

THE BENCH AND BAR OF SAINT PAUL

(1897)



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Introduction

By

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Editor, MLHP

Ramsey County lawyers and judges were the subjects of four chapters in books or special editions of newspapers in the 1890s. The first was also the longest: Hiram F. Stevens's "The Bench and Bar of St. Paul," a chapter in *The History of St. Paul, Minn.*, edited by General Christopher C. Andrews, and published in 1890. It was followed by "The Bar and Bench of Ramsey County," a chapter in a souvenir edition of the *St. Paul Dispatch* newspaper published in 1892. In 1897, a chapter on "The Bench and Bar" was included in *Saint Paul: History and Progress*, published by the Pioneer Press Company. Finally "Bench and Bar of St. Paul" appeared in the 50th anniversary edition of the *St. Paul Pioneer Press* on November 9, 1899.

Each publication includes short biographical sketches of its subscribers who financed the endeavor. Several lawyers placed their profiles in all four publications. It is a mistake, however, to dismiss these chapters as just collections of flattering self-portraits of vain, elderly men; to future legal historians they will provide information about individual lawyers and judges, changes in the profession, elections, court cases and other topics we cannot foresee today.

The chapter on courts and lawyers from the late 1840s to the late 1890s in the Pioneer Press Company's *Saint Paul: History and Progress*, published in 1897, follows. The profiles in it seem to have been written by a newspaper reporter (and probably later approved by the subject). Titles of cases and newspapers have been italicized. Photographs of several subscribers have been omitted. Page breaks have been added. The footnote on page 18 is in the original. The chapter has been reformatted. Otherwise it is complete.

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SAINT PAUL

HISTORY AND PROGRESS

PRINCIPAL MEN AND INSTITUTIONS

BIOGRAPHICAL SKETCHES AND PORTRAITS OF LEADING CITIZENS

DESCRIPTIVE ACCOUNTS OF HER ENTERPRISES

HALF-TONE ENGRAVINGS OF PRIVATE AND PUBLIC EDIFICES



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THE BENCH AND BAR

For several reasons, among which is the fact that St. Paul has always been the capital of Minnesota, and that the sessions of the supreme and federal courts and of the legislature always been regularly held here, the city has had, from the first, the reputation of possessing the ablest members of the bar in the territory and state.

The superior advantages afforded by these circumstances for the development of the legal practitioner and the instruction of the ablest student have alone attracted hither a large number of accomplished and ambitious attorneys. With the growth of the city to metropolitan proportions have come lawyers from various sections of the state and all parts of the country, seeking a field for the ampler and better exercise of their talents and abilities, until St. Paul has an array of legal talent that for general strength and excellence is unsurpassed in any other city of the republic.

Representatives of the St. Paul bar have repeatedly been elevated to public office and given other distinctions. They have been made state officials, members of congress, United States senators, etc., and they have sat on the supreme bench of the state and been made judges of the federal courts, while a considerable number of them have been judges of the inferior courts, district attorneys, etc.

The first United States judge in Minnesota, Hon. R. R. Nelson, was taken from the then small but select company of St. Paul lawyers. When the selection was to be made of a representative of the Northwest on the United States court of appeals of the Eighth Circuit, a young but gifted and able St. Paul lawyer, Hon. Walter H. Sanborn, was chosen.

The first resident practicing lawyer in Minnesota was the late Hon. H. H. Sibley, who, while representing the American Fur Company as its chief factor in this quarter, hung out his professional sign on the fur company's store at Mendota, in 1835. It is not certain, however, that

he ever appeared in more than one case. General Sibley was also the first judicial officer that ever executed the functions of a law court within the area of Minnesota. In 1836, when all of Minnesota west of the Mississippi was a part of Iowa Territory, Gov. John Chambers of that territory commissioned him a justice of the peace of the county of Clayton. His jurisdiction extended from below Prairie du Chien to the British boundary, and from the Mississippi to the White river, far out into Dakota. 'Squire Sibley did a considerable business from first to last. He disposed of quite a number of civil cases, uniformly without trial. There were no other lawyers in the country, not even a pettifogger; and justice, untrammelled by technicalities, and generally not bothered by law, had full scope and sway. He conducted before himself the preliminary examination of two men charged with the highest crimes known to the law; one was accused of rape and the other of murder. He acted as magistrate, prosecuting attorney, and counsel for the defense, bound over each of them and sent them to Prairie du Chien for safe-keeping, but both were discharged for want of jurisdiction.

The first judicial officer in St. Paul was Henry Jackson, the pioneer merchant, who was appointed a justice of the peace of Crawford county, Wisconsin Territory, — to which county St. Paul then belonged, — by Gov. Henry Dodge, in 1843. Mr. Jackson was a Pooh Bah for titles. He was justice of the peace, postmaster, legislator, clerk of the court, and hotelkeeper and merchant at one and the same time. As justice of the peace his official duties [159] were limited to the trial of a few civil cases, the performing of a few marriage services, and — the story is told — the naturalization of some foreigners. Aaron Foster was the second justice of the peace. He was commissioned in 1846, and did a considerable business in the acknowledgment of deeds.

Simeon P. Folsom, who came in July, 1847, was the first citizen of St. Paul who had been a regular student of the law and possessed a knowledge of its principles, but he was not a practitioner for some

years. The first lawyer who came to St. Paul to engage in the practice of his profession was William D. Phillips, a Marylander, who located here in 1818. His legal attainments lacked profundity, however, and he never attained to any considerable distinction, although in 1849 he was elected the first district attorney of Ramsey county. His tastes were bibulous and convivial, his conduct not above reproach, so that he did not acquire either reputation or business, and in 1856, he was glad to secure a clerkship in the general land office at Washington, and never thereafter returned to Minnesota.

A few months after Phillips came the second lawyer, David Lambert, a native of New York, but direct from Wisconsin, and previously from Arkansas. In Wisconsin he had been a journalist by reputation. He was a young gentleman of fine talents and accomplishments, but was afflicted with unfortunate habits and preyed upon by inward griefs. He stepped from a steamboat into the Mississippi, en route to St. Paul in November, 1849, and was drowned at the age of thirty.

Bushrod W. Lott, born in New Jersey, was admitted to the bar in Illinois, settled in St. Paul in the fall of 1848. Subsequently he was chief clerk of the house of representatives, a member of that body, president of the town council, city clerk, and from 1862 to 1865 was United States consul at Tehuantepec, Mexico. He died at St. Paul in 1886.

In 1849, after the organization on Minnesota Territory a number of lawyers located in St. Paul. At the first term of the first district court for what was designated as the "First District, " and which embraced St. Croix county and all of St. Paul east of the Mississippi, there were admitted to practice David Lambert, Henry A. Lambert, John A. Wakefield, Chas. K. Smith, Alex. M. Mitchell, Wm. D. Phillips, Edmund Rice, Ellis G. Whittall, Samuel H. Dent, Putnam P. Bishop, Alex. Wilkin, and R. W. Lott, all of St. Paul. The same year came also to Geo. L. Becker and W. P. Murray, both of whom are yet living in the city. William Porter Murray is a native of Ohio, but was reared in Indiana. He reached St. Paul the day before Christmas, 1849, and has been

an active lawyer ever since. He has repeatedly been a member of both branches of the legislature; was for thirteen years, from 1876 to 1889, corporation attorney, and is regarded as an animated cyclopedia of information in regard to any of the interests of the city, in whose affairs he has always taken a prominent and influential part. A sketch of Geo. L. Becker appears elsewhere.

Henry A. Lambert, a brother of the gifted but unfortunate David Lambert, was the first judge of probate, and held that office for several years. He died in 1863.

Charles Kilgore Smith of Ohio was secretary of the territory, and Col. Alex. M. Mitchell, who had been a distinguished army officer, was United States marshal.

Henry L. Moss, the first United States district attorney, is sketched elsewhere.

Edmund Rice, a native of Vermont, came to Minnesota from Michigan. He was engaged in law practice until 1856, when he became connected with railroad interests. Later in life he filled certain public positions, was mayor of the city, member of congress from 1887 to 1889, and died at White Bear Lake in July of the latter year.

Alexander Wilkin, born in New York, had been a captain in the regular army during the Mexican War. In an affair of honor he had killed a fellow officer, but was never called to account for the act. He was appointed secretary of the territory in 1851, and at the close of his term, in 1853, reëngaged in law practice at St. Paul. He was a spectator of the Crimean War, and at the outbreak of the War of the Rebellion entered the Union army as a captain in the First Minnesota. He served in three different regiments, and as colonel of the Ninth Minnesota was killed in the battle of Tupelo, Miss., in July, 1864.

The first law firm in St. Paul and Minnesota was formed by Henry F Masterson and Orlando Simons, both New Yorkers, who arrived here

July 20, 1849. The firm existed until 1875, when Simons was appointed a judge of the court of common pleas. Subsequently he was transferred to the district bench and by reëlection served until [160]-til his death, a few years since. Mr. Masterson died in March, 1882.

The second law firm was formed by Edmund Rice and Ellis G. Whitall, also in 1819. Later in the year Geo. L Becker entered the firm. Soon after Mr. Whitall removed to St. Anthony, and in 1859 left the state. William Hollinshead of Philadelphia, who came to St. Paul in 1850, entered the firm in 1851. For many years he was regarded as at the head of the bar. He died in 1860.

Hon. R. R. Nelson came in 1850 and formed a partnership with Captain Wilkin.

Dewitt, C. Cooley and Isaac Van Etten of New York and Lafayette Emmett of Ohio came in 1851. Cooley was in the practice here for seven years, then went to Pennsylvania for a considerable period, finally returning to St. Paul. Van Etten was adjutant general of the territory from 1853 to 1858, and in 1863 received a consular appointment. He died in December, 1873. Emmett was attorney general of the territory from 1853 to 1857, was the first chief justice of the state, and served seven years on the supreme bench. He removed to Faribault in 1872.

Isaac V. D. Heard of New York came in 1852. He was elected county attorney in 1855 and served eight years. Subsequently he was city attorney for several years. In the Indian War of 1862 he was on General Sibley's staff.

Among the lawyers who came to St. Paul in 1853 and became renowned in their profession and prominent in public affairs were Horace B. Bigelow, Chas. E. Flandrau, John B. Brisbin, Willis A. Gorman, David Sanford, and Chas. D. Gilfillan. Gorman came as governor of the territory, but at the close of his term, in 1857, resumed the practice. After the War of the Rebellion, in which he

rose to the rank of brigadier general and to other military distinction, he returned to St. Paul and again opened an office. He was city attorney at his death, in 1876. Brisbin, a New Yorker, was a member and president of the territorial council in 1856-57, and afterwards a member of the legislature for two terms. In 1857 he was elected mayor of St. Paul without opposition. He is still living in the city.

In 1854 came Henry L. Carver, William Sprigg Hall, Edward C. Palmer, and John B. Sanborn. Of these Carver was a major in the War of the Rebellion and subsequently a prominent citizen. The accomplished and genial Judge Hall was a Marylander. In 1856 he was appointed superintendent of schools for the territory; in 1857 he served in the state senate; and in 1867 was made the first judge of the Ramsey county court of common pleas and was in office at the time of his death, in 1875. Palmer was the first judge of the district court of Ramsey county, in 1857. Subsequently he was chief reviser of the Statutes of 1866, and counsel for the St. Paul & Sioux City Railroad for several years. He died in Georgia in 1866. General Sanborn's distinguished career is narrated on other pages.

Two very able and noted lawyers who located in St. Paul in 1855 were Geo. L. Otis and Henry J. Horn. Otis was a native of New York, but came from Michigan to Minnesota. He became a member of the legislature, mayor of the city, etc., and it is said of him that he was one of the ablest members of the profession in the country and enjoyed the confidence and esteem of the entire community to a most eminent degree. He died in 1883. Horn came from Philadelphia. For several years he was city attorney, and later county attorney and corporation attorney. He is still in service and has a large and successful practice.

Besides those who are sketched elsewhere, other distinguished lawyers of St. Paul are, or have been, James Smith, Jr., John M. Gilman, Wm. P. Warner, S. R. J. McMillan, Homer C. Eller, W. W. Erwin, C. D. O'Brien, W. H. Lightner, Cyrus Wellington, and others.

Judge McMillan was born in Pennsylvania in 1826. He came to Stillwater in 1852 and was elected district judge in 1858. In 1864 he was appointed an associate justice of the supreme court and held that position until 1874, when he was elected chief justice. In 1875 he was elected to the United States senate, and in 1881 reelected, serving until 1887, and has since been engaged in the practice in St. Paul.

The Courts.— Upon the territorial organization of Minnesota, in 1849, the territory, by proclamation of the governor, June 11th of that year, was divided into three judicial districts, and the three territorial judges assigned to duty therein respectively. Ramsey county was in the First district, and Chief Justice Aaron Goodrich was assigned to that district. In November, 1851, Judge Goodrich was succeeded by Hon. Jerome Fuller, who presided until 1853, when he was succeeded by Hon. Wm. H. Welch, who served until the admission of the state, in 1858, when Ramsey county became the Second judicial district.

At the first state election E. C. Palmer was elected Judge of the Second district, and served from May, 1858, to Dec. 31, 1864. He was succeeded by Hon. Wescott Wilkin, who held the position for twenty-six years, or until 1890, when he declined further service, and was succeeded by Hon. James J. Egan. Judge Wilkin was an eminent jurist. To a thorough knowledge of law and equity he added clear perception and an admirable personal deportment. His decisions were seldom appealed from and very rarely reversed. His knowledge of the general practice was unsurpassed, and a former writer says: "He was the Gamaliel at whose feet the bar have delighted to sit in admiration and respect. He discharged the duties of his position with such remarkable ability that this was the sole obstacle to his promotion to higher official position. Greater honor he could not have received than the estimate in which he was universally held." Judge Wilkin died in 1893.

In 1867 the court of common pleas of Ramsey county was created, and W. S. Hall was appointed its first judge. He died in 1875, and was succeeded by Hon. Hascal R. Brill. In the latter year an additional judge of this court was provided, and Orlando Simons was appointed to the position. In 1876 the court of common pleas was merged into the district court, and Judges [161] Brill and Simons transferred to that court. Judge Simons died in 1890 and was succeeded by W. D. Cornish, and in 1892 by John W. Willis. In 1887 an additional judge was provided for, and Hon. William Louis Kelly was appointed, and in November, 1888, elected to the position. In 1889 two more judges were added, and Hons. Charles D. Kerr and Levi M. Vilas were appointed. Judge Vilas died in August, 1889, and was succeeded by Hon. Chas. E. Otis, who is still in service. Judge Kerr died in December, 1896, and was succeeded by Geo. L. Bunn. The following is a list of the judges of the district court of this, the Second, district from the time of its organization to the present:

E. C. Palmer, from May 21, 1858, to Dec. 21, 1864.
Westcott Wilkin, Jan. 1, 1865, to Jan. 5, 1891.
Hascal R. Brill, Jan. 1, 1876, to January, 1901.
Orlando Simons, Jan. 1, 1876, to November, 1890.*
Wm. L. Kelly, March 17, 1887, to January, 1901.
Chas. D. Kerr, Feb. 14, 1889, to December, 1890.*
Levi M. Vilas, Feb. 15, 1889, to August, 1889.
Chas. B. Otis, Aug. 28, 1889, to January, 1903.
W. D. Cornish, Dec. 5, 1890, to January, 1893.
James J. Egan, January, 1891, to January, 1897.
John W. Willis, January, 1893, to January, 1899.
O. B. Lewis, January, 1897, to January, 1903.
Geo. L. Bunn, January, 1897, to next election.

* Those marked with a star died in office.

The clerks of the Ramsey county district court in their order of service have been J. K. Humphrey, A. J. Whitney, Geo. W. Prescott, R. F. Howlesworth, Albert Armstrong, A. R. Kiefer, R. W. Bell, R. T. O'Connor, and E. G. Rogers.

Hon. Rensselaer R. Nelson, for forty years and until recently the well-known and distinguished United States district judge for the District of Minnesota, was born at Cooperstown, N. Y., May 12, 1826. He comes of an old, honorable, and historic American ancestry. His father, Samuel Nelson, was long one of the judges of the New York supreme court and afterward an eminent and distinguished associate justice of the supreme court of the United States. His remote ancestors were Irish, Scotch, English, and Dutch, and in part his genealogy is as follows: On the paternal side he is a son of Samuel Nelson and Catherine Russell; grandson of John Rogers Nelson and Jean McArthur, great-grandson of John Nelson, who was born in Ballybay, Ireland, emigrated to America in 1764, settled on the headwaters of the Hudson river in 1765, and served as a sergeant of Captain Young's company, in the Dorset regiment, of Charlotte county, New York, in the War of the Revolution. On the maternal side he is a grandson of John Russell and Elizabeth W Williams; great-grandson of Ebenezer Russell, who was a Revolutionary soldier in the same regiment with John Nelson. On the same side he is descended from John Russell, who was born in England in 1595, settled at Cambridge, Mass, in 1635, and was an intimate friend of Governor Bellingham and executor of his will. On the same side he is a great-grandson of Rensselaer Williams and Katharine Van Langvelt (Anglice, Longfield), and in the sixth generation descended from Edmund Blood, a member of the Irish parliament from Ennisborough in 1613, and whose son, Thomas Blood, was an intimate friend and associate of Charles II. His remote Dutch ancestors, Cornelius Van Langvelt and Martha Jans, came from Holland to New York—then New Amsterdam—in 1647.

Judge Nelson's early life was spent in his native town, — founded by the father of the great American novelist, J. Fenimore Cooper, who died there in 1851 — and he was mainly prepared for college in its military school and at Hartwick Seminary. He entered Yale College in 1812 and was graduated therefrom in 1846. In the same class were Governor Harrison and ex-Congressman Kellogg of Connecticut and

Hon. John B. Brisbin of St. Paul. Another college mate was "Dick" Taylor, a son of President Taylor, and who became a distinguished Confederate major general. Soon after his graduation he began the study of law in the office of Hon. J. R. Whiting of New York City, but his preparation for admission to the bar was finished in the office of Hon. Geo. A. Starkweather, in Cooperstown. He was admitted in 1849, and the same year went to Buffalo to begin practice. But, upon the advice of Hon. N. K. Ball, who was the law partner of Millard Fillmore and an ex-member of congress, and who had learned, mainly from General Sibley, of the possibilities for young men in the then new Northwest, he determined to come to Minnesota.

May 12, 1850, he landed in St. Paul, then a little frontier village, primitive and unpromising in every way. The first man he met was,



HON. R. R. NELSON.

the late Hon. Jacob Bass, then postmaster and proprietor of a small tavern on the site of the present Merchants Hotel. Mr. Bass earnestly advised him to return to the East at once, informing him that the population of the place was only 600, "and fifty of that number are lawyers—most of them starving." [161]

But he opened an office and received his share of what practice there was, becoming well and favorably known. In 1854 he was strongly urged to accept a

nomination for delegate to congress from the territory, but he declined. He was never an office-seeker. In 1854 he went to Superior,

Wis., and remained a year. While there Governor Bar-stow appointed him attorney of Douglas county, which county Judge Nelson was largely instrumental in organizing and naming for his warm personal friend, Stephen A. Douglas. In the fall of 1855 he returned to St. Paul and resumed his law practice.

In April, 1857, Judge Nelson was appointed by President Buchanan an associate justice of the territorial supreme court. He held this position a little less than a year, or until the admission of Minnesota to the Union. Only one general term of the court was held—that of January, 1858—during his connection with it, and he wrote but two opinions (see Vol. 1, Minn. Rep.). He did a great deal of work “in chambers,” however, and it was he who denied the writ of mandamus to compel the territorial officials to remove their offices from St. Paul to St. Peter, thus voiding the “capital removal bill” passed by the previous legislature. His decision was based upon the well-warranted ground that, by previous legislation, the legislature had exhausted its power to locate the seat of government, the power not being in the nature of a continuing trust.

May 11, 1858, President Buchanan appointed Judge Nelson United States district judge for the District of Minnesota, and the senate confirmed the appointment without even the customary reference to a committee. He at once entered upon his duties and served continuously for thirty-eight years, or until the seventieth anniversary of his birthday, in May, 1896, when he resigned. At the time of his resignation he was the oldest Federal judge in service in the Union.

At first the business of his court was not very large, but year after year it steadily increased, with the development of the state, until it became of great volume. New subdivisions were created, with terms to be held in each of them, necessitating travel and other inconvenience, and ranking the duties of the judge most exacting and arduous. It had been repeatedly proposed that another district should be created for the expedition of business and general accommodation. But Judge Nelson met the occasion in every instance. The

greater the business became and the older he grew in years, the harder he worked. Splendidly preserved, with his physical powers practically unimpaired and his mentalities clear, strong, and vigorous, he was, even at his retirement, as capable for all his duties as a man in his prime. His energies and his intellect are as they were twenty years ago and show no signs of abatement in the twenty years to come.

His judicial services and character cannot fairly be described without seeming extravagance of expression. Dating his long career on the bench he was compelled to pass upon nearly every conceivable legal proposition and to construe almost every sentence of every American statute and consider every principle of equity. One who knows his record well says: "It may well be doubted whether any judge has occupied the bench as long as Judge Nelson and had as few decisions overruled." And so multifarious as have been his opinions, covering the entire range of Federal jurisprudence, they have been most sound. Of his judicial character in the main the same writer says: "Perhaps the most striking characteristic of Judge Nelson as a judiciary officer is his strong common sense, united with a keen, innate perception of equity. He is able at once to grasp the merits of a controversy and disentangle them from the sophisms and technicalities which ingenious pleaders and advocates may seek to throw around them. In his charges to the jury they are not left in doubt as to the facts they are to find nor as to the law governing the cause."

Politically, in his estimation of the principles which should control the country, he has always been a Democrat of the Jefferson and Madison school. He keeps the distinction between the reserved rights of the states and the powers delegated to the Federal government, and in his judicial action he has never infringed upon the former nor surrendered the latter. His partisan feelings have never prejudiced his official conduct. During the War of the Rebellion his devotion and attachment to the Union were manifested in every

way, officially and personally. With his authority he sustained the Union cause, and as a citizen no other was more patriotic and zealous. He has often been mentioned as a candidate for some exalted position, but always declined every opportunity of the kind. In 1880, when many of the leaders of the Democratic party in New York were opposed to the renomination of Samuel J. Tilden and were casting about for a presidential candidate who could carry New York and unite the party, Judge Nelson's name was in great favor. He might have been nominated had he organized a "bureau" and made a determined effort.

Always, on the bench, Judge Nelson was a model of courtesy towards everybody—the lawyers, the parties, the witnesses, the jury, and even the prisoner at the bar. Attorneys were granted every favor consistent with the public good. The jury was charged in plain language, which the most unlettered yokel might comprehend. Witnesses were protected from the savagery of overzealous lawyers, and the criminal received his sentence as if it were a piece of parental advice. The splendid bronze bust of Judge Nelson in the United States court room was placed there as a slight testimonial of the esteem and popularity in which he was held by the bar of his court.

Dignified, impressive, yet courteous, on the bench, Judge Nelson is the same in private life. He is genial, cheerful, and most interesting in companionship, and his large circle of friends esteem him about as much for his rare social qualities as for his abilities. More than 300 years ago, Lord Edward Coke, the great English lawgiver, wrote: "A judge, if he be minded to administer his duties in wisdom and justice, is to be honored greatly. For as much as he hath. the adjustment of controversies between that which is right and that which is wrong he is the arbiter of the good and the evil and may do abundant good and prevent great evil, to the sound benefit of man-[163]-kind and the glory of the Creator. And if he serve acceptably and with right

conscience he sitteth in no fear, but in resignation, of the final judgment in his own case the great Judge of all, who is God."

Hon. W. H. Sanborn was born on the ancestral farm on "Sanborn's Hill," in Epson, Merrimack county, New Hampshire, Oct. 19, 1846. The site of his birthplace was purchased by his ancestor, Eliphalet Sanborn, in 1752, has always been in the possession of some member of the Sanborn family, and is now owned by Judge Sanborn and his uncle, Hon. John B. Sanborn. He is the eldest son of Henry F. and Eunice (Davis) Sanborn, and on both sides his ancestors were patriot soldiers in the War of the Revolution and prominent characters in early New England history. His great-grandfather, Thomas Davis, was with Prescott at Bunker Hill, and in 1825 listened to Daniel Webster's famous speech at the dedication of the monument.

Up to young manhood he worked on his father's farm during the proper seasons and attended district schools in the winter, but when only sixteen years of age he taught one term. He graduated from Dartmouth College in 1867, with the highest honors of his class, after a four years' course, having at intervals been engaged in teaching.* In early life he won considerable reputation as a debater, giving promise of a career of usefulness and distinction which has since been fulfilled. After his graduation he was for three years principal of the high school at Milford, N. H., and in his spare hours was engaged in the study of law under the instruction of Hon. Bainbridge Wadleigh, subsequently United States senator. His administration of the school was most successful, but in February, 1870, he resigned his position, declining certain flattering inducements to remain, and came to St. Paul, where he continued his legal studies until February, 1871, when he was admitted to the bar in the state supreme court.

* June 19, 1893, Dartmouth College conferred upon Judge Sanborn the degree of LL. B., having previously given him the degrees of A. B. and A. M.

In May following his admission he formed a law partnership with his uncle, Gen. John B. Sanborn, and continued in the practice of his profession until Feb. 10, 1892, when he was appointed to the Federal bench by President Harrison. As a practicing lawyer he worked diligently and faithfully and attained enviable success and popularity. He was from time to time engaged in several "celebrated cases," and achieved far more than local reputation and distinction. His argument for the defense in the impeachment trial of Hon. E. St. Julien Cox, before the state senate, in 1881, and in the United States supreme court in the *Hobbs vs. McLean* case, in 1886, established his position as one of the leading advocates and lawyers in the Northwest. In 1889 he was the counsel for the plaintiff in the quo warranto proceedings of *Holman vs. Murray*, the noted St. Paul city attorney case, and obtained the unanimous opinion of the supreme court in favor of his client. It was he who argued the unconstitutionality of the "dressed beef act" of the Minnesota Legislature of 1889, and when the first arrest for its violation was made he obtained a writ of habeas corpus from the United States circuit court, and in that court and in the United States supreme court argued that the law was in violation of the interstate commerce clause of the constitution. The circuit court sustained his position (*In re Barber*, 39 Fed. Rep. 641), and this decision was affirmed by the supreme court (*Minnesota vs. Barber*, 136 U. S. 313), adding largely to Judge Sanborn's reputation as a constitutional lawyer.

When in the practice he was well known and actively identified with the profession. In 1885 he was elected treasurer of the State Bar Association of St. Paul. In 1889 he was selected by the other attorneys of the city for appointment as one of the four district judges of Ramsey county, but the appointment was not made, for reasons satisfactory to him. In Freemasonry he was three times the "E. C." of Damascus Commandery, K. T., of St. Paul, and in 1889 was elected grand commander of the Knights Templar of the state. For several years he was a member of the St. Paul city council, being first elected in 1878, and in 1888 he was its vice president. A great

deal of his services in the council from 1885 to 1890 was rendered in establishing the present system of street railways, and he was the leading spirit on the committees that prepared and finally passed the ordinances under which the cable and electric railways were constructed. Always a Republican in politics, he has served as president of the Union League, chairman of conventions, etc.

Feb. 10, 1892, he was nominated by President Harrison judge of the United States circuit court for the Eighth circuit, and March 17th, following, his appointment was confirmed by the unanimous vote of the senate. By virtue of this appointment he became one of the three members of the United States circuit court of appeals for the [164] Eighth circuit, the tribunal next in rank to the United States supreme court. The Eighth is the largest judicial circuit in the United States, comprising the states of Minnesota, North Dakota, South Dakota, Wyoming, Colorado, Nebraska, Iowa, Kansas, Missouri, and Arkansas, and the court of appeals takes jurisdiction over them and Indian Territory, Oklahoma, New Mexico, and Utah.

Judge Sanborn came to the bench of the Eighth circuit at the time of the institution of the United States circuit court of appeals, and his judicial work has been done in great part in that court.

The court, of appeals of this circuit has exercised jurisdiction over the most extended territory, and has been called upon to consider the greatest number of cases, embracing the most diversified and important litigation, of any of time appellate courts, and in the performance of their work, the judges who have constituted this court, have all demonstrated their great ability.

Judge Sanborn came not unprepared for the work. Clearness of perception, generosity of labor in research, accuracy in detail and in statement, strength in diction, intuitive sense of justice, and knowledge of the law, are qualities and characteristics which Judge Sanborn possessed in a high degree. The combination of these qualities made him a great lawyer, and with his long experience in a

large and exacting practice at the bar added to these qualifications, Judge Sanborn was fully equipped for his task, and he entered upon it with a zeal and courage which assured the splendid results which have followed.

Many of Judge Sanborn's opinions since he has been upon the bench are most important and some of them original in their authority. The first cases argued at the May, 1892, term of the circuit court of appeals for the Eighth circuit were the Omaha Bridge cases, which are reported in 10 U. S. App. 98, 2 C. C. A. 174, 51 Fed. 309. These cases involved great interests, and presented nice distinctions of law, that were pressed upon the court by most able and persistent counsel. The Union Pacific Railway Company had made contracts with the Chicago, Rock Island & Pacific Railway Company and the Chicago, Milwaukee & St. Paul Railway Company, by which it leased to each of these companies for the term of 999 years the joint and equal possession and use of its tracks over its bridge across the Missouri river at Omaha. After these contracts were partially executed, the Union Pacific Company refused to perform and undertook to repudiate them. The Rock Island Company and the St. Paul Company brought suits and obtained decrees for their specific performance. The Union Pacific Company appealed from these decrees, and insisted that the contracts were ultra vires of the Pacific Company, that the specific performance thereof could not be enforced in equity because the acts to be performed under them were so numerous and complicated and for lack of equity in the contracts.

The opinion of Judge Sanborn was exhaustive, but so clear, vigorous, and convincing that it challenged the attention of time bar and placed him at once upon a high plane of superiority, from which he has steadily risen as his work progressed. It opened with a concise statement of the limits of the powers of corporations created under legislative grants. It then reviewed the decisions of the supreme court upon the powers of such corporations, and carefully

analyzed the contracts and demonstrated that it was not beyond the ordinary powers of a railroad corporation to let to another the use of its lines so long as it was not thereby disabled from the full performance of its duties to the state and the public. The acts of congress relative to the construction and use of railroad bridges over the great rivers were examined and shown to have fairly empowered the Pacific Company to make its contracts of lease.

Each of the questions presented in these cases was treated in the most masterly manner. The decrees below were affirmed, and the opinion of Judge Sanborn has since been reviewed and affirmed by the supreme court.

In *Barnes vs. Poirier*, 27 U. S. App. 500, 12 C. C. A. 9, 64 Fed. 14, Judge Sanborn delivered an opinion on the assignability of additional homesteads, which is quoted with approval by the supreme court in *Webster vs. Luther*, 16 Sup. Ct. Rep. 963-6, and which seems to have settled that question. In this opinion is shown the disposition of the judge to avoid the pitfall of technicalities, and to give to the law the breadth of construction necessary to the accomplishment of the original intention.

It would seem that the multitude of cases and decisions involving the law of negligence would have exhausted all possibilities of novelty in facts and interest in opinions, but in cases where Judge Sanborn has delivered opinions upon this branch of the law, he has, by his careful statement of the principles, his clear-cut discrimination in their application, and his free use of the faculty of common sense, created new leading cases. Examples of these cases are: *Union Pacific Railway Co. vs. Jarvi*, 10 U. S. App. 430, 53 Fed. 65, involving the questions of defective appliances and contributory negligence; *Bohn Mfg. Co. vs. Erickson*, 12 U. S. App. 260, 55 Fed. 943, which discusses with remarkable clearness the question of latent danger; *Cowen vs. Harley*, 12 U. S. App. 574, 56 Fed. 973, which treats of nearly every question likely to arise in a case of personal injury occurring to an employe in his employment; *What Cheer Coal Co. vs.*

Johnson, 12 U. S. App. 490, 56 Fed. 810, upon the question of vice principal, and the distinctions to be made by reason of extent or grade of authority; *City of Minneapolis vs. Lunden*, 7 C. C. A. 344, 58 Fed. 525, which is a very strong case on the doctrine of "fellow servant" and the application thereof to conditions arising from the performance of work by a municipality through its official servants; and *Chicago, St. Paul, etc., Ry. Co. vs. Elliott*, 12 U. S. App. 381, in which Judge Sanborn defines "proximate cause," as understood in law, states the rules for its discovery and the reason for these rules, and illumines the entire subject with clearness of statement and wealth of illustration.

Questions arising upon municipal bonds have been much before the court, and Judge Sanborn has written many opinions in these cases. In *National Life Insurance Co. vs. Board of Education of the City of Huron*, 27 U. S. App. 244, his opinion contains the most exhaustive review [165] of the authorities upon the effect of the usual recitals in such bonds, and the most concise and complete statement of the established rules for their construction to be found in the books. The opinion is, in fact, a most thorough and satisfactory treatise on the subject, and outside of its purpose as a decision in the case, will be of the greatest value to the bar and investors in municipal securities.

The leading case under the Sherman anti-trust act, as it applies to traffic contracts and transportation companies, is *United States vs. Trans-Missouri Association*, 19 U. S. App. 36. Certain railway companies entered into a contract forming a freight association, agreeing to establish and maintain such rates, rules, and regulations for freight traffic between competitive points as a committee of their own choosing should deem reasonable, but providing that the rates and rules so established should be public and be subject to change at any monthly meeting upon notice, and that any member might disregard the same and even withdraw from the association upon notice. It appeared that the effect of the operation of the association had been to diminish rather than to increase rates. In this case,

Judge Sanborn held that the contract was in accord with the policy of the interstate commerce act as tending to make competition open and fair and was not void, in an opinion which contains a most complete citation and review of authorities and is undoubtedly the most thorough discussion of the effect of the anti-trust act upon association contracts that has been delivered by the courts.

The character and effect of the decisions and conveyances of the land department of the United States have probably never been so carefully considered, or so clearly stated, as in Judge Sanborn's opinion in *United States vs. Winona & St. Peter Ry. Co.*, 15 C. C. A. 96.

His opinion in *Minneapolis vs. Reum*, 12 U. S. App. 446-481, has probably awakened more interest and created more public comment than has any other case in the court. The point involved was the exclusive right and power of congress, under the constitution, to fix the rules and requirements upon which a foreign subject may become a citizen of the United States, or of a state.

Beyond all this, the great value of his practical business knowledge and experience has been shown in the management of the receiverships of the Union Pacific Railway Company and its allied companies in this circuit, of which he has had charge and supervision since early in 1894.

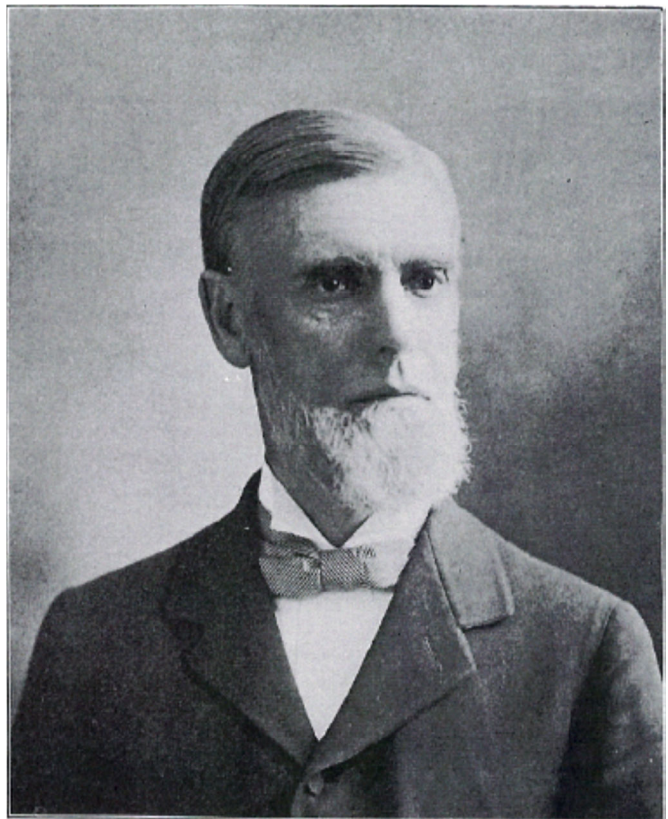
Nov. 10, 1874, Judge Sanborn married Emily P. Bruce of Milford, N. H., and their family consists of two daughters, Grace and Marion, and two sons, Bruce and Henry. The family residence, at No. 143 Virginia avenue, on St. Anthony Hill, stands on ample and spacious grounds and was built by its honored master in 1879.

Hon. Wm. Mitchell, well known and distinguished as one of the prominent jurists of the country, and for many years and at present one of the judges of the supreme court of Minnesota, was born in the town of Stamford, County of Welland, and Province of Ontario, Nov. 19, 1832. His parents, John Mitchell and Mary Henderson, were

natives of Scotland. His early education was received in private schools and he was prepared for college at an academy in his native county. In 1848 he came to the United States, and the same year, at the early age of sixteen years, he entered Jefferson College, Canonsburg, Pa., and was graduated from that institution in 1853. After his graduation he was for two years a teacher in an academy at Morgantown, Va. (now West Virginia), and then engaged in the study of law in the office of Hon. Edgar M. Wilson of Morgantown, and was admitted to the bar in March, 1857.

In April, 1857, a month after his admission, he came to Minnesota and located at Winona, in the practice of his chosen profession. He was in constant and prominent practice until 1874. In the meantime he served in the second state legislature, in the session of 1859-60, and was subsequently, for one term, county attorney of Winona county.

In the fall of 1873 he was elected judge of the district court of the Third judicial district, for a term of seven years, and went on the bench in January, 1874. He was reëlected in the fall of 1880, and was in service in March, 1881, when he was appointed by Governor Pillsbury one of



HON. WM. MITCHELL.

the judges of the state supreme court. He was regularly elected to that position in the fall of 1881, and by successive reëlections he has served continuously ever since. His present term will expire in January, 1900.

Judge Mitchell has served in his high judicial position with the greatest acceptability. His profound and exhaustive knowledge of the law, his clear intelligence, and his broad spirit of fairness have combined to give him a most exalted reputation. His opinions have come to be regarded as weighty and standard authorities, and they have a wide range over the entire field of jurisprudence. Some of his decisions have been against the interests of the political party with which he is connected, but in such instances were as promptly and fully rendered as if they related to matters of an altogether different character. He has attained to such distinction among the lawyers and courts of the Northwest that there has long been a [166] desire for his advancement and further preferment. He does a great deal of hard and exacting work, but is splendidly preserved, mentally and physically, and is capable of many more years of active and valuable public service. Originally a Republican, Judge Mitchell has been an Independent Democrat since 1867, but, as has been indicated, has always been generally in public favor, and always been elected to office by a non-partisan vote, and sometimes by a universal suffrage.

Judge Mitchell has been twice married. His first marriage was to Mrs. E. Jane Smith of Morgantown, Va., in September, 1857. She died in September, 1867, leaving three daughters, who are now Mrs. J. K. Ewing of Uniontown, Pa.; Mrs. Henry L. Staples of Minneapolis, and Mrs. Frank A. Hancock of Dubuque, Iowa. He was again married, in July, 1872, to Miss Frances M. Merritt, daughter of Jacob D. Merritt of Chicago. She died in March, 1891, leaving one son, Wm. Dewitt Mitchell, who graduated at the law school of the Minnesota State University in the class of 1896, and is now in the law office of Messrs. Stringer & Seymour of St. Paul.

Hon. Loren Warren Collins, one of the judges of the supreme court of Minnesota, was born at Lowell, Mass., Aug. 7, 1838, the son of Charles P. Collins and Abigail Libby. He is descended from an old New England family. His great-grandfather, Benjamin Collins, was a

soldier in Colonel Goff's New Hampshire regiment in the French Colonial War in 1760. He was also a soldier in the War for Independence, and was a member of Col. Tim Bedell's New Hampshire regiment in the expedition to Quebec, under General Richard Montgomery, in 1775. Later, he was a member of Colonel Cilley's New Hampshire regiment, and died, in the service, Aug. 31, 1778.

Judge Collins was chiefly educated in the public schools of Chicopee and Palmer, Mass. In 1854, when he was a boy of sixteen, he came with his father's family to Minnesota, locating at Eden Prairie, Hennepin county, where he worked on his father's farm for some years, spending an interval of one year in the East. He studied law in the office of Smith, Smith & Crosby, at Hastings, in 1861 and 1862, leaving the office in the latter year to enter the Union army.

Aug. 18, 1862, he enlisted in Company F, Seventh Minnesota Infantry, and a week later was commissioned second lieutenant. His first service was against the Indians in Minnesota, during the famous "outbreak," and he accompanied General Sibley's expedition to Fort Ridgely within a few days after his enlistment. He was in the battle of Wood Lake, and took part in all of the other operations of the campaign. He was with his company in the Sibley expedition through Dakota, in 1863, and in the fall of that year went South with his regiment and shared its distinguished experience in the Confederacy until the close of the war. On the 8th of January, 1863, he was promoted to first lieutenant of his company, and was subsequently brevetted captain by the president. He was discharged from the army, Aug. 16, 1865, after three years of faithful and honorable service.

In May, 1866, he commenced the practice of law at St. Cloud. At various periods he was associated in partnership at St. Cloud with Hon. Seagrave Smith, H. L. Gordon, and the late Hon. Chas. D Kerr, well-known characters in the legal annals of Minnesota. As an attorney he practiced with marked ability and success and attained to high reputation as a general lawyer.

Judge Collins has performed a great deal of public service. In 1866 he was elected county attorney of Stearns county and served eight years. He was mayor of St. Cloud in the years 1876-77-78 and in 1881. In 1881 and in 1883 he was a member of the lower house of the state legislature. April 18, 1883, he was appointed by Governor Hubbard district judge of the Seventh judicial district, and in the fall of 1884 was elected to that position. Nov. 17, 1887, he was appointed by Governor McGill an associate justice of the supreme court, and at the November election, 1888, was elected to the office by the people. In 1894, as the Republican nominee, he was a candidate for reëlection. The Democrats and Populists united on a candidate against him, but Judge Collins was elected over him by a majority of 49,682. He received 162,701 votes, or over 12,000 more than any other of his associates received, and his majority was far in excess of that of any of the other Republican candidates, and nearly equal to the pluralities of the leading ones. Of course, he was voted for by all parties, and his election by such a remarkable force was a testimonial of the people to his high judicial character and his general worth. He has always been generally popular. Stearns county, wherein he was often elected to office, has always been strongly Democratic, while Judge Collins is an earnest and life-long Republican.

On the bench Judge Collins has been a very active worker, and has made many valuable contributions to the general stock of American legal expositions. During his ten years of service he has rendered numerous opinions, covering the entire range of jurisprudence, and many of them are upon original subjects and stand as precedents. The acceptability of the general course of his official conduct may be inferred from the expressed desire of the people, largely influenced by those who have to do with courts, to keep him in position.

Judge Collins was married, at, Berlin, Wis., Sept. 4, 1878, to Miss Ella Stewart, daughter of William and Jane Stewart. Mrs. Collins died May

31, 1894, leaving the following children: Stewart G., born Oct. 29, 1880; Louis L., born Oct. 6, 1882; Loren F., born Oct. 7, 1887. A daughter, Estelle, born July 17, 1879, died Oct. 11, 1886. Judge Collins' family residence is at St. Cloud, but he spends the greater portion of his time in his official duties at St. Paul.

Hon. Hascal Brill, senior judge of the district court in the Second Judicial district, was born at Philipsburg, Province of Quebec, Canada. In 1859, when still quite young, he came to Minnesota with his parents, his father engaging in farming in Goodhue county. Judge Brill received his education at the common schools afforded, and as a lad worked diligently upon the farm. Later he attended Hamline University, then located at Red Wing, and finally had a year's course of study at the University of Michigan, having worked his way through school. At times he engaged in teaching school until 1867. In December of that year he arrived in the city of St. Paul and began the study of law under Judge Palmer. He was also employed for a year as a clerk in the office of the late



HON. HASCAL R. BRILL.

Morris Lamprey. On Dec. 31, 1869, Judge Brill was admitted to the bar, and thereafter engaged in the practice of his profession in partnership with Stanford Newel. In 1872 he was elected judge of the probate court, serving during the years 1873-74. In March, 1875, he was appointed to fill a vacancy in the then existing court of common pleas, which finally, became the district court. At the next following election he was elected to succeed himself in this high position, and

he has filled it by repeated and unanimous reëlections ever since, to the satisfaction of the people.

Judge Brill was married, at Niagara Falls, N. Y., in 1873, to Miss Cora A. Gray, and lives at 471 Laurel avenue, this city. He is a valued member of the First M. E. Church of St. Paul, and his advice, aid and services are not infrequently sought by the officers and members of the church.

The presentation of these few facts, brief in themselves, do but little justice to a busy and honorable life. Neither can they transmit an exact idea of that steadfast character, firm, and unflinching sense of justice and duty, which mark every step in the career of a man who has made himself what he is, by earnest endeavor and close application to his work.

Judge Brill is the senior judge of the district court, not by age, but by point of service. Comparatively still a young man, he has gained a position in professional and social life of which any man may be justly proud, especially after having won it by his own efforts, and unfavored by the traditional golden spoon or the merest chance of good luck.

Judge Brill is a man of decision and firmness. But he is not a man given to hasty or unconsidered conclusions. In the trial of cases he is patient and courteous, fearless and impartial. Every subject receives at his hands the most careful consideration, and his decisions have always stood the test of the highest court in a marked degree. While firm in dealing with offenders against the law and quick to rebuke trickery and sharp practice, the judge is a man of strong sympathy for the unfortunate, and he is ever ready to render assistance to the deserving. He has a high regard for the proprieties of the judicial office, and though he is a man of strong convictions and ever exerts his influence on the side of morality, like a true, public-spirited man, he has always, since his elevation to the bench, scrupulously abstained from partisan controversy and political activity.

Judge Brill has the full esteem of his conferees upon the bench of the district court, as well as the confidence of every member of the bar in Ramsey county and the state. His ability is such as to command favor of a justice-loving and impartial people, and his march to higher honors is free from any entanglements or weights.

Hon. Charles Eugene Otis, one of the judges of time district court of Ramsey county, was born on a farm in the township of Prairieville, near the city of Kalamazoo, Mich., May 11, 1846. He is a son of Isaac and Caroline (Curtis) Otis, and on the paternal side is descended from the Otises of Massachusetts, of which family James Otis, the famed orator of the Revolution, and the accomplished Harrison Gray Otis were members. His great-grandfather was a surgeon in the colonial forces during the French and Indian War.

Judge Otis was reared to young manhood on his father's farm. He first attended a common district school, then a seminary at Richland, not far from his home, and completed a preparatory course for college at the Kalamazoo high school, teaching school in the winter seasons in order to obtain the necessary funds to carry him through college. His education was completed in the University of Michigan, which he entered in 1865, taking a classical course of four years. After leaving college he was for two years superintendent of the public schools of La Porte, Ind. resigning his position in 1871 to come to the Northwest.

In July, 1871, he came to St. Paul and began the study of law in the office of his brother, Geo. L. Otis, a very able and accomplished lawyer and of eminent character and distinction as a citizen and a man. In 1873 he was admitted to the bar and was associated in the practice with his brother until the death of the latter, in 1883, under the firm name of Geo. L. & Chas. E. Otis. He then associated with himself in a legal partnership another brother, Mr. Arthur G. Otis, and the firm of C. E. & A. G. Otis existed for a little more than six years.

In August, 1889, he was appointed to the district court bench by Gov. W. B. Merriam. Though a lifelong Democrat in politics, he was so well known for his freedom from party prejudice and partisan influence, and for his eminent legal ability and general fitness, that Governor Merriam, always a stalwart Republican, urged him to take the position, and he put aside a lucrative and increasing practice to accept it. The appointment was warmly commended by the public press, irrespective of party, and was received with universal approval and satisfaction.

In 1890 he was the candidate of both the Democratic and Republican parties and was elected to the position, without opposition, for a term of six years. In 1896 the element of the Democratic party favoring Bryan for president and the free coinage of silver acquired control of the regular party organization in St. Paul and Ramsey county, and in its convention, held to select nominees for county officers, it was determined that no candidate should be put upon the ticket who was not in favor of "free silver" and fully in accord with the Chicago platform. Judge Otis had openly and strongly dissented from the Chicago declaration of principles, in the main, and his name was ignored by the Convention. He was nominated by the Republicans, however, and was elected by a very large and emphatic majority, receiving the suffrages of voters of all parties. His present term expires in 1903.

As a judicial officer, Judge Otis has served with all acceptability. A very thorough lawyer, conservative, deliberate, and painstaking, his expositions of the law have been "most sound;" a conscientious, upright man, he has administered the principles of equity in every instance, and few of his decisions have been reversed on appeal. He gives to each side of every case full and impartial investigation and poises the scales of justice fairly and exactly. He is not aggressive, as the term is commonly applied, for he is conservative by nature, but he is profound in many specialties and always safe. His pure and innate integrity dominates his conduct, both in public and private

life, and his intimates hold him in deep esteem, and no other citizen of St. Paul is more universally popular. Plain, modest, unassuming, he is not, perhaps, sufficiently self-assertive or ambitious for preferment and distinction, but his qualities are of the kind that generally, in the end, become known and appreciated, and he has not yet reached the distinction and station to which he should attain.

Prior to his coming to the judicial bench, Judge Otis had served a term on the city school board and two terms in the common council, having been elected to and retained in these positions without opposition. He was, also, for several years, a director of the public library, and while a member of the council he took an active part in causing the library property to be conveyed to the city and in securing the action of the council for its liberal support. He was also prominent in securing the purchase of the water works by the city, and in having donated to the state the former poor farm for the uses and purposes of the state agricultural society, thereby securing the holding of the annual state fairs at St. Paul. These were but a few of the important measures in which the interests of St. Paul were protected and promoted by Judge Otis while he was a member of the council, and he has rendered many other services, and has at all times been faithful to the welfare of his adopted city.

While he has never been a very active partisan, Judge Otis has always been a Democrat in politics, and has uniformly acted and voted with the Democratic party, until, as has been previously noted, after the national convention at Chicago, in July, 1896. Then he became an advocate of the gold standard and strenuously opposed the position of the party in its attitude toward the United States courts and the enforcement of the laws by the Federal government. His views on the general issues of the campaign were in accord with the platform adopted by the National Democrats at Indianapolis, but he acted with the Republicans in securing the election of their candidates for president of the United States and governor of

Minnesota, believing that a desire for the best interests of the country demanded such action on his part.

He was married, Sept. 3, 1874, to Miss Elizabeth N. Ransom, a daughter of Alexis and Lois Ransom of [169] Kalamazoo, Mich. The parents of Mrs. Otis were among the early pioneers of Michigan and settled in Kalamazoo when that city was but a small hamlet. Judge and Mrs. Otis have had born to them three children, two of whom survive, a son and daughter, whose Christian names are James Cornish and Maribel Ransom.

Hon. Olin Bailey Lewis was born March 12, 1861, in Weyauwega, Waupaca county, Wisconsin, and received his education entirely in his native state. After attending the country schools he went to Omro high school, from which he graduated in 1879. He then attended the University of Wisconsin and graduated from the classics department in 1889.

After being admitted to the bar he came to St. Paul and formed a law partnership with Oscar Hallam, with whom he has ever since practiced, securing an extensive general law business, besides an appointment as counsel for the Dun Commercial Agency. Mr. Lewis, for a young man, has seen considerable of public life, and has acquitted himself to the trusts imposed upon him with a remarkable degree of skill.

In 1894 he was nominated for the assembly, or upper branch of the city council, and was elected, in a formerly strong Democratic ward, with a rousing majority. During his term in the assembly he represented the city of St. Paul as one of the committee at the launching of the new ocean liner "St. Paul." He also spoke for the city at the Milwaukee semi-centennial celebration in October, 1895.

Some more important work performed by Mr. Lewis was as a member of the now famous retrenchment committee, organized for the purpose of reducing the expenditures in the running of the affairs of the city, government. In the spring of 1896 he was made a member

of the original non-partisan committee, to whom was intrusted a careful revaluation of the real property of St. Paul with a view of placing the valuations upon a basis in keeping with the conditions of the times. So thorough was the work performed by the committee that the state board of equalization commended it as a model for other cities to follow, and allowed the returns to stand without making the slightest modification. This movement reduced the valuation of property of St. Paul by \$30,000,000.

In view of these faithful services, Mr. Lewis was re-nominated to succeed himself in the assembly, and was reelected by a good



HON. OLIN B. LEWIS.

majority. But it was decreed that he should rise higher in public position. The county convention in the fall of the same year selected him as its nominee for a judgeship in the district court for this district, comprising Ramsey county. He was pitted in the election against a strong and popular opponent, one who had occupied the bench before, and of whom it was said that he would defeat his younger antagonist. But Mr. Lewis was again successful in this contest of the ballots and was elected by a large majority, elevating him to a

dignified and important position. Olin Lewis has been a diligent and earnest worker. His law business has demonstrated his ability to prosper, as well as his fitness for the higher position of judge of the district court. At all times he has been careful to merit the trust reposed in him, whether by clients, party, or friends. He has always

been a consistent Republican, and has been a member of the executive committee for Ramsey county of the Republican State League. In this body his work and ability have always been recognized as that of a leader of the younger members of the great party to which he had allegiance. No mistake was made when he was given the elevation which has come to him unsought or unasked.

Mr. Lewis always bent his energies for the best interests of the city in general and for the West Side, where he resides, in particular. He has done much towards the industrial development of his section of the city, and many new enterprises that have sprung up there have owed him support in obtaining a foothold.

In social matters, Mr. Lewis is well known here. He is a member of the Masonic fraternity, time A. O. U. W., Knights of Pythias, and Modern Woodmen. He is an active member of the Commercial Club and a member of Sigma Chi Greek letter fraternity.

Mr. Lewis was married, at Omro, Wis., in September, 1885, to Miss Della Barnett, daughter of Mr. and Mrs. Robert Barnett, and has one son and two daughters.

Hon. George L Bunn, judge of the district court, was born at Sparta, Wis., June 25, 1865. He received his initial education in the public schools of his native city. In 1879 he entered the preparatory department of the University of Wisconsin, remaining therein two years, when he entered the university proper for a four years' course of study, graduating with the degree of A. B. in 1885. He then entered the law school of the university for a two years' course and received the degree of LL. B. in 1888. [170]

Mr. Bunn augmented his collegiate training by careful and practical studies, at first in the law offices of Cameron & Losey of La Crosse (1885-86), and later, from 1886 to 1888, in the offices of Pinney & Sanborn of Madison. He was admitted to the bar in 1888 and came at once to St. Paul, where he began the practice of law in September of

the same year. Mr. Bunn has since that time been a resident of this city and had succeeded in building up a flourishing law business of a



HON. GEORGE L. BUNN.

general character. On Jan. 2, 1897, he received from Governor Clough the appointment of judge of the district court of the Second judicial district, comprising Ramsey County, which position had become vacant through the death of his predecessor, Judge Kerr.

Although still a young man, Judge Bunn has readily found his way to his new and important duties, his careful training and clear insight into law coming well into play. He participated in the general election of 1896

as a sound-money Democrat, and it is due, perhaps, to his desire to become a proficient lawyer, that he has not taken a more active part in the politics of the state.

Judge Bunn has many friends among the members of the bar of Ramsey county, who are pleased over his advancement, which came entirely unsought on his part.

Judge Greenleaf Clark was born in New Hampshire, in 1835. He received the degree of A. B. from Dartmouth College in 1855, and the degree of LL. B. from Harvard University in 1857. He came to St. Paul in 1858 and has resided here ever since. He was engaged in the practice of law up to the year 1889, when he retired, except for one

year, in 1881-82, when he served as one of the judges of the supreme court of the state.

Gen. John B. Sanborn.—Within the limits of these pages the life career of General Sanborn, conspicuous and distinguished as it has been, may only be epitomized.

He was born in Merrimack county, New Hampshire, Dec. 5, 1826, and comes of one of the oldest and most prominent New England families. His early life was spent on his father's farm and as a lumberman. He was educated in the common schools and prepared for college, but, on the advice of President Franklin Pierce and other personal friends, studied law and was admitted to the bar in July, 1854.

In December, 1854, he came to St. Paul and engaged in the practice of his profession with Mr. Theodore French. Three years later Mr. C. C. Lund was admitted to the firm, which existed, under the name of Sanborn, French & Lund, until 1862, when General Sanborn entered the army. He was chairman of the judiciary committee of the house in the legislature of 1859, and in 1860 was elected to the state senate, and in the ensuing session was chairman of the military committee. At the same session he was before the Republican caucus for United States senator and was defeated by Hon. M. S. Wilkinson by only one vote.

Upon the outbreak of the War of the Rebellion, in April, 1861, he was commissioned adjutant general of Minnesota and superintended the equipping and putting into the field of the First, Second, Third, Fourth, and Fifth regiments of infantry, two field batteries, and four companies of cavalry of Minnesota volunteers. Then he offered himself as a soldier, and in December, 1861, was commissioned colonel of the Fourth regiment. In the spring of 1862 he was ordered South with his regiment, and in due course reached General Halleck's command, then in front of the Confederate position at Corinth, Miss., and was given command of a demi-brigade. Later, he

commanded the First brigade, Third division (Hamilton's) of the Army of the Tennessee, commanded by General Rosecrans.

In the battle of Luka, Miss., Sept. 19, 1862, he began the action with his brigade, and for six hours—from 3 to 9 o'clock p. m.—had the brunt of the fight, his brigade sustaining four-fifths of the Federal loss. A fortnight later at the battle of Corinth, October 3d and 4th, he [171] again commanded his brigade and well sustained the brilliant reputation he had already won. Thereafter he was in all of General Grant's campaigns in the valley of the Mississippi in 1862 and 1863. A portion of the time during the Vicksburg campaign he was in command of the Seventh division of General McPherson's Seventeenth Army Corps. He participated in the battles of Port Gilson, Raymond, Jackson, and Champion Hills, and commanded his division in the assault on the Confederate works at Vicksburg, May 22, 1862. After the surrender of that rebel stronghold his brigade was one of the two selected by General Grant to occupy the town and to parole the Confederate prisoners. August 4th, following, he was, upon the repeated solicitations of General Grant and others of his superiors, made a brigadier general.

In October, 1863, he was detailed to report for duty to General Schofield, at St. Louis, for service in Missouri. October 20th he was assigned to the command of the District of Southwest Missouri, with headquarters at Springfield, and here he remained until the close of the war, the protests of General Schofield against losing him preventing his return to the army east of the Mississippi. His position was one of responsibility and hard work, requiring not only military ability, but certain administrative qualities, but he discharged his duties to the full acceptance of the loyal people of his district and to the full satisfaction and approval of his department commanders, Generals Schofield, Rosecrans, and Dodge.

During General Price's rebel invasion of Missouri, in the fall of 1864, General Sanborn commanded a brigade of cavalry and participated in nearly all of the prominent operations of the campaign. He was in

command of a division at Jefferson City when the Confederates attacked that city, beat them off, and then led the Federal column in their pursuit to Independence. In the discharge of this duty he was engaged in severe skirmishes near California, Versailles, and Booneville, and took an active part in the battles of Independence, Big Blue, and the Marais dc Cygne. He set in motion the troops that gave the Confederates their coup de grace at Mine Creek, when Generals Marmaduke and Cabell and 600 other Confederates were made prisoners, and he led his brigade to the assistance of General Blunt at Newtonia—the last battle of the raid—and changed the fortunes of the day from a decided repulse to a complete victory.

In June, 1865, General Sanborn was sent to the upper Arkansas, in the region of the Smoky Hill river, to open lines of travel to Colorado and New Mexico and to operate against the hostile Indians, and on the 4th of July, at the head of 6,000 troops, set out for the scene. In ninety days he had fulfilled the objects of his expedition. The commission appointed to arrange a treaty of peace with the Indians was composed of Generals Harney and Sanborn, Hon. Wm. Bent, "Kit" Carson, and Judge Brown of the interior department. After the treaty President Johnson sent General Sanborn, in November, 1865, to Indian Territory, to settle the differences between the loyal and disloyal tribes, to establish amicable relations between the ex-slaves and their former Indian masters, and to settle certain disturbances, etc. He accomplished his mission in four months. In June, 1866, he was mustered out of service with the rank of major general of volunteers, by brevet.

Returning to St. Paul, he resumed his law practice, establishing in connection with his business here an office in Washington, under the firm name of Sanborn & King. The latter was discontinued in July, 1878, upon General Sanborn's retirement. Jan. 1, 1871, he associated with himself his nephew, Hon. W. H. Sanborn, and in 1881, another nephew, Mr. E. P. Sanborn, was taken into the firm. Upon the appointment of Walter H. Sanborn to the position of judge of the

United States circuit court for the Eighth circuit and, ex officio, one of the judges of the United States court of appeals, the present firm of John B. & B. P. Sanborn was organized.

In 1867 General Sanborn was appointed one of the commissioners to treat with certain hostile tribes of Indians, including the Cheyennes, Comanches, Kiowas, Navajoes, Shoshones, Northern Arapahoes, Crows, and the bands of the Sioux Nation. The other commissioners were Generals Sherman, Harney, and Terry, and Senator Henderson of Missouri. The commissioners fixed upon the policy to be pursued by the government towards these "wards of the nation," which has resulted in the education and civilization of so many of them, and which, on the whole, has been so successful.

In 1872, and again in 1882, he was elected to the legislature. In 1884 he was strongly urged for appointment to the position of judge of the United States circuit court for the Eighth Federal circuit, but geographical position controlled the appointment and it was given to Judge Brewer of Kansas. In 1890 he was elected, without opposition, to the state senate and served four years. He was an influential member of the state prison committee, and was instrumental in bringing about certain reforms in prison conduct and management which have produced most successful results. [172]

General Sanborn was for several years president of the St. Paul Chamber of Commerce, director and vice president of the German American Bank, vice president and trustee of the Bankers Life Association, president of the St. Paul Rolling Mill Company, etc. He has also been commander of the Loyal Legion of Minnesota, and has long been a member of the executive council of the historical society.

General Sanborn has, been married three times. His first wife was Catherine Hall of Newton, N. J., whom he married in 1857 and who died in 1860. In November, 1865, he married Anna Nixon of Bridgeton, N. J., who died in June, 1878. April 15, 1880, he married his

present wife, who was Miss Rachel Rice, daughter of the late Hon. Edmund Rice of St. Paul.

Charles Eugene Flandrau was born in New York City, July 15, 1828. On the paternal side he is of Huguenot ancestry. His father, Thomas H. Flandrau, was for many years a law partner of Aaron Burr, and his mother (born Elizabeth Macomb) was a half-sister of Gen. Alex. Macomb. A considerable portion of Judge Flandrau's boyhood life was passed at Georgetown, D. C. When he was but thirteen years of age he sought a warrant as midshipman in the United States navy, and when, on account of his being under the legal age, the appointment could not be made, he shipped "before the mast" and served for two years on the revenue cutters "Forward" and "Van Buren." He then made several voyages on merchantmen, and, in all, his life as a sailor, boy lasted some three years. Returning to Georgetown, at the age of sixteen, he attended school for some months, and then went to New York City, where he was employed in a mahogany mill for three years. After two years of study and instruction in law, in his father's office at Whitesboro, N. Y., he was admitted to the bar in Oneida county, Jan. 7, 1851, and entered into partnership with his father.

In November, 1853, in company with the late Horace R. Bigelow, he came to St. Paul, and upon their admission to the bar of the territory, the two young men opened a law office on Third street, under the firm name of Bigelow & Flandrau. In 1854 he took up his residence at Traverse des Sioux, in Nicollet county. The same year he was a notary public and deputy clerk, and later was district attorney for the county. In 1856 he was elected to the territorial council, but resigned after serving during one session. In 1857 he was elected a member of the constitutional convention and served in the "Democratic branch."

Judge Flandrau's connection with the Indian affairs of Minnesota has been both prominent and historic. In 1856 he was appointed United States agent for the Sioux of the Mississippi. The agencies of these

Indians were at Redwood, on the Minnesota, opposite the present village of Morton, and on the Yellow Medicine, a few miles from its mouth. In the following March he took an active part in person in the pursuit of Inkpaduta and his band (the perpetrators of the Spirit Lake and Springfield massacres), and was chiefly instrumental in restoring to freedom the unfortunate captives, Mrs. Margaret A. Marble and Miss Abbie Gardner. Subsequently he led an expedition of soldiers and volunteers that killed Roaring Cloud, a son of Inkpaduta.

Later, in 1857, he resigned his position as Indian agent, and July 17th was appointed by President Buchanan associate justice of the supreme court of the territory. In the same year he was elected, as the Democratic nominee, associate justice of the state supreme court, and, upon the admission of Minnesota the following year he qualified and entered upon the discharge of his duties, and held the office for about six years. In October, 1858, he was appointed judge advocate general of the state militia, and held the position during Governor Sibley's administration. But, distinguished and valuable as his service in the civic departments of the state has been, it is on the pages of her military history where his name will perhaps be most conspicuously placed, and his military services will doubtless be best remembered, and these were in connection with the rebellion of the Sioux Indians, in August and September, 1862.

The news of the outbreak of the savages on the 18th of August reached Judge Flandrau at his residence, at Traverse des Sioux, at 4 o'clock the following morning. He at once went into St. Peter, a mile away, assisted, in organizing, and was made captain of, a company of 115 volunteers, armed and equipped as well as might be, and in a few hours was riding rapidly to the deliverance of the town of New Ulm, then girded about by a wall of savages, and sore beset. The distance, thirty-two miles, was compassed just in time. Flandrau and his men galloped in, drove away the Indians, put out the fires set by savage torches, and calmed the terror-stricken people. He was

chosen commander-in-chief of all the forces engaged in the defense of the town, and prepared to receive the enemy, whom he knew would soon be upon him again.

Three days later, August 22d, came a formidable attack from a vastly superior force of Indians, and after two days of continuous fighting, during which a considerable part of the town was burned and the whites had ten men killed and fifty wounded, the Indians retired. The following morning, his ammunition and provisions well-nigh exhausted, and still menaced by a superior force of savages, Flandrau evacuated the town, taking with him 153 wagonloads of women, children, sick, and wounded, and a large company on foot, and retired to Mankato. A splendid monument commemorating this incident and bearing a medallion of Judge Flandrau was erected in New Ulm in 1890.

He continued in the military service of the state for some after the battle of New Ulm and until the Indian war was well over. Aug. 29, 1862, Governor Ramsey authorized him to raise troops, appoint officers over them, and to perform generally whatever service he deemed best for the defense of the southern frontiers, and a few days later he was commissioned a colonel in the state militia, and given general authority by General Pope, then in command of the department. He raised and organized several companies, and, as commander of the southern frontier, posted them from New Ulm to the Iowa line. In October he turned over his command and resumed his judicial duties.

In the spring of 1864 he resigned from the supreme bench, and, going to Nevada, began the practice, of law with his former associate, Judge Isaac Atwater, at Carson and Virginia City. Late in the year 1865 he formed a law partnership with Col. R. H. Musser of St. Louis, and was engaged in the practice in that city; but in less than a year later returned to Minnesota, and in 1867 joined his former partner, Judge Atwater, in Minneapolis. The same year he was elected city attorney, and in 1868 was chosen the first president

of the board of trade of that city. In 1870 he located in St. Paul and formed a partnership with Messrs. Bigelow & Clark. The firm, by reason of changes in its membership from time to time, is now Flandrau, Squires & Cutcheon, and has always been ranked as one of the strongest in the Northwest.

Judge Flandrau has invariably been in accord with the declared principles of the Democratic party, and has supported its candidates, national, state, and local, until the canvass of 1896. Then, because he did not indorse the prevailing views of his party, and because he believed the interests the country would be best served by the election of the Republican candidates for president and vice president, he voted for the ticket headed by McKinley and Hobart. In 1867 he was the Democratic candidate for governor against the late Wm. R. Marshall, but, owing to the large Republican majority in the state, he was defeated. In 1869 he was the candidate of his party for chief justice of the supreme court, but was defeated by Judge Ripley. In 1890 his party again called upon him to become a candidate, this time for the position of alderman in St. Paul. He accepted the nomination as a call to duty, was elected overwhelmingly, and served acceptably. Public-spirited to an eminent degree, he has always been willing to work for the material and other interests of his city and state without compensation, and often to the injury of his private interests. He has long been a member of the executive council of the state historical society, has been president of the State and County Bar Association, a member of the St. Paul Chamber of Commerce, chairman of the Fort Ridgely Monument Commission, etc. He took an active and prominent part, in the preliminary work for the organization of Dakota Territory, and the town of Flandrau, S. D., was named in his honor.

Judge Flandrau has been twice married. His first wife, whom he married in 1859, was Isabella Ramsey Dinsmore, daughter of Col. James Dinsmore of Boone county, Kentucky. She died in 1867, leaving two daughters, one now the widow of the Hon. Tilden B.

Selmes, Esq., and the other, Sarah Gibson Flandrau. In 1871 he married Mrs. Rebecca Blair Riddle, a daughter of Judge Wm. McClure of Pittsburg, Pa., and from this marriage have been born two sons, Charles E. Flandrau, Jr., and Wm. B. McC. Flandrau.

George Clarke Squires, of the law firm of Flandrau, Squires & Cutcheon, was born in the town of Greene, Chenango county, New York, Sept. 8, 1852. His father, Selah Squires, was an attorney and



GEORGE C. SQUIRES.

studied his profession under the instruction of the distinguished lawyer and statesman, Hon. Daniel S. Dickinson, at Binghamton, N. Y. The maiden name of his mother was Mary E. Clarke, and both his parents were natives of the Empire State.

Mr. Squires was educated at Holbrook's Military Institute, at Sing Sing, N. Y., and in the law school of the Michigan State University, at Ann Arbor, leaving the latter institution in 1874. He was admitted to the

bar at St. Paul, in June, 1875, and in January, 1881, became a member of the law firm of Bigelow, Flandrau & Clark, the titular members being the late Horace R. Bigelow, Chas. E. Flandrau, and Greenleaf Clark. In March, 1881, [174] this firm became Bigelow, Flandrau & Squires, and subsequently passed to its present style, that of

Flandrau, Squires & Cutcheon. As a lawyer, Mr. Squires is known to the profession as a hard-worker, patient, persistent, intelligent and clear-headed. He is full of resources in the conduct of a case, and his presentation of a cause is always exhaustive of the subject. His knowledge of the law in all its branches is considered extensive and thorough, and as a general practitioner, especially in all of the subdivisions of the civil law, he has attained to wide reputation and to high and real eminence.

He has always been a Republican and an active and effective worker for the interests of his party. He has never been an office-seeker, however, and never held a public office, except at one time, about twenty years since, when he was court commissioner of Ramsey county, a position carrying but little of either emolument or distinction. Of social tastes, and fond of companionship and association, he is a prominent member of several civic associations in St. Paul, and is personally well known and universally liked. He has been president of the Minnesota Boat Club for two years, governor of the Minnesota Club since its organization, one of the executive committee of the Town and Country Club, treasurer and a member of the board of managers of the Sons of the Revolution, etc.

Mr. Squires was married, April 29, 1886, to Mary G. Smyth, daughter of Henry M. and Louise G. Smyth, well known old residents of St. Paul. There are three children of the marriage, viz., Mary Rebecca Squires, Cameron, and George C. Squires, Jr.

Cushman Kellogg Davis, the present senior United States senator from Minnesota, was born in Henderson, Jefferson county, New York, June 16, 1838. The same year of his birth his parents removed to the then Territory of Wisconsin, locating on a farm near Waukesha, and he was reared from childhood to manhood in the Badger State. His education was received in the common schools, at Carroll College, Waukesha, and at the University of Michigan, from which institution, the alma mater of so many prominent citizens of the country, he was graduated in 1857. He studied law in the office of

Hon. Alex. W. Randall, who was subsequently war governor of Wisconsin and postmaster general of the United States. In 1860 he began the practice of his profession at Waukesha. The same year he took an active part in the memorable presidential campaign then pending, and made speeches for Abraham Lincoln.

In 1862 he enlisted in the Union army and became first lieutenant of Company B, Twenty-eighth Wisconsin Volunteers. He served nearly two years in the Western army in Kentucky, Tennessee, Mississippi, and Arkansas. A part of his service was spent on staff duty, and for a time he was a member of the staff of Gen. W. A. Gorman, whose record as a prominent Minnesotan is so well known to almost every citizen of the state. In 1864, broken down and incapacitated for further military duty by the hardships he had undergone, he resigned from the service and came to Minnesota, where even the land is salubrious, and where every breeze bears healing on its wings. He formed a law partnership with his late military chief, General Gorman, and at once stepped to the front rank of the profession in the state.

Almost ever since he came among them the people of Minnesota have delighted to honor Cushman K. Davis. They have bestowed upon him every official distinction in their power and prerogative, from member of the legislature to governor and United States senator. In 1866 he was elected to the legislature and served one term. In 1868 he was appointed United States district attorney and served five years. In 1873 he was elected governor and served one term, declining a reëlection. In 1887 he was elected to the United States senate and was reëlected in 1893. His conspicuous and valuable services to the senate are of national reputation, and will serve as stepping-stones to more exalted positions and spheres of greater usefulness.

Within the narrow limits of this sketch it is useless to attempt a personal description of this great Northwesterner. His talents, abilities, accomplishments, and his public services are well

understood. No other man is better known to more people. No other public character has a stronger or more devoted personal following. There is no greater lawyer, no more accomplished publicist, no better or more patriotic citizen, no truer man. He has always been active and efficient in works for his adopted city and state, and he has been tried a hundred times by his fellow-citizens and never found wanting. As a lawyer, a soldier, a chief magistrate, a statesman, a citizen, he has always been true to country and self and false to no man. Whatever the future may have in store for him, he can well afford to wait

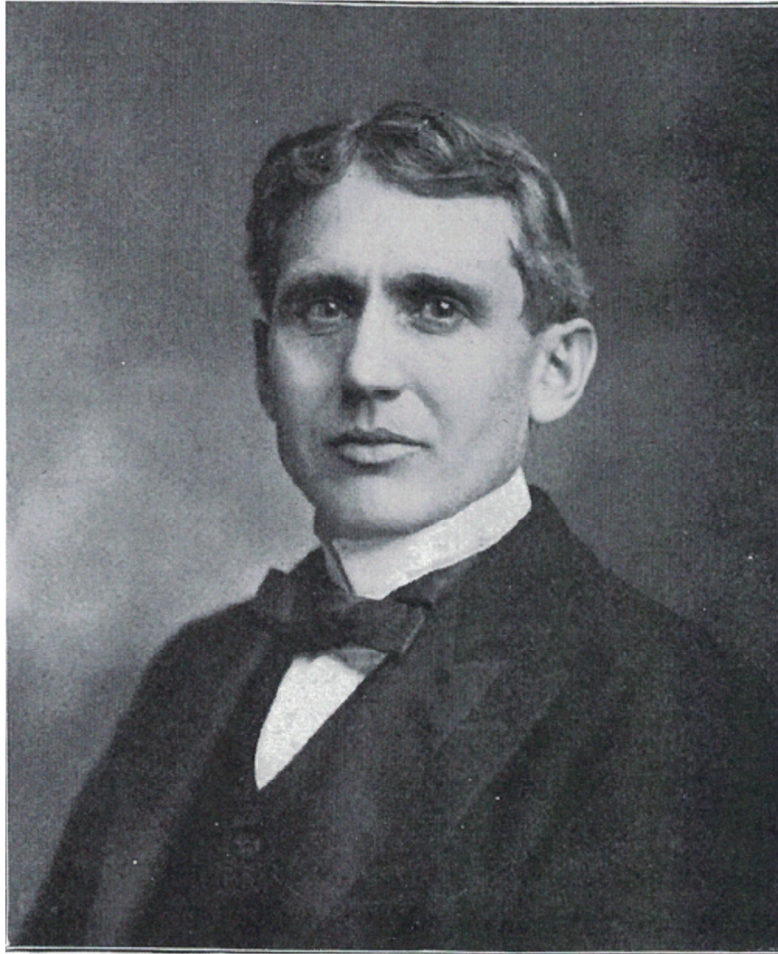
In 1880 Senator Davis married Miss Ann Malcolm Agnew, who was born and reared in St. Paul. Mrs. Davis is a lady of many and rare charms of person and character, and an efficient helpmeet of her distinguished husband. She is the presiding genius of a hospitable and [175] happy home, within whose precincts the master finds his chief comfort, enjoyment, and delight.

Frank Billings Kellogg, of the law firm of Davis, Kellogg & Severance, was born at Potsdam, St. Lawrence county, New, York, Dec. 22, 1863 the son of Asa F. and Abigail (Billings) Kellogg. When he was nine years of age, or in 1865, he was brought to Minnesota and was reared to young manhood on a farm in Olmsted county. His education was solely obtained in the common country schools.

In 1875, at the age of nineteen, he began the study of law, first in the office of H. A. Eckholdt, Esq., and completed his course of legal instruction with Hon. R. A. Jones (familiarily known as "Dick" Jones), both of Rochester, Minn. He was admitted to the bar at Rochester, in December, 1877, by Hon. Wm. Mitchell, now of the state supreme court, but then on the district bench. Upon his admission he formed a partnership with Burt W. Eaton and practiced in Rochester until the 1st of October, 1887, when he came to St. Paul and formed his present business connection with Hon. C. K. Davis and C. A. Severance, Esq. During the period when he was in the practice in

Olmsted county he was county attorney for five years and for three years was city attorney of Rochester.

Mr. Kellogg is regarded by those of his brother attorneys and others who know him as one of the strongest and best general lawyers in the profession. He has had a large and varied experience and has



F. B. KELLOGG.

been most successful. In certain specialties he has come to be considered an authority. For three years he was professor of equity in the law department of the state university. Perhaps no other attorney is more constantly engrossed with his duties. He takes but little interest in politics, or seemingly anything else that may interfere with his professional work and obligations. He has already won a great and enviable reputation, and he is far from the distinction which he is certain to

reach. That a farmer's boy, without the advantages of a collegiate, or even an academic education, with no fortune but his talents, and no other advantages that the humblest in life may not possess, has reached the position in life occupied by Mr. Kellogg, illustrates what may be accomplished by right and earnest effort in a country where the road to eminence is open to all.

Hon. Hiram Fairchild Stevens was born at St. Albans, Vt., Sept. 11, 1852. His father, Dr. Hiram Fairchild Stevens,—for whom he was named,—was an eminent physician. He was at one time president of the Vermont State Medical Society, was an army surgeon during the War of the Rebellion, and was a member of both branches of the Vermont legislature. Dr. Stevens' wife was, before marriage, Miss Louise L Johnson of St. Albans.

Upon the death of his father, in 1866, Mr. Stevens, a boy of fourteen, and the eldest of four children, was obliged for some time to work for his own support and to assist the family, and he clerked in a country store and worked on a farm for several seasons. At intervals, in the meantime, he attended school, graduated from Kimball Union Academy, at Meriden, N. H., and finally was enabled to complete his education at the University of Vermont. He read law in the office of Judge John K. Porter of New York City, and was graduated from Columbia Law School in 1874. Upon being admitted to the bar he formed a law partnership in his native town, under the name of Davis & Stevens, and in 1876 was admitted to practice in the United States courts. Naturally intelligent and industrious, he had mastered the principles of law and knew how to apply them, and soon acquired a somewhat extensive practice and an enviable reputation.



HON. H. F. STEVENS.

In December, 1879, he came to St. Paul and formed a partnership, under the firm name of Warner, Stevens & Lawrence. In December,

1886, he withdrew from that firm and became the counsel of the St. Paul Title Insurance and Trust Company, which he still holds in connection with his membership of the well-known legal firm of Stevens, O'Brien, Cole & Albrecht. As a general practitioner, especially in the civil law, he is one of the best and most effective in the profession in the Northwest. His legal business is large, requiring a varied and thorough knowledge, close application, and a great deal of hard work. No other lawyer is better identified with or known to the profession than Mr. Stevens. He was one of the organizers of the American Bar Association, at Saratoga, N. Y., in 1878, and is the vice president for Minnesota in that body; was one of the first members and the first secretary of the Vermont State Bar Association; assisted in the organization of the St. Paul Bar Association and has been its president; was the first secretary of the Minnesota Bar Association,—organized in June, 1883,—and has been its vice president. He is lecturer on the law of real property in the law department of the Minnesota State University.

He is a Republican in politics, and takes an active interest in his party's affairs, serving on committees and working on the hustings and in the field in every campaign. As a speaker, whether at the bar, on the rostrum, [176] in a legislative hall, or on the stump, he is always effective. His speech is fluent but forcible, scholarly but clear and plain, always graceful and pleasing, often eloquent, and uniformly earnest and impressive. He is never at a loss for the proper word or expression, and is always timely, appropriate, and symmetrical. In 1888 he was elected to the Minnesota legislature, as representative from the Twenty-seventh district, and upon the organization of the house was made chairman of the judiciary committee. Among the important measures of which he was either the author or to which he gave influential support, was a bill for the sanitary inspection of factories, a bill creating a pension fund for disabled policemen and their widows, a bill requiring employers of females in stores to furnish seats for their employes, the present law of mechanics' liens, the Australian election law, and a, legislative

reapportionment bill which increased the representation of Ramsey county in the general assembly by forty per cent. In 1890, when practically everything went Democratic, he was elected to the state senate from the Twenty-eighth senatorial district, over the late Hon. C. H. Benedict, his service was again conspicuous and creditable, and in 1894 he was again elected, this time defeating Hon. Michael Doran, the well-known Democratic politician, by a large majority. He is chairman of the judiciary committee in the senate, and one of the most popular and influential members of that body. Thoroughly familiar with the constitution and with legislative rules and customs, he is a superior parliamentarian, and is often called upon to preside over the senate and to place its deliberations in order.

His mental resources are as varied as they are deep and strong. He is a lawyer, a business man, a legislator, a scholar, an orator, a writer, a politician, a public-spirited citizen, of social tastes and accomplished manners, and there is no better specimen of the "all around," brainy, tactful, and efficient American. For many years, during the period of its greatest usefulness, he was a leading member of the St. Paul Chamber of Commerce and, beginning in 1888, he was for several years president of the city board of park commissioners. He is a Freemason in high standing and has been, a member of the Grand Lodge of Vermont and prelate of Damascus Commandery of Knights Templar of St. Paul. He is also an Odd Fellow and a Knight of Pythias. A son of a veteran, he has a natural military spirit and has taken an active interest in military affairs. When in Vermont he was for years a member of the national guard, serving in the "Ransom Guards," a company with a reputation for proficiency in drill and general excellence.

Jan, 20, 1876, Mr. Stevens married Miss Laura A. Clary, daughter of Joseph E. Clary, of Massena, N. Y. Mrs. Stevens is a well-known and most estimable lady, charming in person and character, and she has done her husband "good and not evil all the days of her life."

George Brooks Young comes of a family long resident in Boston, where he was born, July 25, 1840, and his lineage, on both the paternal and maternal lines, goes back to the early settlers of the Plymouth and the Massachusetts Bay colonies. He was the fourth son of the late Rev. Dr. Alexander Young, for twenty-eight years the minister of the New South Unitarian Church in Boston, and whose father, of the same name, was of the firm of Young & Minns, for many years the publishers of the *New England Palladium*, a leading newspaper of the Federal party. His mother, Caroline James, was a daughter of Eleazar James, who was a native of Cohasset, Mass., and was a prominent lawyer of Worcester county, residing at Barre.

He was educated in the Boston public schools and entered Harvard College from the public Latin school in 1856, and was graduated in 1860. In the autumn of that year he began the study of law in the office of Judge [177] Henry A. Scudder in Boston, and in 1861 entered the Harvard Law School, from which he was graduated in 1863. In the following year he removed to the city of New York, where he was for some months a student in the office of William Curtis Noyes. Having been admitted to the bar in December, 1861, he was at first managing clerk in the office of David Dudley Field, and afterwards, for a short time, in practice on his own account.



HON. GEO. B. YOUNG.

In April, 1870, Mr. Young came to Minnesota and became a resident of Minneapolis, and was admitted to practice in the courts of this state. In April, 1874, he was appointed associate justice of the supreme court of the state, to fill the vacancy occasioned by the resignation of Chief Justice Ripley and the appointment of Associate Justice McMillan to be chief justice. He held office under this appointment until January, 1875, when he was succeeded by Hon. F. R. E. Cornell, who had been chosen at the general election in the preceding November.

In May, 1875, Mr. Young removed to St. Paul and resumed the practice of his profession, in which he has ever since been engaged, at first in partnership with Stanford Newel, Esq., in the firm of Young & Newel, and afterwards, and at the present time, in partnership with William H. Lightner, Esq., and Edward Blake Young, Esq., in the firm of Young & Lightner. He held the office of reporter of the supreme court from May, 1875, until April, 1892, and prepared for publication volumes 21 to 47, inclusive, of the Minnesota Reports. For several years he has been a lecturer at the law school of the state university upon the subject of the "Conflict of Laws."

Mr. Young was married, on Sept. 28, 1870, at Edgartown, Martha's Vineyard, Mass., to Ellen Fellows, only daughter of the late Daniel Fellows, Esq., of that place, and a descendant of Guv. Thomas Mayhew, who, in 1641, became patentee, proprietor, and governor of the islands of Martha's Vineyard, Nantucket, and the Elizabeth Isles.

William P. Warner, attorney and counselor at law, was born, in 1841, at Covington, N. Y. He was educated at Union College, New York, and was admitted to the bar at Winchester, Tenn., in 1859.

Mr. Warner came to St. Paul in 1860 and formed partnership with John B. Brisbin, building up an extensive practice. Later, he formed a partnership with M. J. Severance, which was dissolved when the latter acceded to a place on the bench. Mr. Warner then formed a

partnership with Hon. Hiram F. Stevens, which, from 1880, continued uninterruptedly for nearly ten years. In 1890 the firm of Warner, Richardson & Lawrence was established, of which he became the senior member, the firm soon taking a front rank in the profession.

Mr. Warner's practice has always been of a general character and coextensive with the state. He has always been an active trial lawyer, and the records of the courts show that he has acted as attorney in perhaps more cases than any other man now at the bar of the state.

His patience and industry have endeared him to the hearts of a very large clientage, which has been drawn to him by his well-known integrity and his great learning as a lawyer.

Mr. Warner possesses an extensive acquaintance with men and affairs. Added to these a very great stock of general information and learning in the law, which he has acquired from the most studious habits, Mr. Warner stands to-day in the very front rank of the legal profession.

It is generally conceded that his standard of ethics is of the very highest, and his entire life is without reproach. He is possessed of a superior mind and a most wonderfully retentive memory.

Harris Richardson, attorney and counselor at law, was born in Lowell, Dodge county, Wisconsin, Aug. 8, 1858. He attended the common and high schools of Janesville, going from there to the preparatory department of Beloit College, Beloit, Wis. In September, 1877, he entered Yale College, and graduated from there in 1881 with the degree of B. A. In September of the same year he entered the law department of the Wisconsin State University at Madison, and graduated from there in June, 1883, with the degree of LL. B. He was admitted to the bar in the summer of 1883. During his attendance at the law school, wishing to gain a practical as well as theoretical insight into legal work, he filled a clerical position with Lamb & Jones, then one of the leading law firms of Wisconsin.

Mr. Richardson came to St. Paul, Aug. 8, 1883. He opened an office on Third street, and was admitted to practice in the courts of this state in September of the same year. In 1885 he formed a partnership with the late Chas. D. Kerr, the firm becoming known under the name of Kerr & Richardson. Four years later Colonel Kerr was appointed to the district bench of Ramsey county, and the partnership was consequently dissolved.

He then allied himself with James E. Markham and J. V. May, the firm practicing under the name of Richardson, Markham & May. In 1890 Mr. Richardson entered the firm with which he is now identified, in connection [178] with Messrs. W. P. Warner, Chas. O. Lawrence, and C. H. Fauntleroy. Under the firm name of Warner, Richardson & Lawrence, it now occupies a leading position in Minnesota.

Based upon a groundwork of great educational facilities, Mr. Richardson has acquired a wide knowledge and experience in general practice and as a corporation lawyer. His special fields are in the law of real estate, commercial law, the law of building and loan associations, and in the difficult branch of the law which relates to the lumbering, logging, and milling interests and requires much technical knowledge. He is also acknowledged as an authority on constitutional law, and has been retained in much of the important litigation throughout the state. Mr. Richardson's practice is not confined to any particular locality, and his services have been frequently in demand on the part of the State of Minnesota in its more important cases.

The coal combine investigation, made by order of the legislature, in 1891 is still fresh in the minds of the people. Mr. Richardson was counsel for the legislative committee, and contested the case brought by Rhodes through the various stages of its court career. It was an exciting case, and ended in its being finally dropped, the committee securing a victory. In 1893 Mr. Richardson was again employed by legislative committees in the prosecution of the pine-land frauds, the results of his work in these cases being still felt

by the lumbermen and are still visible in the decisions of the courts, which are from time to time handed down on pending cases. His successes in the pine-land cases resulted in decisions by the supreme court which saved to the people of Minnesota thousands of dollars, and which have been recovered from the lumbermen for timber cut off the public domain

In the Hastings-Anoka controversy over the location of the fourth hospital for the insane, Mr. Richardson was appointed counsel and succeeded in securing a victory for Anoka, which was finally declared the successful candidate for the location of the hospital.

It will thus be seen that Mr. Richardson has taken a very prominent part in the legal issues involving the rights of the state, and it is therefore no wonder that he is recognized as one of the foremost attorneys of the Northwest. His advice is constantly sought in important litigations and his time is taxed to its fullest capacity.

But despite these demands upon his legal ability, Mr. Richardson, who is an ardent and able Republican, has taken sufficient time from his professional labors to give to his party some of his ability, which in an executive capacity is also readily acknowledged. He became a member of the Republican county committee of Ramsey county in 1888, and left that body only to accept one of still greater importance on the Republican state central committee, in 1892. Since that time he has been a member of that body, and during the past two years has acted as its secretary, doing efficient service in the cause of Republicanism in Minnesota.

Mr. Richardson is a valued member of the Masonic fraternity, the Minnesota Club and the Commercial Club, besides holding affiliations with several college fraternities. He was married, at Danbury, Conn., Aug. 8, 1882, to Miss Mary K. Fairchild, and has two children, Walter, born June 21, 1885, and Gertrude, born July 5, 1887.

Thomas Wilson, at present general counsel of the Chicago, St. Paul, Minneapolis & Omaha Railway Company, was born, in County

Tyrone, Ireland, May 16, 1827. When he was twelve years of age, or in 1839, his parents, Daniel and Fanny (Cuddy) Wilson, removed with their family to America, locating on a farm in Venango county, Pennsylvania. Judge Wilson remained with his parents on this farm until he was about twenty years of age. He was graduated from Allegheny College, Pennsylvania, in 1852, and after his graduation engaged in the study of law.

In February, 1855, he was admitted to the bar, and in April following



HON. THOMAS WILSON.

came to the then Territory of Minnesota, locating at Winona and engaging in the practice of his profession. At the election held in the fall of 1857, preliminary to the admission of Minnesota into the Union, he was elected district judge for the Third judicial district, and held that position from May 24, 1858, to July 1, 1864. By appointment, he served as an associate justice of the state supreme court from July 6, 1864, to Jan. 10, 1865. In November, 1864, he was elected chief justice of the supreme court, which position he held from Jan.

10, 1865, to July 14, 1869, resigning on the latter date.

He was a representative in the legislature of 1881, and a state senator from 1883 to 1887. In 1886 he was elected to congress as a Democrat and served with prominence and distinction as a member of the commerce committee. He was a candidate for reelection to congress in 1888, but was defeated by Hon. Mark H. Dunnell. In 1890 he was the Democratic candidate for governor of Minnesota, but on the face of the returns was defeated by Hon. W. R. Merriam, Republican, by the slender plurality of 2,267 votes, in a total vote of

240,000. Since the fall of 1892 he has been in his present position, that of general counsel [179] for the "Omaha" Railway Company, and for the past three years has resided at St. Paul.

Judge Wilson was married, at Winona, Dec. 26, 1860, to Louise A. Bennett, daughter of Alanson Bennett, Esq. Mrs. Wilson was born, at Rome, N. Y., Dec. 4, 1840, and died in St. Paul, Feb. 10, 1896. Of their marriage were born five children, all of whom died in infancy except one daughter, Louise B., who was born May 1, 1865, and married Lloyd W. Bowers, Sept. 7, 1887.

Marcus B. Grover was born in Rutland county, Vermont. He was admitted to the bar and practiced several years in the State of New York. He was appointed general solicitor of the St. Paul, Minneapolis & Manitoba Railway Company, Jan. 1, 1888, and of the Great Northern Railway Company, in 1890, when it became lessee of the Manitoba company.

Charles W. Bunn, son of R. Bunn and Sarah (Purdy) Bonn, was born, at Galesville, Trempealeau county, Wisconsin, May 21, 1855. He graduated from the University of Wisconsin in June, 1874, and from the State Law School in 1875, and practiced law at La Crosse from the latter year until July, 1885, when he came to St. Paul. He soon secured a leading position at the bar, and is well known to the profession and the public. A brother lawyer characterizes him as "a close and accurate pleader, a safe and conscientious adviser, and a clear and cogent advocate." For some years he was associated with J. W. Lusk, Esq., and afterward with Mr. Emerson Hadley, and besides engaging in general practice they were attorneys for the St. Paul & Duluth Railroad Company and the Chicago, St. Paul & Kansas City Railway. In April, 1895, he became counsel for the receivers of the Northern Pacific Railroad, and in October, 1895, general counsel of the receivers. Mr. Bunn married Mary Anderson, in August, 1877, and has a family of four children.

Henry L. Moss was born March 23, 1819, in Oneida county, New York, and attended the academic schools of his native county. In September, 1836, he entered Hamilton College, from which he graduated in June, 1840. In January, 1843, he was admitted to the practice of law by the supreme court of the State of Ohio; and two years later moved to Platteville, Wisconsin Territory, where he remained three years. In April, 1848, Mr. Moss removed to Stillwater, Minnesota Territory, and began the practice of law. When Minnesota Territory was formally organized, in 1849, with St. Paul as the capital, Mr. Moss was appointed by President Taylor to be United States district attorney. In 1851 he removed to St. Paul and became associated as a law partner with Hon. Lafayette Emmett, later the first chief justice of Minnesota.

In 1863 President Lincoln again appointed him United States district attorney, which office he held until 1868. During his official term much work was required on account of the new internal revenue and soldiers' bounty laws, made necessary by the outbreak of the War of the Rebellion. These new laws opened many avenues for the perpetration of frauds upon the government, and Mr. Moss successfully prosecuted many cases. In 1856-57 he materially assisted the congressional delegations in the preparation and passage of the various land grant measures which opened Minnesota to the railroads and future settlement.

Since 1869 Mr. Moss has not been actively engaged in the practice of law, but has paid greater attention to the interests of numerous Eastern clients, whose local investments and properties he has in his care. For some years he also represented a number of the leading insurance companies as state and district agent, but he has now abandoned this line of work.

At the age of seventy-five years, Mr. Moss is still a picture of robust health. In 1849 he married Miss Amanda Horsford, at Charlotte, Vt. Both are living today in the homestead on South Exchange street, which Mr. Moss erected in 1853. There are no children living. Mr.

Moss will always be remembered for his active services to this state when it was still in its infancy.

Hon. John M. Gilman, attorney at law, has been closely identified with the history of Minnesota ever since it became a state. He was born, Sept. 7, 1824, at Calais, Vt., and graduated from Montpelier Academy in 1843. After reading law under Heaton & Reed of Montpelier, he was admitted to the bar in 1846. In the same year he, removed to New Lisbon, Ohio, where he practiced law for eleven years, representing also Columbiana county in the legislature of Ohio during 1849-50. In 1857 he married Miss Anna Cornwell of New Lisbon and removed to St. Paul. Here, at first, he was associated with James Smith, Jr., and later with W. P. Clough.



HON. JOHN M. GILMAN.

The latter partnership, which was created in 1872, was dissolved when Mr. Clough entered the railroad world, and since then Mr. Gilman has been practicing in his own name.

Among the many young men who have received their first knowledge of the law under Mr. Gilman are two present district judges, these being Hon. J. J. Egan and Hon. J. W. Willis. Mr. M. D. Munn also received his first start in the profession in St. Paul through Mr. Gilman's friendship and influence. [180]

In political life Mr. Gilman was for many years a conspicuous figure. In 1860 he was nominated by the Democratic party for congress and made a remarkable stumping tour with his opponent, Hon. William Windom. In 1861 he ran against Hon. Ignatius Donnelly for the same

high position. Although defeated in both instances, his canvass had been of a character which left its impress upon the people, and he was repeatedly elected to the legislature, in 1865, 1867, 1869, and again in 1876. In the campaign of 1870 he was chosen chairman of the Democratic state central committee.

There are many interesting incidents in the life of Mr. Gilman, no doubt well remembered by those who are still living and who were in St. Paul at the time. When the civil war broke out, in 1861, and President Lincoln sent out a call for volunteers, one regiment was asked from Minnesota. Public sentiment was pulsating, tremulous, and uncertain, and the great daily question was, what the Northern Democrats would do or what attitude they would assume. In order to test the sentiment of the people in St. Paul, a meeting was called at the capitol grounds to consider the raising of a regiment. But the real purpose was to test the doubtful sentiment of the Democrats. Mr. Gilman, together with Earl S. Goodrich, then editor of the *Pioneer*, were the first to put their names to the call, and Mr. Gilman made a speech in support of President Lincoln and for the prosecution of the war, which he predicted would be continued until the last slave had been liberated. His remarks at the time were considered somewhat extravagant. Many now living will remember the speech well. Thereafter he made many more speeches in support of the prosecution of the war and the abolishing of slavery.

But Mr. Gilman became dissatisfied with the ideas advanced by the Republican party in the prosecution of the War of the Rebellion, and accused the party of trying to further its own interest. He therefore returned to the fold of the Democratic party, and has allegiance to the same to the present day. He is pronounced in his views, and especially on what he terms to be the true Jeffersonian Democracy.

Perhaps the most important event in Mr. Gilman was his argument before the supreme court, in favor of the constitutionality of the legislative act providing for the adjustment of the old Minnesota state

railroad bonds. His argument in that important case has always been regarded by lawyers as one of the best ever presented in any court.

Of late years Mr. Gilman has not taken any active part in the political battles of the state, county, or city. In April, 1877, he lost his two sons, aged eighteen and seventeen, respectively, by drowning in the Mississippi river, and this calamity has heavily weighed upon his head, as a result of which he sought retirement from professional life. It was years before he fully recovered from the shock, but he steadfastly declined after that time to enter public life, limiting his activity to his law practice. Mrs. Gilman died in October, 1895.

Two daughters, both married and residing in this city, are still living, one being married to L. P. Ordway and the other to J. P. Elmer, with the latter of whom he resides.

William Dalton Cornish was born at Middleborough, Plymouth county, Massachusetts, April 29, 1849 and is the son of William Otis Cornish and Susanna Bennett Wood. In 1857 his parents removed to Waverly, N. Y., and in 1860 to Union, N Y. He read law in the office of Hotchkiss & Seymour, at Binghamton, and was admitted to the bar in that city in May, 1870.

In August, 1870, he came to St. Paul and commenced the practice of his profession, in which he continued, except for a period of a little more than two [181] years, when he was in service upon the bench. He was a member of the city council from 1880 to 1885, and a member of the state house of representatives in 1883 and 1885. In November, 1890, he was appointed a judge of the district court of the Second judicial district, and served until Jan. 1, 1892, when he returned to the practice.

As to his general character as a lawyer among his fellow members of the Minnesota bar, it is but the truth to say that Judge Cornish has but few peers and no superiors. In the particular divisions of corporation and commercial law he is especially strong and distinguished. He has been counsel and attorney of important corpora-

tions, often for considerable periods, and always with efficiency and success. His service upon the bench added largely to his legal reputation. Naturally, perhaps, of a judicial bent of mind, he was in



HON. WILLIAM D. CORNISH.

the fullest sympathy with his duties and discharged them with signal ability and success. His official conduct was a synonym for fairness, close investigation, and deep judicial knowledge. His decisions were very rarely disturbed on appeal, and, upon the whole, his term was of great public service. He was the Republican candidate for election, and ran some thousands of votes ahead of his ticket. He was unsuccessful because the election was in a presidential year, and his opponent was a

fusion candidate, who was voted for by a certain class to which he belonged, and which held membership therein the supreme test of fitness for office, and would make no other comparison of the qualifications of the candidates.

Judge Cornish was married, Oct. 2, 1872, to Alice Olmstead of Binghamton, N. Y., and they have one child, a daughter, named Alice Elizabeth.

J. J. McCafferty, attorney at law, was born, Dec. 2, 1854, at Lowell, Mass. After receiving a high school and academic course of education, he attended Holy Cross College at Worcester, Mass., for a term. From there he went to the law school of the Boston University, and later entered the law office of an uncle, where he completed his

studies. He was admitted to the bar, in 1875, in Worcester, Mass., where he began the practice of his profession. In that city he was a member of the board of education for a term of four years. He then made a trip to Europe and carefully and completely studied the conditions existing in Ireland. He returned in 1880 and made his report at a convention held in New York City, where the Land League of America was then formed. His services were at once recognized by the convention, and he was elected the first president of the new league. Mr. McCafferty next went to South America, where he spent four years. While there he was elected president of the American College at Buenos-Ayres, Argentine, which post he occupied until 1884. From South America he came direct to St. Paul and opened a law office, soon establishing an immense practice in the city. In 1887 he was appointed by Judge Nelson of the United States circuit court to be United States court commissioner, and this position he is still holding to-day. He conducted his business alone for some time, but in 1891 formed a partnership with Rollo E. Noyes, and the firm became known under the title of McCafferty & Noyes, continuing to add to the lucrative and extensive business for which the senior member had laid the foundation. For five years the firm continued as such, when it was dissolved and Mr. McCafferty continued to practice alone.

While court commissioner he was called upon to hear the charges of fraud which arose out of the taking of the census in 1890. At the adoption of the new city charter Mr. McCafferty was appointed a member of the assembly, or upper branch of the common council, of St. Paul by Mayor R. A. Smith, and he filled this post during 1892-93.

In 1890 he was married to Miss Fannie W. Wiley, daughter of the Hon. F. C. Wiley of St. Paul, and the home of Mr. McCafferty is a delightful center of culture and refinement. Both are lovers of books and pictures, and no more congenial spot can be found in the city than the library of Mr. McCafferty, where he delights to receive and entertain his visitors.

Mr. McCafferty is a staunch adherent of Jeffersonian Democracy. In 1880 he was sent by the State of Massachusetts as a delegate to the national Democratic convention. In Minnesota he has been a member of the state central committee of his party. He was prominently mentioned for the position of United States district attorney under Mr. Cleveland's administration. For the past ten years he has never missed an opportunity to stump the state in every state election for the cause of his party, and aided Mr. Lawler in making his canvass, which covered every county in the state, when the latter was the nominee for the governorship on the Democratic ticket. But his activity in politics has never made him a rank partisan to such an extent as to alienate from himself the esteem of many citizens of opposite political faith. During his fourteen years' active practice in this city he has made a host of friends and has succeeded in becoming a prominent social figure. Everybody knows the genial [182] countenance of "Judge" McCafferty, and all who know him combine in extolling the many good qualities which have endeared him to everyone.

In his work he has been called upon to take charge of many important cases in Minnesota, Wisconsin, and the Dakotas, and everywhere he has not only demonstrated his ability as a lawyer, but has won the esteem of bench and bar for his demeanor when in court.

Henry Johns, attorney and counselor at law, was born at Johnstown, N. Y., June 18, 1858. He came to St. Paul in 1866, and received his preliminary education in the middle schools of the city. Later, he attended the National Law School and Columbia Law School, both of Washington, D. C., graduating in 1879. After his admission to the bar he came west and located at Burlington, Iowa, where he began the practice of his profession. He then came to Minnesota and opened an office at Red Wing, where he remained three years, coming from there to St. Paul, in 1885, and since that time he has been continuously a resident of this city.

Here Mr. Johns quickly attained that prominence which is bound to fall to talent, ability, and honest endeavor. He is now readily acknowledged as the ranking member of the junior bar of Ramsey county, and his reputation has spread beyond this city into every section of the state. His specialty as a trial lawyer is well established, and he has tried more election contest cases than any other lawyer in the state. He was counsel in the well-known Quinn-Markoe case, since which time his services have been always in demand in similar actions.

Mr. Johns has also been identified with many of the important criminal trials of the county. In the trial of the noted bank robbers Mr. Johns was counsel and did able work, while Pierce Butler, county attorney, established his reputation as a trial lawyer in the same action. In the famous real estate forgery cases Mr. Johns was also pitted against the state, and Mr. Munn first took prominence as a trial attorney.

Mr. Johns has been an active spirit in the elections for some years past, being an ardent and energetic Republican. His services were of a character which soon commanded the respect and admiration of the party and his services as a campaign speaker are now in constant demand when the battle politic is on in earnest. In 1892 he was nominated for the legislature from the Fourth ward, but was defeated by so small a majority that the party re-nominated him in 1894, when he was elected by a handsome majority from the Fourth ward of St. Paul, formerly noted as a Democratic stronghold of the state. In 1896 he was elected to succeed himself, defeating one of the most popular men in the ward after a heated contest for the honor.

In the legislative halls Mr. Johns was always a conspicuous figure, taking prominence as a member of the judiciary committee. He steadfastly refused to vote for bills which his legal knowledge told him could not endure the test of the courts, and he exercised a fearless independence, regardless of adverse criticism. He at no

time assumed the role of a demagogue, nor attempted to play for the plaudits of the gallery, but was unquestionably the most successful bill caterer that Ramsey county ever returned to the legislature. His devotion to the interests of St. Paul is well known and marked, but not withstanding this fealty he is broad-gauged enough to realize that mere partisanship is not statesmanship, and that the true legislator must look to the interests of every section of the state and of all the people, regardless of locality.

He foretold the effects of the constitutional amendment relating to special legislation, especially on this charter of the city, and outlined the decision of the supreme court on the abolishment of the board of public works long before the court had passed upon the merits of the case.

Mr. Johns has built up, in connection with his brother, a remunerative law practice in this city. He has many social connections and holds high positions in the secret and social organizations of St. Paul. Conscious of his ability, he yet has ever remained a man of and for the people, and has carefully abstained from that reserve too often acquired by the practical and successful politician. In his public work and speeches he is full of logic, sound common sense and clear reasoning, and his ability for hard work has made him a most valuable member of his party.

Emerson Hadley, attorney at law, was born in Massachusetts on Dec. 27, 1857. He received his education at Phillips' Academy of Andover, and later went to Harvard, from where he graduated in 1881, having taken a general collegiate course of study. After leaving Harvard, Mr. Hadley went to the Columbia Law School of New York City, where he laid the foundation for his present high position in his chosen profession.

After leaving Columbia Law School he spent two years with Scudder & Carter, a well-known law firm of New York, obtaining much valuable insight into the practice end of the legal practice. In 1884 he

was admitted to the [183] bar in the city of New York and came to St. Paul in October of the same year. On his arrival he formed a partnership with Hon. E. O. Rogers, the present clerk of the district court, being associated with him until June, 1890. At that time he became a member of the law firm of Lusk, Bunn & Hadley, which firm



EMERSON HADLEY.

were attorneys for the Chicago Great Western Railway Company. Simultaneously with this appointment came one as counsel for the St. Paul & Duluth Railroad Company. In the fall of 1893 Mr. Lusk retired from the firm, which continued under the name of Bunn & Hadley, retaining the large business devolving upon them as counsel for the St. Paul & Duluth road.

In 1895 Mr. Bunn accepted a position with the Northern Pacific Railroad, and Mr. Hadley associated with himself Mr. James D. Arm-

strong, with whom he is now conducting the law firm of Hadley & Armstrong. The firm is still retained as counsel for the St. Paul & Duluth Railroad, and is enjoying a large and lucrative general office practice.

Mr. Hadley was married in 1887, in Massachusetts, to Miss Mary M. Luce. Although one of the younger attorneys of the city of St. Paul, his work has always been characterized by the most conscientious care and attention to detail, giving him a high rank among the members of the bar. His bearing to both client and opposing counsel

is courteous, but firm, and the best testimonial to his credit is the continued employment of his services by so important a corporation as the one he is serving as legal adviser. In all the work intrusted to his care the company has always been served with fidelity and with remarkable success, and Mr. Hadley's future in the legal profession is one practically assured of further success and of a nature which would be a credit to many young men in the practice. The best that can be said of any man is that he is true to his trusts, painstaking in his work, and mindful of the duties imposed upon him, and these attributes well fit the subject of this brief sketch.

James Douglas Armstrong, attorney at law, was born in St. Paul on April 8, 1866. He is the son of one of the old settlers of the city, George W. Armstrong, who has been well and favorably known to the people of the city for many years.

Mr. Armstrong was educated in the schools of the city, and passed through the high school, from which he graduated in the class of 1885. Then he attended the University of Minnesota, and finally went to the law school of the University of Michigan, from which he graduated in 1889.



He entered the law offices of Chas. E. & C. G. Otis, and later those of Lightner & Young, both well-established firms. He was admitted to the bar in Michigan, in June, 1889, and in Minnesota in July of the same year, after which he entered the service of the

St. Paul & Duluth Railroad Company as assistant general solicitor. In 1895 he formed a partnership with Emerson Hadley, the firm being

made general solicitors for the St. Paul & Duluth Railroad Company, besides doing an extensive general law business. The firm has succeeded in building up a very profitable and promising law business, and for a young man Mr. Armstrong has reason to congratulate himself upon his success.

Mr. Armstrong was married, Nov. 6, 1894, to Miss Mary E. Brinkerhoff, daughter of Mr. and Mrs. Elbert A. Brinkerhoff of Englewood, N. J. He is well known in St. Paul, and has a host of friends, who are pleased to see him prosper in his chosen profession.

William G. White.—The subject of this sketch was born in South Hadley, in the State of Massachusetts, Sept. 30, 1854. At a very early



WILLIAM G. WHITE.

age his parents moved to the neighboring town of Chicopee, where he continued to live until he came to St. Paul, in May, 1884. He was [184] educated in the common schools of Massachusetts, and also graduated at the Harvard Law School in the class of 187. After receiving his degree at the law school he began practice in Springfield, and continued in practice in that city until the year 1881, when he came to St. Paul with his family, as already mentioned. Since his arrival in Minnesota his practice has been very largely

in real estate and corporation law, of which he makes a specialty, and he has been counsel for several large and important corporations, also banks, trust companies, etc.

He has never been active in politics, although he has usually acted and voted with the Republican party; but in these times will probably be classed as an "independent" along the political lines. He has held no public office since coming to Minnesota, but has at all times devoted himself entirely to the practice of his profession.

Hon. Edward J. Darragh, ex-corporation attorney of the city of St. Paul, was born at Painesville, Lake county, Ohio, June 20, 1869. His parents, Edward and Catherine, (O'Brien) Darragh, were both natives of Ireland. His father was a prominent contractor and bridge builder. In 1882 he came with his family to Minneapolis and engaged in the construction of bridges for the Great Northern Railway. The well-known stone-arch viaduct across the Mississippi at Minneapolis, a notable specimen of engineering skill and composition, was of his construction, and in a certain sense maybe considered a monument of his large scientific abilities. He died in Minneapolis in 1883, and the following year the family removed to St. Paul.



HON. E. J. DARRAGH.

Even in his boyhood, Mr. Darragh was bright, intelligent, and promising. At seventeen he had completed a scholastic course at the College of Notre Dame, South Bend, Ind.,—an institution which shows no favors to anybody in the thoroughness and completeness of its work,—and at that early age he was intellectually as well

equipped for life-work as most men are at twenty-five. Two years prior to his graduation, however, or in 1887, he had served for about a year as a clerk in the wholesale grocery house of P. H. Kelly & Co., at St. Paul, so that his training was both theoretical and practical. He was active and industrious, willing to work at anything honorable, and the first regular employment he obtained after his graduation was as a foreman over a gang of street laborers at work in the Seventh ward of the city of St. Paul. He was so engaged for several months, and some of the most prominent thoroughfares in that quarter of the city were graded and improved under his superintendent.

In October, 1888, he began the study of law in the office of C. D. & T. D. O'Brien, in this city, and so continued for a little more than two years. He was admitted to the bar in 1890. A month later he became a deputy clerk of the Ramsey county district court,—a position whose duties were somewhat germane to the practice of his chosen profession,—and served until the following October under Hon. R. T. O'Connor, the present United States marshal for this district. In October, 1891, associated with Mr. James Barnard, he began the active practice of the law. In February, 1902, this partnership was dissolved, and Mr. Darragh engaged with Mr. W. P. Westfall, under the firm style of Darragh & Westfall.

He has met with rare success from the start. Fitted with an excellent memory, his knowledge of the principles of law, as he learned them in the text-books and treatises, is most thorough, and his judgment beyond his years, enables him to apply them correctly. Endowed with that power of speech which seems to be the natural inheritance of the average Irish-American, he is a most successful advocate, earnest, clear, and convincing before court and jury. Active and industrious, he works hard for his causes, and, as one of his brethren at the bar puts [185] it, "tries a case for all there is in it." He is described as a good "all-around" lawyer, counselor, attorney, and advocate, and seemingly equally familiar with and informed on all

forms and branches of American jurisprudence. In March, 1895, the city council of St. Paul chose him corporation attorney, a position of large responsibility and importance, and one never before held by so young a lawyer. That his service has been efficient and valuable everybody allows. He has performed his official duties impartially, uninfluenced by any other consideration than that for the public good, his sense of honor prevents his being a demagogue (sic) or trimmer, and he cannot be a fool. He has promptly and frankly refused on every occasion to purchase popularity or to bid for notoriety,—even when the proposition came from an exalted authority,—and he has thereby in general estimation strengthened his character and added to his reputation.

Mr. Darragh has already a well-known reputation and an honorable record as a Democratic politician. He is a Democrat from conviction, knowing what the traditions and the principles of that party are and venerating them, and he is a politician in the just and true sense of the term. He has held prominent and influential places in his party, but has never aspired to be a "boss." His services as a speaker and in other capacities have been in demand ever since he has been a voter, and have been freely given. A commoner himself, he is most popular and effective with the masses. In the political campaign of 1894 he was the Democratic nominee for congress in this (the Fourth) district. He was one of the very youngest candidates ever nominated for congress, barely eligible for election,—and he carried on the contest practically single-handed. He led a forlorn hope, and defeat was certain from the first. The policies of the Cleveland administration, seemingly modeled after the most reprehensible Republican principles, and the resultant hard times, had disappointed and disgusted the Democratic masses everywhere. They refused to vote by thousands in every district, even for true, tried, and worthy candidates, lest they should seem to indorse the conduct of certain of their leaders, and especially the financial policy of the administration. The Fourth district Democrats were like their brethren elsewhere. None of them were converted to Republicanism.

In indignation and sorrow they simply would not come to the polls. Mr. Darragh made the best fight possible under the circumstances. With a united, harmonious party, he would have won easily, "hands down." As it was he was defeated, though leading his ticket. The election at least demonstrated his personal popularity. In St. Paul he ran ahead of General Becker,—the candidate for governor, the Nestor of Minnesota Democrats, and one whom they delight to honor,—by more than 2,000 votes. It was really a personal victory for Darragh after all.

In September, 1892, Mr. Darragh married Miss Nellie M. Agnew, daughter of Frank Agnew of Chicago. Mr. Agnew—recently deceased—was well known to Minnesotans. He was a prominent contractor, and some years ago was the sheriff of Cook county,—in which county Chicago is situated,—and he was the only Democrat ever elected to that position, at least in the last half century.

Ferdinand Barta, attorney at law, was born, Sept. 8, 1857, at Union, Vernon county, Wisconsin. He received a common and high school education in his native town, and after his graduation, in 1879, began the study of law with Howe & Turtelotte of La Crosse, Wis. He was admitted to the bar, in 1882, in La Crosse. But from the time he was seventeen years of age until he was twenty-two he earned his means for further educational facilities by teaching school, and by applying himself industriously to this line of employment, worked his way upward and forward.

In the spring of 1883 Mr. Barta came to St. Paul and, opening an office, began the practice of law in his own name, doing a general law business, which soon became profitable. In 1894 he was urged to enter the political arena, and was nominated by the county convention for representative in the legislature from the Fifth ward, which was always a Democratic stronghold before. But contrary to his own expectations, Mr. Barta, although running on the Republican ticket, was elected by a handsome majority and served his term faithfully and well. There was no desire to make a change when the

convention of 1896 was held, and Mr. Barth was again nominated for the position and again elected in November, at the general election, to serve as a member of the session of 1897. Mr. Barta is a close and conscientious student. Not alone do his inclinations run towards reading in law, but he has ever been a studious reader along scientific lines. He has a very large library, covering political economy, history, and scientific subjects, the latter having been long a special hobby with him. In conversation he reveals at once a great breadth of information and useful knowledge along these subjects, far above the average usually shown by the business or professional man. This store of information has often stood him well in hand in his law practice. Mr. Barta is also a clever [186] linguist, speaking and reading three languages fluently,—English, German, and Bohemian.

He was married, in St. Paul, in 1888, to Miss Lena Brings. In a social way, he holds connection with the Masonic fraternity in this city, and numbers a host of friends who delight in acknowledging their friendship for the subject of this sketch on many occasions.

Oscar Hallam, attorney at law, was born, in Linden, Iowa county, Wisconsin, Oct. 19, 1865. Until the age of sixteen he attended the district schools and then entered the high school at Dodgeville, Wis. In September, 1882, he entered the University of Wisconsin, and graduated from this institution, with honors, in 1887. He at once began a course of study in the law school of the university, which he continued for two years, graduating in 1889. During that period he also studied law in the office of Attorney General O'Connor of Wisconsin.

Mr. Hallam came to St. Paul in 1889 and formed a partnership with Mr. O. B. Lewis, the firm being known under the name of Lewis & Hallam, and this partnership was continued until Jan. 1, 1897, at which time Mr. Lewis ascended the bench of the district court of Ramsey county, to which he had been elected at the preceding general election. Since then Mr. Hallam has conducted the business of the concern alone.

Since coming to this city Mr. Hallam has been eminently successful in building up a general law practice, and he now represents, in a legal capacity, a number of large business institutions of St. Paul, which he serves with ability and fidelity.

Mr. Hallam has never held any political office, although he has been a consistent and active Republican, taking part in nearly every campaign since 1888. In that year he was very active as a speaker for his party, delivering a number of speeches in Wisconsin. He has also been identified with party organizations during the various contests, and has proven himself an able and valuable member.

In a social way, Mr. Hallam has succeeded admirably in gaining not only a foothold among the people, but also their recognition for his personal merits. He is a member of the Masonic fraternity and of the A. O. U. W. In the latter organization he has passed the official chairs, being now a past master workman, and is also chairman of the committee on laws of the grand lodge of the order. Mr. Hallam is also a member of the St. Paul Chamber of Commerce.

Mr. Hallam was married in St. Paul, July 27, 1892, to Miss Edith L. Lott, a well-known young lady of the city. Although still a young man, he holds a high position in the bar of Ramsey county and in social circles of the city. In all, Mr. Hallam has reason to felicitate himself upon his bright prospects for



OSCAR HALLAM.

the future, which, however, have been attained solely by his own exertions and a large degree of merit.

David F. Peebles, Esq.—Among the members of the bar who have come to St. Paul within the past decade and have risen to high station in the profession here is the subject of this brief and imperfect sketch.

David Frederick Peebles was born, at Crimson Springs, Monroe county, Virginia,—now West Virginia,—Oct. 10, 1862. His father was James D. Peebles; and the maiden name of his mother was Mary



D. F. PEEBLES, ESQ.

Baker, and on both sides he is descended from old and honorable Virginia families. His primary education was received in the common schools, and his scholastic training was completed in the Washington and Lee University, at Lexington, Va., at which old, historic, and renowned institution he was in attendance for four and half years. He completed a course of law study, begun and pursued for some time in the university, in the office and under the instruction of that gifted lawyer and able statesman, accomplished

and [187] debonair, the late Hon. John E. Kenna, formerly senator from West Virginia, and was admitted to the bar at Charleston, in that state, in the spring of 1887.

Mr. Peebles came to St. Paul in June succeeding his admission, and has since been prominently connected with the legal interests of the

city and state. In 1889 he began the practice of his profession on his own account. He was a stranger in the land when he first came, but was soon familiarly known; he was at the beginning without friends, but he made them fast enough. In June, 1895, he formed a partnership with Hon. James G. Michael, but a year later the relation was dissolved, and since that time Mr. Peebles has labored in his profession alone. He has had an ample share of business and has been remarkably successful as a general practitioner. His legal brethren regard him as thoroughly well informed in the principles of law and clear and intelligent in their application. His instruction in the fundamental elements of the science was very rigid and thorough, and his course study very close and exacting, and he applies to every case careful investigation, so that his points are uniformly sharply presented and his positions strongly fortified. Already he has attained an enviable reputation, and is held equally proficient as an advocate, counselor, or general lawyer.

He has always been a Democrat in his political faith, has frequently served and assisted his party, but has never asked a nomination for office or other public favor at its disposal. He has often taken part in its councils and deliberations and assisted in shaping its policies. He presided over the county convention of 1894, a body memorable for its spirited and even heated deliberations; he held it well in hand and controlled it with marked executive ability. In the presidential campaign of 1896 he supported Palmer and Buckner, the gold-standard candidates, and was a delegate to the Indianapolis convention which nominated them. He took an active part in the canvass, and made many effective speeches for the cause of sound money in different parts of the state, notably in the Sixth congressional district. When the battle of the ballots was over, he retired to his office and has since been busily engaged in his profession. □

Related Articles

Charles E. Flandrau, “The Bar and Courts of Ramsey County.” (MLHP, 2009) (published first, 1881).

Charles E. Flandrau, “History of the Bench and Bar of Ramsey County: Parts I & II.” (MLHP, 2008-2009) (published first, 1888).

Charles E. Flandrau, “Lawyers and Courts of Minnesota Prior to and During Its Territorial Period.” (Delivered first in 1897; published in 1897 and republished in 1898). Both articles are posted separately on the MLHP.

Hiram F. Stevens, “The Bench and Bar of St. Paul.” (MLHP, 2015) (published first, 1890).

“Ramsey County Lawyers.” (MLHP, 2015) (published first, 1891).

“The Bar and Bench of Ramsey County.” (MLHP, 2015) (published first, 1892).

“Bench and Bar of St. Paul.” (MLHP, 2013) (published first, 1899).

Henry A. Castle, “The Bench and Bar of St. Paul and Vicinity.” (MLHP, 2009) (published first, 1915).

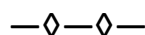
“Dedication of the Ramsey County Court House.” (MLHP, 2015) (published first, 1889).

“Ramsey County Court House and the Men Who Inhabit It.” (MLHP, 2014) (published first, 1903).

“Dedication of the St. Paul City Hall-Ramsey County Courthouse.” (MLHP, 2013) (published first, 1932).

“Photographs of the St. Paul City Hall-Ramsey County Courthouse.” (MLHP, 2015) (1932).

In addition there are over four dozen memorials to members of this bar by the Ramsey County Bar Association in the “Obituary/ Memorial” category in the archives of the MLHP.



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