Chapter II

THE SHRINKING LAND
AREA OF POLK COUNTY — 1858-1958

Polk County in 1858 had the unique distinction of having two water-sheds draining in opposite directions. The Mississippi River, which formed the southeast boundary of the county from Lake Itasca to Cass Lake, emptied its water ultimately in the Gulf of Mexico, while the Red River of the North, which formed the western boundary of the county, emptied its water into Hudson Bay. After all of the changes in land area of the county had been made, the county today lies wholly in the Red River Valley.

In 1958 the land area of the county was less than one-half its original area. The land area of Polk County was established when Governor H. H. Sibley signed the bill creating the county on July 27, 1858. The land area for the county was set off from the territorial county of Pembina which included parts of northwestern Minnesota and northeastern North Dakota. The law set up the southern boundary of Pembina as the northern boundary of Polk County. When the present counties north of Polk were established, the name Pembina was erased from the county map of Minnesota.

The boundaries of the county, as originally established, commenced at the southwest corner of Pembina county, opposite the mouth of the Turtle River and running up the Red River to the mouth of the Buffalo River at Georgetown; thence easterly up the Buffalo River along the northern boundary of the then named Breckenridge County and then along the northern boundary of Becker County to the southeastern extremity of Lake Itasca; then north and east up the Mississippi to its intersection of the county's eastern boundary line at the northeast extremity of Cass Lake; thence due north to the southern boundary of Pembina County, then due west to the point opposite the mouth of the Turtle River, the place of its beginning.

The first division of the county occurred in 1862, when a sizeable strip of land across the southern boundary was allotted to Clay County. The southern boundary of Polk and the northern boundary of Clay counties was established on a line between Townships 142 and 143.

The second division of Polk County occurred in 1866 when all of the land east, between the ranges 38 and 39, were set off to form a part of Beltrami County. (The land adjacent to the eastern boundary of the county was later separated from Beltrami County to form the present Clearwater County).

Some confusion occurred, regarding the northern boundary of Polk County, when Marshall County was established in 1879. The act establishing Marshall County had the dividing line between the two counties, between Townships 154 and 155N, while the original boundary, when Polk was set off from Pembina, was...
fixed between Sections 6 and 7, Township 154N. This boundary was re-affirmed by the following legislature, and remains at the present northern county boundary. With the squaring up of the south and east boundaries the land area of the county was reduced to 4,450 square miles.

At the 1880-81 session of the Minnesota Legislature an act was passed creating the new county of Norman from the southern third of Polk County. The new southern boundary of Polk County and the northern boundary of Norman County was fixed on an east and west line between Townships 146 and 147. Norman County was allotted 1,432 square miles of land area and it in turn was later reduced when 572 square miles of the eastern part was set off to form Mahnomen County.

The last division of Polk County took place following the general election of 1896, when an irregular portion of the north central and northeast townships, totalling 1,039 square miles, was set off to form Red Lake County. The eastern boundary of the central section of Polk and the western boundary of Red Lake was established between Ranges 46W and 45W, beginning at the north boundary of the county and extending south to the northern boundary of Township 150, Range 45W (Gentilly Township); thence south along the eastern boundary of that township to an east and west line between Townships 149 and 150 to form the south boundary of Red Lake County. The southern boundary of Red Lake extends east to Range 41W, thence north and east bordering on Township 150, Range 40W (Chester Township); thence north and east following the west and northern boundaries of Township 152, Range 39W (Johnson Township); thence north along the eastern boundary of Polk County to the Marshall County line. (Red Lake County, too, suffered dismemberment when in 1910 its north half [approximate] was set off to form Pennington County.)

While the successful attempts to divide the land area have been duly documented, yet the history of Polk County would be incomplete unless a brief account of the unsuccessful attempts to divide the county were made in this report. The writer, upon his arrival in Polk County, was intrigued by the reports, many of them first hand from participants, of the unsuccessful attempts to divide the county. Argument for county division was not without justification. Before the general use of the automobile in the early twenties, a relay journey by team and railroad meant about a two-day trip to the county seat for residents in the northwestern and northeastern parts of the county.

The ambitions and aspirations of the citizens of the towns and villages to become county seats were the other driving forces working for county dismemberment. The law passed by the State Legislature in 1893, which permitted voters to decide at general elections on county division, added fuel to the fire of enthusiasm of factional groups for county division. Four sectional groups filed petitions for county divisions which were voted on in the general
election of 1894. The proposed divisions of the county with proposed county names and county seats were: west, Nash with East Grand Forks as county seat; north central, Red Lake with Red Lake Falls as county seat; east, the group favoring McIntosh as county seat submitted the name Columbia — those designating Fosston as the county seat submitted Nelson as the county name. This first attempt to slice up the county into three parts failed.

The following session of the legislature amended the County Division Law to permit voters to vote on only one division proposal at any one election. Similar petitions for county division were again placed before the voters in the general election of 1896. This election carried for Red Lake County. The last important county division election occurred in 1902 when petitioners sought to separate the eastern part from the parent county.

The late Charles Conger, a friend who then resided in McIntosh, gave an excellent report of the county division fight in the 1916 HISTORY AND BIOGRAPHY OF POLK COUNTY, entitled “The Rise and Fall of Columbia County”. The four petitions voted on in the 1902 election were in agreement on land area, fixing the line of separation on the western boundaries of Garden, Woodside and Grove Park Townships. The groups were in disagreement, however, on county names and county seat towns. The proposed county names and county seats were: Nelson with Fosston, Columbia with McIntosh, North Star with Erskine, and Valley with Mentor. The petition for Columbia County carried the most yes votes and Governor Van Sant issued his proclamation declaring the proposition for the creation and organization of the Columbia County carried.

The new Columbia County proceeded to organize with the commissioners named in the petition as the organizing agency. The legality of the election was questioned, inasmuch as all petitions included the same land area. Polk County contested the election before the State Supreme Court. The Supreme Court handed down its decision on April 16, 1903, stating “That the pretended organization of the new county was invalid and of no effect and its pretended officials were ousted from the offices they claimed to hold”. Considerable business had been transacted by the new county officials before the Supreme Court decision was handed down. The 1907 legislature however legalized in part many of the acts of the temporary organization pertaining primarily to estates, tax payments, marriage licenses and other minor matters. The final attempt to divide the county by the Nelson County advocates was decisively defeated in the 1908 election.

One interesting sidelight of legal significance was brought out in the final division of the county. The issue in controversy, between Polk and Red Lake counties, was whether or not Red Lake County should bear its share of the bonded indebtedness incurred while it was still a part of Polk County. The State Supreme Court reversed the decision of District Judge William Watts and ruled that Red Lake County should pay its share.