

HISTORY
OF THE CITY OF
MINNEAPOLIS
MINNESOTA



Part I.

ISAAC ATWATER,
EDITOR.

NEW YORK:
MUNN & COMPANY, PUBLISHERS,
1893.

While he has given close application to the work of his profession, he has been prominent in social life and much interested in benevolent and religious work. He became connected with Plymouth Congregational church, and has at times been an acceptable teacher in its Bible classes. He is a member of John A. Rawlins Post of the Grand Army of the Republic, and at the present time is Junior Commander of the Loyal Legion in Minnesota.

Mr. and Mrs. Woods have a pleasant home on Tenth street, where they extend a refined and generous hospitality to their many friends, and to strangers coming within their doors.

JOHN DAY SMITH. Though a resident of Minneapolis only since 1885, the position which Mr. Smith has attained at the bar, and his influence in public affairs, show how ready the people of Minneapolis are to appreciate true merit, and to accord to it due consideration and honor, though accompanied by no adventitious aids of political influence or official prestige. He was drawn to settle here by admiration of the city and its people, when on a chance visit. He had no acquaintance in the city, and sought no influential association. Bringing his family he opened a law office, at No. 42 Third street. Some business was entrusted to him which was carefully attended to. He had no specialty, but engaged in a general law business. A personal injury case was put into his hands, and in a trial in the United States Circuit Court, his client obtained a verdict against a railroad company for the large sum of \$13,500, and the lawyer won as well the respect of the court, and of the opposing attorneys. The conduct of the case showed careful preparation, skillful presentation of the testimony, and a rare power as an advocate. The fame of

such a victory brought more clients, and an increased business. It was not long before the new comer was recognized as among the best equipped and most successful at the bar.

Not only did professional success come but political influence as well. Having shown himself to be conversant with public questions, and a persuasive and impressive public speaker, he was nominated as a Republican candidate for the lower house of the legislature, in 1888. He was elected and took his seat at the session commencing the following January. So carefully did he guard the interests of his constituency, and so powerfully did he impress himself upon the body for judicial ability and forensic power, that at the following election he was nominated and elected to the upper house, serving in the State Senate at the session of 1891. He was made a member of the Judiciary Committee, and also of the University Committee. The session was a memorable one for the reason that for the first time in the history of the state, the Republican party was in a minority in both houses of the legislature. His colleagues from Hennepin County were all of the opposite party. Assualts were made upon the city charter, and upon the "patrol limits" feature of the city policy, which had been established under Republican auspices. The senator from Minneapolis was involved in a ceaseless struggle, but so ably did he conduct the debate, and so skillfully apply legislative strategy, that the most radical measures were defeated, and no serious changes made. The result of the session was to leave Mr. Smith with an enviable reputation for ability as a legislator.

A sketch of his previous life will show that the honors which Mr. Smith received, and the rapid success which he gained in Minneapolis, were not fortui-

tous, but were the result of contact with practical affairs in early life, of the vicissitudes of the camp, of thorough scholastic training, and of patient and long continued labor in professional life through years of heroic struggle.

He is a son of Edward G. and Elizabeth (Lord) Smith of the town of Litchfield, Kennebec County, Maine, born Feb. 25, 1845. His paternal great grandfather was an emigrant from York County, England, who settled in Maine in 1762. James Lord, the grandfather of his mother, was an officer of the Revolutionary war, commanding a company at the battle of Bunker Hill, and was afterwards seriously wounded in the battle of Long Island. For three generations the ancestors had won their subsistence from a small and not very productive farm, where they were enured to labor, and practiced the virtues of prudence and economy. They were pious people attached to the Baptist Church. The son shared in the labors of the farm, and had such school advantages as the district school afforded through its sessions in the winter months, until he had passed his seventeenth year. For more than a year the war of the rebellion had been in progress. From week to week bulletins from the seat of hostilities brought intelligence of the stirring events of the camp and the field, and appeals came from president and governor to the young men to join the standard of the nation. The lad, neither in appearance or years a man, offered himself and was accepted, and was enrolled in Company "F" of the 19th Regiment of Maine Volunteer Infantry, on the 26th of June, 1862. The regiment, after reaching the seat of war, was incorporated in the First Brigade of the Second Division of the Second Army Corps, serving under all the generals who successively commanded the Army of the Potomac. The drillings and fortifi-

cations, the weary marches and counter-marches; the life of the camp, the bivouac and the battle which this army experienced until the recruits fresh from the hills, became veteran soldiers, are matters recorded in the war history of the time. Young Smith shared them all. He passed unscathed through Fredericksburg, Chancellorsville and Gettysburg. At the latter on the fateful 3d of July, 1863, his regiment was brigaded with what survived of our own gallant Minnesota First, after its memorable charge on the previous day. Young Smith was on the skirmish line when the magnificent army under Pickett, of fifteen thousand men, emerging from the wood, formed its line of battle on Seminary Ridge, and amid a cannonade from both sides, unequalled in the war, precipitated itself with impetuous fury on the steady line of Hancock's Corps of about equal numbers. It advanced through the decimating fire of our batteries, and charged the line with leveled bayonet and blazing guns. The contest was short but decisive. The attacking army was annihilated. Some fugitives escaped, but as an organized force it no longer existed. The Nineteenth Maine Infantry lost about one-half its men in the battle, but a kind Providence shielded the young private from harm, though in the hottest of the fight, so filling up the vacancies caused by the losses in this battle, he was promoted to Corporal. Resuming the battles in which he participated, followed, Bristoe Station, Mine Run, Wilderness, Spottsylvania (where his corps at the "Bloody Angle" captured three thousand prisoners), Po River, North Anna, Totopotomay, Cold Harbor, Petersberg and Jerusalem Plank Road.

The latter engagement put an end to his active military life. He was one of six non-commissioned officers detailed as

color guard, all of whom were put *hors de combat*. Corporal Smith received a musket ball in the face, passing through the mouth, knocking out the teeth on the upper right side, shattering the jaw and passing out under the ear. He lay on the field through the night, suffering excruciating pain and weak from loss of blood. The next day he was placed in an army wagon with other wounded and carried to a field hospital at City Point, a distance from the field of quite fifteen miles. Before he was taken out two dead bodies were removed, and he was more dead than alive. The surgeons had no hope of his life. But a strong constitution, temperate habits and a resolute will, with the kindly care of the blessed nurses of the Christian and Sanitary commissions, carried him through, and he slowly convalesced. When strong enough to be removed he was transferred to a hospital at Washington, and then to Augusta, Maine, where he was given a final discharge April 10, 1865. He was weak and quite unable to undergo bodily labor, though resolute in purpose.

He now entered the Waterville Classical Institute in preparation for college. A little money remained from the scanty pay of a common soldier. With this, and his own earnings in teaching school, the expenses of his education were paid, without a dollar from home. He entered Brown University, R. I., in 1868, and completed the course in due time, though often compelled to be absent to earn money, but making up the studies of the class in 1872.

His scholarship is attested by an election to the Phi Beta Kappa society, which is conferred only upon those of superior standing. He received the degree of Master of Arts in due course. He then accepted an appointment as Principal of the Academy at Worcester, Mass., at a

salary of \$2,000 per year, with which he paid the arrears of his collegiate course and assisted a younger brother in obtaining an education.

He remained at Worcester for three years, when, broken down in health with an attack of hemorrhage of the lungs, he was compelled to relinquish his agreeable position and seek recuperation in the South. Stopping at Washington, he was prevailed on by Senator Hoar, whose friendship he enjoyed, to accept an appointment in the Interior Department of the government. Placing himself in the care of the best surgeons, after two years his health rallied and he went into the Columbian Law School and took a course of instruction in law, under such teachers as Judges William Strong and Cox. The degrees of L. L. B. and L. L. M. were conferred on him by that institution in 1879 and 1881 respectively. He remained in Washington for nine years, during which he discharged the duties of law clerk and chief of a division in one of the bureaus of the Interior Department. For three years he was lecturer in Howard University on the Law of Evidence and Torts.

In the year 1881, while visiting Des Moines on financial business, he extended his trip to Minneapolis, where, without any acquaintances, he was so impressed with the place and its opportunities that on his return he told his wife that their future home would be in that beautiful city, to which they soon removed.

Mr. Smith married July 20, 1872, Miss Mary H. Chadbourne, daughter of Humphrey Chadbourne, of Waltham, Mass. She died May 3d, 1874, leaving an infant daughter, Mary Chadbourne Smith, who is now in the Freshman class of the University of Minnesota. September 16th, 1879, he married Miss Laura Bean, daughter of M. C. Bean, of Delaware, Ohio. They have three

children, Elizabeth Lord, born February 4th, 1881, Mabel Edna, born August 14th, 1884, and Edward Day, born April 18th, 1891. Besides his professional practice, Mr. Smith is lecturer in the Law Department of the University of Minnesota on Constitutional Law and the Law of Torts.

His ecclesiastical connection is with the Baptist church, having been Superintendent of the Sunday School of the First Baptist church. At present he is a

member of the Cavalry church, which is in the vicinity of his residence on Pillsbury avenue.

In social relations he has been Commander of Bryant Post G. A. R., and is now Senior Vice-commander of the Department of Minnesota. He belongs to the Masonic fraternity, being Past Master of Ark Lodge, No. 176, a member of Darius Commandery No. 7, and of Zurah Temple.