attorney; Lyndon A. Smith and Lancaster & McGee. 1906.

Loyd v. Simons, 97 Minn. 315. Judgment affirmed. Attorneys, F. R. Allen, A. B. Darelus and S. P. Child; John J. McHale and A. V. Reike. 1906. Murphy vs. Renner, 99 Minn. 348. Judgment affirmed. Attorneys, John Lind, A. V. Rieke and W. A. McDowell; Daly & Barnard. 1907. Carlson vs. Headline, 100 Minn 327. Judgment affirmed. Attorneys, J. M. Freeman and Daly & Barnard; Parsons & Bowler. 1907. State ex rel. Matson vs. Powers, 102 Minn. 509. Discharged in favor of Parsons, Judge, writ of mandamus. Attorneys, J. J. Shoregge; Daly & Barnard. 1908. Baumgartner vs. Hodgdon, 105 Minn. 22. Judgment affirmed. Attorneys, Parsons & Bowler; Daly & Barnard and Frank Murray. 1908. Bowler vs. Renville County, 105 Minn. 26, was tried in Hennepin county before Brooks, Judge. It was an action for an unpaid balance on a drainage contract with the county. The balance claimed was for extras put in at the direction of the county surveyor. The court held that the county surveyor had no authority to bind the county for extras and that his acceptance of the completed work did not make the county liable for the extras incorporated at his direction. The judgment was affirmed by the Supreme Court. Attorneys. W. M. Jerome and Parsons & Bowler; Frank Murray, county attorney, and J. M. Freeman. 1908. State vs. Mattson, 105 Minn. 63. Judgment affirmed. Attorneys, Edward T. Young, attorney general, Frank Murray and Barnard & Daly; J. J. Shoregge. 1908. State vs. Mattson, 105 Minn. 164. Judgment affirmed. Attorneys, Edward T. Young, attorney general, Frank Murray and Barnard & Daly; J. J. Shoregge. 1908. Stevenson vs. Murphy, 106 Minn. 243. Judgment reversed. Attorneys, J. M. Freeman; Bert O. Lee. 1909. Peavey vs. Greer et al. 108 Minn. 212. Remanded and judgment reduced. Attorneys, A. V. Rieke and H. L. Hayden; C. T. Howard and Daly & Barnard. 1909. State vs. McGuire, 109 Minn. 88. Reversed, holding proceedings to widen county ditch void without notice to adjoining and interested owners. Attorneys, C. A. Fosness; Frank Murray, county attorney, and Daly & Barnard. 1910. Pott vs. Hanson, 109 Minn. 416. Judgment affirmed. Attorneys, W. E. Dampier; Daly [1245] & Barnard and N. L. Erickson. 1910. Oppegard vs. County Commissioners, 110 Minn. 300. Judgment reversed. Attorneys, Daly & Barnard; Robert K. Stuart and J. M. Freeman. 1910. Snyder vs. Crescent Milling Company, 111 Minn. 235. Judgment affirmed. Attorneys, A. V. Rieke, A. V. Hamrum and Daly and Barnard; George F. Gage. 1910. Town of Martinsburg vs. Butler, 112

Minn. 1. Judgment affirmed in part. Attorneys, A. L. Young; J. M. Freeman. 1910. Renville County vs. City of Minneapolis, 112 Minn. 487. Tried before Holt, Judge, in Hennepin county. Attorneys, Rieke & Hamrum and W. A. McDowell; Frank Healy and Clyde R. White for city of Minneapolis. 1911. State vs. McGuire, 113 Minn. 281, before Judge Quale. Judgment affirmed. Attorneys, L. D. Barnard; C. A. Fosness. 1911. Richardson vs. Richardson, 114 Minn. 12. Judgment affirmed. Attorneys, John A. Dalzell; Rieke & Hamrum and Daly & Barnard. 1911. Richardson vs. Richardson, 114 Minn. 516. Judgment affirmed. Attorneys, John A. Dazell; Reike & Hamrum. 1911. Friezen vs. Byers, 115 Minn. 540. Judgment affirmed. Attorneys, George F. Gage and J. F. Byers; J. M. Freeman. 1912. Haubrich vs. Haubrich, 118 Minn. 394. Judgment affirmed. Attorneys, L. E. Utley, C. A. Fosness and Alfred K. Fosness; Frank Murray, J. B. Baker, Lyndon A. Smith, C. L. Hilton and E. T. Young. 1913. State ex rel. Sagness vs. Hawk Creek Telephone Company, 120 Minn. 395. Judgment affirmed. Attorneys, Daly & Barnard; J. M. Freeman. 1913. Oppegard vs. County Commissioners, 120 Minn. 443. Judgment affirmed. Attorneys, Daly & Barnard; J. M. Freeman. 1912. Parks vs. Byrne, 120 Minn. 519. Quale, Judge. Judgment affirmed. Attorneys, J. M. Freeman; Homer Morris. 1912. Orth vs. Township of Norfolk, 120 Minn. 530. Judgment affirmed. Attorneys, J. M. Freeman; Mundy & Baker and John A. Dalzell. 1913. School District Hector vs. School District Renville. Judgment affirmed. Attorneys, Rieke & Hamrum; O A. Allen and J. M. Freeman. 1914. Hoffman Motor Truck Company vs. John Erickson et al., 124 Minn. 279. Judgment affirmed. Attorneys, Daly & Barnard; F. W. Murphy and Thomas Kneeland. 1914. Penhall vs. Minnesota State Medical Association, 126 Minn. 323. Judgment reversed. Attorneys, John A. Dalzell and Daly & Barnard; Durment, Moore & Oppenheimer. In this case Dr. Penhall applied in the proper manner to the State Medical Society for assistance of its attorneys in defending a malpractice suit brought against him. This assistance was refused on the ground that the claim against the doctor accrued before the enactment of the by-laws obligating the association to furnish such defenses. Penhall, on his own defense, lost to the claimant, and brought this action to recover expenses. The trial court sustained the contention of the association, but was reversed on appeal, the Supreme Court holding in effect that time was not made an element in its

offer of defense, hence the doctor should recover inasmuch as he had complied with the other requirements.

It appears from the record of cases appealed from Renville county courts to the State Supreme Court that there have been 11 reversals and 49 affirmances. This indicates that the county in the past has been very fortunate in securing men possessing a high order of judicial mind to the important office of district judge.

The late Gorham Powers, judge, had only seven cases reversed out of a total of forty-three appealed, which is a remarkable record, hardly equaled by any district judge sitting in the entire state, past or present.

Municipal Court.—The only municipal court in Renville county was established Renville, when that village filed its charter for a city government with the register of deeds, Jan. 17, 1906. C. N. Matson was the first municipal judge, holding office from 1906 to 1910. Then there was a vacancy until 1913 when the present judge, R. K. Stuart, assumed office.

THE BAR.

In the early history of the county there were few practicing attorneys, consequently the greater part of the law business went to attorneys located in earlier settled districts.

The county, however, has been well supplied with quality if not quantity of legal men of brains. Indeed, it has been just that superior quality of the few men that has kept the county somewhat short in the number of resident attorneys.

Buffalo Lake, a village of some 800 persons has had but one attorney and he lived there only three months. This indicates either that the people of that place go to other towns in the county for legal advice or that they are of such congenial and law abiding dispositions as never to feel the need of such services.

The names of the following attorneys in law firms have appeared in briefs of cases appealed from Renville county. A majority of these attorneys never lived within the county:

O. A. Allen, J. B. Baker, L. D. Barnard, B. H. Bowler, G. T. Christianson, R. T. Daly, Daly & Barnard, John A. Dalzell, J. M. Freeman, George F. Gage, A. W. Hamrum, E. E. Harriott, S. R. Miller, Frank Murray, A. V. Reike, Reike & Hamrum, John J. Shoregge, Robert K. Stuart, F. R. Allen, Arctander & Quale, W. M. Babcock, Baldwin & Howard, Baldwin & Patterson, C. H. Benton, Bowers & Howard, Thomas E. Boylan, J. F. Byers, S. R. Child, H. W. Childs, Childs, Edgerton & Wick-[1246]-wire, Frank Clague, Cobb & Wheelwright, Crass, Hicks & Carleton, George Cudhie, W. D. Dampier, A. B. Darelius, George B. Edgerton, N. L. Erickson, S. A. Flaherty, C. A. Fosness, Alfred K. Fosness, George S. Grimes, Hat & Brewer, H. L. Hayden, Frank Healy, C. L. Hilton, C. T. Howard, Ed. H. Huebner, F. C. Irwin, Robert Jamison, W. M. Jerome, Koon, Whelan & Bennett, Lancaster & McGee, Charles G. Layburn, John Lind, McClelland & Tift, R. H. McClelland, Bert O. Loe, W. A. McDowell, John J. McHale, Homer Morris, Mundy & Baker, Olsen & Johnson, Parsons & Bowler, Peck & Little, Thomas H. Quinn, James D. Schearer, L. H. Schellbach, Lyndon A. Smith, George W. Somerville, Sommerville & Olson, M. A. Spooner, Stringer & Seymour, S. & O. Kipp, C. M. Tift, A. Ueland, L. P. Utley, A. Volstead, Clyde R. White, J. W. Willis, Eric L. Winje, Edward P. Young and A. L. Young.

Among the attorneys who have had practiced within the county, two have been attorney generals, one has been governor and others have been members of Congress.

Admissions to practice.—The first lawyer admitted to practice within the county was P. H. Swift, on motion of Samuel McPhail, Sept. 1, 1868. He had previously been admitted to practice in the Wisconsin courts. Subsequent admissions were: George H. Megquier, Sept. 6. 1870; William M. Cook, Sept. 8, 1870; M. E. Powell, Sept. 5. 1871; Moses Little, Sept. 6, 1871; David W. Thorp, Sept. 2. 1877; H. A. Libby, May 24, 1882; G. T. Christianson, May 24. 1882. In 1891 the law was changed and since that

date no lawyers has been admitted by district courts. All admissions are now made on motion before the Superior court.

Among attorneys formerly residing and practicing in Renville county may be mentioned: P. H. Swift. U. P. Christianson, George H. Megquier, William F. Shoregge, J. H. Bowers. A. V. Rieke, A. U Hamrum, William C. White, John J. Shoregge, J. M. Dorman, E. L. Vinge, Bruce Brown, B. H. Bowler, E. E. Harriott, H. C. Giltner, D. D. Williams, Charles S. Kane, William C. White and Col. Samuel McPhail.

The Present Bar.— Hector: O. A. Allen. Renville: Harold Baker, L. D. Barnard, Lawrence M. Carlson, Robert K. Stuart. Morton: John A. Dalzell. F. E. Sylvester, W. W. McGowan. Olivia: J. M. Freeman, George F. Gage, S. R. Miller, Charles N. Matson, M. J. Flaherty. Fairfax: Frank H. Hopkins, J. F. Russell. Bird Island: Frank Murray, James B. Baker.

Among the Renville county boys who have graduated from the St. Paul College of Law and the University at Minnesota, now engaged in practice outside of the county, may be mentioned: Rodney Hanson, 1914, Underwood. N. D.; Leslie H. Blacklock, 1914, St. Paul; Eugene S. George. 1915, Glenwood, Minn.; Frank Zima, 1916, Glenwood, Minn.; James McBride George, 1910. Winona. Minn.

Judicial Officers. —Lists of Renville county attorneys, sheriffs, clerks of court and the like are found elsewhere in this work. The story of the important probate cases and justice cases are beyond the scope of this work. Those which were of greatest importance reached the Supreme court, and under that head are duly noted earlier in this chapter.

BIOGRAPHY

Burton H. Bowler was born at Nininger, Minn., November 7, 1871. His parents, Mr. and Mrs. J. M. Bowler, took him with them to their new home near the present site of Bird Island, Minn., early in the summer of 1873. He resided at Bird Island until August, 1904, with the exception of the years 1892 to 1896, spent at school in Minneapolis. Was graduated from the Bird

Island public school in 1890. Taught school in Palmyra in 1890 and 1891. Worked in the office of the Renville County Union from September, 1891, to May, 1892. Taught school in Melville in fall of 1892. Attended the Central High School of Minneapolis from December, 1892, to June, 1894, and the University of Minnesota from 1894 to 1896, when he was admitted to the bar. Practiced law at Bird Island from 1896 to 1904, when he moved to Minneapolis, where he has since practiced. He married Abbie G. Walker, of Minneapolis, in 1901. Mr. Bowler has not held or sought office, but since boyhood has been actively interested in public affairs. He is a Baptist, a Mason, an active member of the Saturday Lunch club of Minneapolis. He serves on the State Board of the Minnesota Anti-Saloon League and the Children's Home Society of Minnesota.

Harold Baker was born in Madison, Wis., 1879. He attended the public schools of Stillwater, Minn., and the Normal school at Winona, Minn. At eighteen years of age he entered the Northwestern University. He is a graduate of the St. Cloud State Normal School and the law department of the University of Minnesota. In 1913 he came to Renville and engaged in practice as a lawyer.

G. T. Christianson was born near Deerfield, Wis., Nov. 3, 1885, and died in Minnewaukan, N. D., Jan. 29, 1910. He came with his parents to western Minnesota in 1862; studied law at Iowa University, and was admitted to the bar in 1879; settled in Renville County, 1883-89 and 1891-93; removed to Minnewaukan in 1901, when he was president of the First National Bank.

J. M. Dorman was born in Rockbridge county, Va., 1814; was admitted to practice in 1846, came to Minnesota in 1865, living in St. Peter, New Ulm and Beaver Falls; was elected county attorney from Beaver Falls in 1870 and served several terms; removed to the village of Renville in 1881.

H. C. Giltner was born in Tompkins county, New York. From 1843 to 1860 he [1247] lived in Wisconsin and during a part of this time served as deputy United States marshal. Before the Civil war he came to McLeod

county, this state, was admitted to practice and was elected county attorney. In 1890 he settled on a farm in Martinsburg township this county.

A. U. Hamrum was born in Camp township, this county, February 29, 1884, and here grew to manhood. He attended the public schools of his native town and of Fairfax, and in 1904 graduated from the high school at Le Sueur, Minn. For a year he taught school in District 1, Renville county. In June, 1908, he graduated from the College of Law at the University of Minnesota, was admitted to the bar, and in September opened an office in Franklin. In 1909 he became associated with A. V. Rieke under the firm name Rieke & Hamrum, at Fairfax. In July, 1912, the office of the firm was moved to the Metropolitan Life building, Minneapolis.

Charles L. Kane was born in Green Isle, Minn., in 1869 and after finishing school went to Fairfax, October, 1889, and started the publication of the "Fairfax Crescent," the first newspaper published at that place. He removed from Fairfax in May, 1891, to undertake the practice of law and was admitted to the bar in 1896. He then returned to Fairfax to practice, remaining there until his removal to Benson in Swift county in 1899, which is his present location. He has been twice elected mayor of Benson and is enjoying a satisfactory and lucrative practice. He was married in 1911 and has two children.

William W. McGowan was born at New York City, March 12, 1840. His parents were James McGowan and Louis A. (Anderson) McGowan. He came to Minnesota September 20, 1861; served in Company I, First Minnesota Mounted Rangers and Company H, Second Minnesota cavalry; was clerk of the district court four terms, probate judge two terms and registrar of deeds one term and was admitted to the bar by examination November 22, 1911. He came to Beaver Falls September 20, 1870, and now resides at Morton.

Col. Samuel McPhail was born in Russellville, Ky., May 2, 1828, and died near Taunton, Minn., March 6, 1902. He served in the Mexican war, later coming to Minnesota, where he founded the town of Caledonia and with David Carrothers laid out the town of Beaver Falls in 1866, selling his

interest in 1867 to William C. Essler. He was admitted to the bar in 1867 and was one of the attorneys in the first case tried before the district court in the county. Some time after selling his interests in Beaver Falls he removed to Redwood Falls, a few miles across the river. He served in the early part of the Civil war as captain of scouts in Missouri and in the Sioux war of 1862-3 as colonel in the First Minnesota cavalry.

George H. Megquier was born September 20, 1844, in Maine, and when eight years old moved with his parents to Bangor. In 1855 they migrated to Eureka, Ill. After graduating in 1862 from the college of that place he enlisted in Company D, 108th Illinois infantry; he was promoted to lieutenant; afterwards served on the staff of Generals Baird and A. J. Smith, until the war closed. In the fall of 1865 he entered the Cleveland Law University, graduating in 1866 and the next year came to Minnesota. He married Laura Tillotson in 1869, and commenced the practice of law at Beaver Falls; was elected judge of probate in 1873 and the following year was chosen county attorney and superintendent of schools. In 1878 he removed to Bird Island.

August V. Rieke was born at Cairo, Minn., August 15, 1865, son of George and Sophia (Schweer) Rieke. He received his early education in the public schools of his locality and later attended the Curtiss Business College at Minneapolis. He lived on the home farm until twenty-two years of age and then went into the grain business and later followed the farm implement business at Fairfax, Minn. In 1893 he entered the law office of John A. Dalzell, of Fairfax, and was admitted to the bar February 14, 1898, and has since engaged in the practice of law. From 1899 to 1902 he was county attorney for Renville county and from 1903 to 1907 a member of the state senate. He is now practicing law at Minneapolis.

J. F. Russell was born in Belle Plaine, Minn., January 6, 1858. He was educated in the common schools; taught school in Scott Le Sueur and Sibley counties; read law in the office of O'Leary & Hagar at Henderson, Minn; admitted to the bar in 1881; practiced law at Belle Plaine, Minn., from March, 1883, until May, 1886, and was village attorney of Belle Plaine from April, 1884, to May, 1886, when he resigned. In May, 1886, he

removed to Henderson, Minn., where he formed a partnership with S. & O. Kipp, the firm being known as S. & O. Kipp & Russell. He was appointed village attorney of Henderson in 1886 and served until March, 1887, when he left Henderson and returned to Belle Plaine. He removed to Fairfax in 1890, where he has since been engaged in the practice of law. In 1898 he was elected village attorney, In 1884 he married Ellen Donovan, of Le Sueur county, and has two sons living.

William C. White was born in New York in 1846; came to Minnesota in 1872; engaged in teaching three years; was admitted to the bar in 1875; superintendent of schools, Sibley county, for two years; settled in Hector in 1879, where he practiced law until his death, August 11, 1888.

D. D. Williams was born in Kane county, Illinois, and was brought to Judson, Blue Earth county, this state, in 1855. After [1248] leaving school in 1877 he read law at Madelia, taught school a year, and then resumed the study of law until 1879, when he was admitted to the bar. He began practicing at Bird Island in the spring of 1880.

John J. and William F. Schoregge both practiced law in Renville county, the former at Olivia and the latter at Fairfax. They were the sons of Dr. Henry Schoregge, who was born in Beilifeldt, Province of Westphalia, Germany, during the time it was under the control and domination of Napoleon. Casper Schoregge was with Napoleon's army thirteen years, and was in command of a regiment until Napoleon's retreat from Moscow. After his return he became commander of the "Black Hussars." Later, as a result of many wounds, he was retired and given the Iron Cross. Dr. Henry Schrogge finished his education at Heidelberg. He was married at some point on the Rhine (probably Frankfurt or Bingen) about 1840 to a daughter of the Laydner family. In 1850 he came to Boston. His oldest son, John J., came to Minnesota for his health in 1867 and in 1870 the entire family, consisting of the parents and five children, John J., Charles, William F., Helen and Anna, settled in Beaver Falls, this county. John J. Schoregge married Mary Langes, and was admitted to the bar at Glencoe, settling in Olivia in 1890. He died November 17, 1812. Little is known of William F.

He came from Glencoe to Fairfax, was a most brilliant lawyer, but of unfortunate inclinations, and finally drifted west.

Morgan J. Flaherty was born at St. Cloud, Minn. Feb. 11, 1889; attended parochial and public schools at St. Cloud, graduating from high school at St. Cloud in 1907; graduated from St. Cloud Normal in 1908; taught school two years; graduated from St. Paul College of Law in June, 1913, and practiced law in Duluth one and a half years immediately before coming to Olivia in July, 1915.

Richard T. Daly, judge of the twelfth judicial district was born on a farm near Watertown, Jefferson county, Wisconsin, in 1863, one of the family of ten children, five boys and five girls, born to T. G. and Martha (Reynolds) Daly, who when he was ten years of age brought him to the township of Mapleton, Blue Earth county, this state. He attended district school and took two terms at the Mankato Normal school, then studied law with William Plymat at Mapleton, and afterward entered the office of Freeman & Pfau at Mankato, being admitted to the bar at Mankato on December 31, 1887. He taught school in Nebraska until the summer of 1890, and in September same year he located at Renville, Renville county, Minnesota, and commenced the practice of law. The same year he was elected county attorney county and served one term. In 1898 he was appointed county attorney to fill the place of Captain S. R. Miller, the incumbent, who was with his company in the Spanish-American war. He was appointed a member of the State Board of Equalization by Governor Johnson in 1905 and served until 1907, at which time he declined reappointment. He has held numerous village offices and was a member of the school board for ten years preceding his going on the bench. In the early part of February, 1915, Judge Gorham Powers, who had been ill for some time, resigned and on the twenty-fifth day of February, 1915, Governor W. S. Hammond appointed Mr. Daly to succeed Judge Powers. On March 15, 1915, he opened his first term of court in Willmar. Judge Daly was married to Lillie J. Johnson September 16, 1896, and has three children, two boys and one girl.

Lynas D. Barnard, county attorney of Renville county, was born in Kinnikinnic, near Rivers Falls, Wis., September 14, 1862, son of John and Frances (Vandercook) Barnard, and descended from early New England stock, the founders of the American branch having come from England to Vermont, where they participated in the stirring events of the Colonial war and had their part in the making of a great nation. Lynas Barnard received his early training in the common schools in Kinnikinnic and later attended the State [1249] Normal School at River Falls, Wis., to which he returned from Renville to complete his course. He subsequently taught school for two years in Renville county and after that spent one year in field work as a civil engineer. Then he studied law with James Schoonaker, of St. Paul, one year and with John W. White, of St. Paul, about one and a half years, after which he entered the law department of the University of Wisconsin, at Madison, graduating in 1889. As a partner of W. H. McDonald he practiced in St. Paul until 1897, when he entered into partnership with R. T. Daly, an attorney at Renville, under the firm name of Daly & Barnard, which continued until Mr. Daly went on the district bench in 1915. Mr. Barnard has taken an active interest in political affairs, and has served the Republican party in many ways as committeeman, delegate and the like. In 1911 he was elected county attorney of Renville county and re-elected in 1913 and 1915. He has done excellent service and has won wide approval. In addition to his law practice he devotes much of his time to his fine stock farm in partnership with his late law partner, Judge R. T. Daly, north of Renville, making a specialty of feeding stock for the market. Mr. Barnard is a stockholder in the Farmers' Elevator Company of Renville. He is a member of many fraternities, such as A. F. & A. M., the I. O. O. F., the B. P. O. E., of St. Paul, and the M. W. A. Mr. Barnard was united in marriage to Annie Turner, daughter of George W. Turner, who operated the first engine on a regular run of the Northern Railway to Willmar. He later became master mechanic of the Great Northern at St. Paul. Mr. and Mrs. Barnard have two children: George and Frank.

Charles Newel Matson, Olivia, attorney, and judge of probate of Renville county, was born in New York City January 2, 1856, the son of John L. Matson and Eliza (Jackson) Matson. The grandfather of John L. Matson, Nels Matson, came from Norway to the United States and for many years

lived in Boston, Mass. John L. Matson and Liza Jackson Matson died some years ago, and of their children only Mrs. Peter Haan, of Renville, and Charles N. Matson survive them. Judge Matson was educated at Union University and Columbia Law School and was admitted in New York in 1878 to practice as an attorney and counselor at law and for many years practiced law at Owego, N. Y. In 1888 he was appointed a liquidator in the New York Custom House and in 1894 removed to Chicago, where he became associated with the firm of N. Matson. After the death of N. Matson the business was sold and in 1897 he came to Renville, Minn., and was admitted to practice in this state and became associated with the late G. T. Christianson. This firm was dissolved when Mr. Christianson removed to North Dakota in 1902, and since that time Mr. Matson practiced law in Renville until elected to the office of Judge of Probate of this county. Mr. Matson was elected judge of the Municipal Court of the city of Renville and held that office until 1910, when he was elected judge of the probate court of this county, which office he now holds.

He belongs to all the Masonic bodies, is an Odd Fellow, an Elk, a member of Phi Beta Kappa, honorary Scholastic Fraternity, and of Alpha Delta Phi. He is a communicant of St. John's Episcopal Church at Olivia. [1250]

Samuel R. Miller, attorney, Olivia, was born in Mansfield, Ohio, January 17, 1841. He is of Scotch ancestry, his father, Dr. S. G. Miller, and his mother, Nancy J. (McEwen) Miller, being children of Scotch parents who emigrated to this country previous to the Revolutionary war, the father's people settling in Washington county, Pennsylvania, and the mother's in Center county of same state. Mr. Miller's maternal grandfather, Capt. Francis McEwen, served during the Revolutionary war and after its close was in command of a company acting as a guard to the government engineers who laid out the National Pike from Washington through the Virginias. He lacked but eight days of rounding out a century at the time of his death. Mr. Miller had four sisters and four brothers, making a family of nine in all: one brother, Geo. F. Miller, of Minneapolis, and three sisters survive at this date.

Samuel R. Miller received his early education in the district schools, one year at Porters Academy, and two years at Vermilion College, afterwards Wooster University, Wooster, Ohio. In April, 1861, he enlisted in Company H Fifteenth Ohio Volunteer Infantry for three months. After his discharge he went to La Grange, Indiana, and accepted the position of superintendent of the city school, but in July, 1862, resigned his position and re-enlisted in Company C, 100th Indiana Volunteer Infantry for three years or during the war, and thereunder served until the close of the war. He participated in over forty general engagements, including the battle of Bentonville, where Gen. Joseph E. Johnson surrendered to General Sherman. For one year and eleven months he was in command of the "Scouts" doing secret service with the army of the Mississippi, reporting and attached to General W. T. Sherman's headquarters. He was captured twice and both times managed to escape. He held the position of First Sergeant until the close of the Vicksburg campaign, when he was commissioned a lieutenant. He taught school in 1865-6 and then began the study of law in the offices of "Col. Billy Willson" of Lafayette, Indiana, where he remained until fall of 1868, when he entered the University of Michigan and graduated in the law department in the spring of 1871. He began practice of law at Lake City, Minn., with Col. C. A. Wood, and was later appointed assistant postmaster at Lake City under General Francis Seeley. He held this position until spring of 1874, when he resigned to take up practice of law in Renville county. He located at Beaver Falls, then the county seat of Renville county, in the summer 1874, where he remained until the county seat was removed to Olivia, when he removed to the latter place and has ever since resided there. He retired from practice about 1907 on account of failure of hearing. Mr. Miller was elected and served seven or eight terms as county attorney in this county and has successfully prosecuted or defended in five of the six homicide cases tried in this county since its organization. After his retirement from active practice Mr. Miller was appointed as examiner of titles for Renville county and still holds that position, also that of court commissioner for Renville county. He was also city attorney for Olivia for some five years and president of the board of education for over twelve years. In 1897, at the request of the citizens, he organized Company II, Third Regiment Minnesota National Guard and was commissioned its captain. Thereafter [1251] he worked for and secured the

construction of the old Armory. In 1898 he organized Company H of the Fourteenth Minnesota Volunteer Infantry for service in the Spanish-American war, and was commissioned its captain and again entered U. S. service as such. He remained with the company until the latter part of July, 1898, when growing defective in hearing he was compelled to resign. He was a charter member of the G. A. R. Post at Delphi, Indiana, which claimed to be the second post organized. He is also a member of the Loyal Legion of this state, an organization made up exclusively of commissioned officers of the civil war. He was a member of the old Beaver Falls lodge (now not existing) I. O. O. F. and was through all its chairs. He is now associated with Olivia lodge No. 220, A. F. & A. M. Mr. Miller has been twice married: in 1892 to Jennie M. Frazer and in 1912 to Mary C. Peterson, his present wife. One son, Rockwood P. Miller and one grandson, Howard W. Miller, survive.

John McDonough Freeman, attorney, Olivia, was born in Ticonderoga, Essex county, New York, December 5, 1870, youngest of the four children of George and Mary (McDonough) Freeman. The family moved from New York to Langdon, Washington county, Minnesota, in 1883, coming two years later to Renville county where they purchased 300 acres of state land in section 14, Hector township. While this land was being broken and buildings erected thereon they rented and occupied an adjoining farm. In June, 1897, George Freeman, was injured while riding on a road grader in the performance of his duties as road overseer, which injury resulted in his death about two weeks later, June 24, 1897. John McDonough Freeman received his early education at Hector public schools. While still little more than a youth he taught winter school for three years still continuing, however, to work on his parent's farm during the agricultural season. Then he read law for two years in the office of R. T. Daly, of Renville, and in February, 1896, became connected with the office of the United States Solicitor General at St Paul, resigning August, 1898, having in the mean time taken a night law course at the University of Minnesota, from which he graduated June, 1898. In the fall of the same year he opened a law office at Olivia where he has since practiced. Mr. Freeman owns several farms near Olivia. He is vice-president and director of Olivia State Bank and a stockholder of the Mercantile State Bank at Minneapolis. He has always

enjoyed a large law practice, and is one of the busy men of the county. He is affiliated with the Democratic party and has for many years been active in state and county politics. In the state election of 1910 he was the candidate of his party for the office of Attorney General of the State. In 1899 Mr. Freeman married Cora M Gould of Stillwater, Minnesota. They have four children: John G., Richard S., Alice M., and Evelyn M.

George F. Gage, attorney, Olivia, was born in Waterloo, Iowa, in 1871, son of Weston S. and Mary (Kirchner) Gage. Weston S. Gage devoted his active years to farming, took particular pride in his fine stock, made a specialty of breeding a good grade of cattle, swine and horses, attained a considerable degree of success, and now lives in retirement at Fulda, Minn. [1252]

In the family, aside from George F., there were two children, Arthur J., a banker, hotelkeeper and liveryman, at Fulda, and Lillian, a music teacher in that place. George F. Gage passed through the public schools, and then entered the College of Law, University of Minnesota from which he graduated with the class of 1894. In July of that year he opened an office at Olivia, where he has since remained. He is a Republican in politics and from January, 1903, to January, 1911, was judge of probate of Renville county. Fraternally he is a member of the Odd Fellow and Masonic orders. Mr. Gage is an influential citizen of the village and county. He has made a success of his chosen profession, has taken an interest in many public movements and is regarded as one of the useful men of the community. He was married at Granite Falls, Minnesota, on June 24, 1896, to Lillian E. Knox, born in Cannon Falls, Minnesota, in December, 1876, daughter of A. M. and Rebecca (Hutchinson) Knox. Mr. and Mrs. Gage have two children Ruth M. and Lucille M. Ruth M., a graduate of the Olivia high school, is attending Stanley Hall at Minneapolis. Lucille M. is a student in the Olivia high school.

Frank H. Hopkins, attorney, Fairfax, was born in Cairo township, November 7, 1877, son of Col. Charles H. Hopkins. He attended the country schools and later graduated from the Minnesota Normal and Business College at Minneapolis in 1899. Then he became a student at the

College of Law, University of Minnesota from which he graduated in 1903. He opened an office in Fairfax in November, 1903, and has practiced law there ever since. Mr. Hopkins is a popular and influential man and has always been greatly interested in public affairs. In 1906 he was nominated for the office of county attorney. In 1908 he was elected as representative to the State Legislature, being reelected in 1910. While in the House of Representatives he was active in promoting various bills. He was chairman of the Municipal Corporation Committee and nominated Henry Rines for speaker during the session of 1911. He was also chairman of the Corporation Committee during the second session. He introduced the bill to limit to a minimum sum the license fee to sell liquor, was a great leader and expert on the Drainage Laws, and active in the work of the Public Domain bill and Blue Sky laws. He very ably assisted in getting Renville selected by the Federal Government as the hog Cholera Experimental county. Mr. Hopkins has also been active in the public affairs of Fairfax, and has been the village attorney for two years, president of the Commercial Club for four years, and is a stockholder in the Citizens State Bank and in the State Bank. He is a member of the Modern Brotherhood of America and the senior steward in the A. F. & A. M. Mr. Hopkins is a faithful member of the Methodist Episcopal church and is a member of the board of trustees of that church. It is said of him, "He is an active leader in presenting education, regulation and law enforcement as a solution for the liquor question as contrasted with the prohibitory idea." As a lawyer his standing is high, but among the important cases in which he has been engaged the one of which he is proudest is the time he defended his father Col. Charles H. Hopkins against a charge of having destroyed the telephone [1253] wires which he had cut in order that Old Glory might wave on the streets of Fairfax on Lincoln's and Washington's birthdays.

October 19, 1905, Frank H. Hopkins was united in marriage to Estella J. Schramm, born March 7, 1882, daughter of Julius Schramm. Three children have been born to this union: Ora Beryl, born October 30, 1907; Lois Meryl, April 4, 1910; Wayne, born February 16, 1913.

Frank Murray, attorney, Bird Island, man of affairs, is widely known throughout the state of Minnesota. He was born in Medo township, Blue

Earth county, this state, July 7, 1870, son of John and Honora (Viriden) Murray, was reared on the home farm, passed through the schools of his neighborhood, taught school five winters, and attended the Mankato State Normal school. He read law during his spare time for several years and received a splendid training in the office of W. R. Geddes, of Mankato. Thus prepared he was admitted to the bar January 31, 1896, and opened an office at Janesville, this state. His work and personality at once attracted attention, and he was elected to such offices as township clerk, village recorder, and village attorney. He lacked but one vote of being elected county attorney of Waseca county. It was on March 15, 1900, that he came to Renville county and opened offices at Bird Island. In 1910 he formed a partnership with James B. Baker under the firm name of Murray & Baker. In Renville county, Mr. Murray continued his successful career. In the fall of 1902 he was elected county attorney and served until January 1, 1911. In the fall of 1910 he was elected to the upper house of the Minnesota state legislature, and served with credit in the senate sessions of 1911, 1912 (special) and 1913. Locally he also held a number of offices, being village recorder two years and village attorney six years. Fraternally he is a prominent member of the Knights of Columbus and the Independent Order of Odd Fellows. He is a director in the State Bank of Bird Island, the Citizens State Bank of Mahnomen, and the Mahnomen Land Co. The Frank Murray Land Co. organized in 1910, deals extensively in Minnesota, Montana and North Dakota land. Mr. Murray was married October 2, 1907, to Madeline Pratschner, born February 13, 1886, daughter of Louis and Madeline (Hausladen) Pratschner, and they have two children: Eileen, born September 2, 1908; Francis, born September 18, 1914.

John Murray, born in county Mayo, Ireland, came to America in 1850, and found employment on the Erie canal, leaving that work to take up farming, which he pursued two years in Ohio, moving from that state to Iowa, where he devoted two years to the same line of work. He then removed to Houston county, Minnesota where he spent one year in farming, removing to Blue Earth county. December 3, 1864, he enlisted in Company F, 57th Ill. Vol. Inf., and was discharged at Louisville, Ky., July 7, 1865. He was with Sherman at Atlanta and was wounded in the hand at Nashville. He died in 1895, at the age of 73 years. His good wife Honora (Verden)

Murray died at Bird Island, February 26, 1913, at the ripe old age of 83 years. Louis Pratschner now lives at Winsted where he has been engaged in the blacksmith business for thirty years. Mrs. Pratschner died September 10, 1888, at the age of twenty years. [1254]

James B. Baker, attorney, Bird Island, born in Brownton, McLeod County, Minnesota, September 15, 1882, the son of Augustus C. and Mary J. (Todd) Baker, graduated from the Brownton school in 1902, from the Montevideo (Minn.) high school in 1905, and from the College of Law, University of Minnesota, June 11, 1908. He was admitted to the bar June 15, of the same year and formed a partnership with Frank Murray of Bird Island under the firm name of Murray & Baker. For four years he was village attorney. In 1910 he came before the primaries as an aspirant to the office of judge of probate, and in 1914 he was before the primaries as a candidate for the office of county attorney. He is a stockholder in the Citizens State Bank of Mahanomen and in the Mahanomen Land Co. Mr. Baker was married March 16, 1910, to Mathilda B. Putzier, born September 2, 1888, the daughter of Fred and Mathilda Putzier. They have two children: Dorothy L. born October 29, 1911; Bradford J., born March 27, 1913. Augustus C. Baker, born December 20, 1837, in Ravenna, Ohio, married Mary J. Todd, born July 29, 1842. Mr. Baker located in Sibley county, in 1855, operated a general store at New Auburn until 1878 when he removed to Brownton, McLeod county where he pursued a business in grain and general merchandise until 1890 when he retired. He now lives in Brownton. Fred Putzier married Mathilda Martin. Both are now 50 years of age. Mr. Putzier has been with the C. M. & St. P. R. R. in Bird Island for twenty years. He has served on the village council.

Oscar A. Allen, attorney, Hector was born in Red Wing, Minnesota, June 20, 1863. Son of C. J. Anderson and Christine (Peterson) Anderson, natives of Sweden, who came to America as young people and after living in Indiana for a while, located at Red Wing, this state, in 1850. The father was a stone mason by trade and while in Red Wing engaged in draying. Later he moved on to a farm near Cannon Falls and became a successful and influential farmer. In 1887 he retired from farming and moved to Maple Plain in Hennepin county where he is still living. The mother died in

1908. Oscar A. Allen attended the public schools of Cannon Falls and the Hauge Seminary at Red Wing one term, then entering the Gustavus Adolphus College at St. Peter and graduating in 1885. During the summers of 1887-88 he took a commercial course at the Curtiss Business College in Minneapolis. In 1855 he taught district school in Nicollet county and was principal in Grove City schools in Meeker county in 1886-87. In the fall of 1887 he was elected principal of the commercial department of Gustavus Adolphus College, at St. Peter, and was head of that department until 1899. During that time he studied law under Ex-Lieutenant Governor G. S. Ives and also took up the Sprague Correspondence Law Course of Detroit, Michigan. He passed his examinations and was admitted to the bar in 1898. The same year he opened a law office at St. Peter, Minnesota. In the spring of 1899 came to Hector where he has successfully continued his practice. Since 1900 he has been largely engaged in real estate business, being a leading figure in the Hector Land Company. Mr. Allen has held many local offices. He was president of the village council in 1906, when the village hall was built, and is now president of the board of education of which he has been a member [1255] since 1901. He is a stockholder in the Hector Telephone Exchange. Fraternally he is secretary of Hector Lodge No. 158, A. F. & A. M., of which he served two years as Master. He is also a member of the State Bar Association. The family faith is that of the English Lutheran church at St. Peter. Mr. Allen was married June 18, 1890, to Anna C. Johnson, of Stockholm, Wis. They have one child Florence C., who was born June 21, 1894, graduated from the Hector high school, took the academic course at the University of Minnesota and the home-makers course at the Stout Institute at Menomonie, Wisconsin, and is now a junior in the Domestic Science and Agricultural Departments of the University of Minnesota.

John. A. Dalzell, attorney, Morton, was born in Waddington, New York, October 14, 1861. His father, Andrew Dalzell a native of Ireland was a produce dealer and farmer in New York and died in 1896, at the age of seventy-four His mother, Isabel (Ricalton) Dalzell, is still living in Waddington at the age of eighty-two. John A Dalzell was graduated from the State Normal Training school, Potsdam, New York, in June 29, 1880. June 16 1884 he was graduated from Hamilton College at Clinton, New

York. He was third man in his class, stood first in mathematics, took first prize in physics, held the scholarship medal in languages, was prize speaker of his class, a leader on the baseball field and the football gridiron, and attained membership in the D. K. E. Another member of his class was George W. Hinman, formerly owner and editor of the Chicago Inter-Ocean, and now president of Marietta College, Marietta, Ohio. Among the distinguished alumni of Hamilton college may be mentioned James Schoolcraft Sherman and Elihu Root. On November 19, 1886, Mr. Dalzell was admitted to the bar at Albany, New York, and practiced for three years at Waddington, New York. He came to Fairfax, Minnesota, in 1890, and remained for about one year, after which he moved to Gibbon where he stayed about five years. He spent eight months at Minneapolis and in March, 1898, located at Morton where he still resides.

Mr. Dalzell was elected to the state legislature in 1907 and has served two terms in that capacity. He is a member of the A. F. & A. M. at Morton, belongs to the Episcopal church. June 1, 1893, Mr. Dalzell was married to Frances Marie Phelps of Fulton, Illinois, who died April 4, 1897, leaving one child, Madge Isabel, who died November 17, 1901, aged six years. April 24, 1901, Mr. Dalzell was married to Evelyn McConnell, daughter of Alexander and Mary (Archer) McConnell. The father was born August 4, 1831 and died February 19, 1903. He was one of the pioneer farmers of Renville county taking up a homestead on section 33, Birch Cooley township, in 1864. The mother, Mary (Archer) McConnell, was born February 18, 1834, and is living in Morton with her daughter Laura.

Lawrence M. Carlson, attorney, Renville, was born in Renville, Minnesota, November 2, 1891, the third child in a family of six children, three boys and three girls. His father, Charles F. Carlson, was born in Bergen, Norway, in 1848, came to this country in 1887, settled in Renville, was married on May 22, 1887, at Montevideo, Minnesota, to Olea Holman, who was born in Konigsvingar. Norway, in 1855, and came to this country in 1881. Lawrence M. attended the public schools of Renville, was graduated therefrom June 4, 1909, attended the Academic College of the University of Minnesota; entered the St. Paul College of Law in September, 1912, was graduated therefrom and admitted to the bar in June,

1915, and is now engaged in the practice of law in the office of L. D. Barnard, county attorney, at Renville. He is a member of the Delta Theta Phi law fraternity and the Phi Kappa Sigma.

Robert K. Stuart, attorney, Renville, was born in Ontario, Canada, in 1877, of Scotch-Irish ancestry. His preliminary education was received in the public schools of Owen Sound, Ontario, and at the Central University of Iowa, Pella, Iowa, of which latter institution his father was for a number of years the president. He graduated from the law school of the University of Minnesota in 1905 and was awarded a post-graduate degree in 1906 by the University. He was admitted to the bar of Minnesota in 1903. He located at Sacred Heart, in Renville county, Minnesota, in the fall of 1906, where he practiced law for about four years. In 1910 he was chosen secretary, with office at Belfield, North Dakota, of the Holland-Dakota Landbouw Compagnie, a Dutch corporation doing an extensive immigration and colonization business in western North Dakota. He was at the same time elected president of the First National Bank of Belfield which position he held during his residence in Dakota. In September, 1912, he returned to Renville county to accept a position with the O'Connor Land Company and O'Connor Bros. State Bank of Renville, and has ever since been identified with those institutions. He was elected judge of the Renville Municipal Court in 1913.

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