

James Irving: Judge, Attorney, Clergy, and Indian Rights Activist

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James Irving was born February 3, 1882 on the Yankton Sioux Agency in Dakota Territory. He lived his life as a Sioux Indian though his father, James Irving Sr., was born in Alabama and identified his race as black on the 1900 census. His mother, Frances, listed as Indian. Her native name was shown as Tunkanmazawin.¹

Irving grew up and attended St. Paul Mission School on the Yankton Reservation at Greenwood, South Dakota. He later attended Government schools at Genoa, Nebraska and St. Lawrence, Kansas where he learned the printing profession. James then entered the Illinois College of Law in Chicago and the University of Oregon Law School before lack of finances forced him to quit school and seek employment. His experience in printing helped him secure employment with the government Indian Services Department. He was employed by the Pipestone Indian Training School in Pipestone for 11 years (1907-1918) as head of the printing department.² He married Bessie Lovejoy, also Indian, of Flandreau, South Dakota on August 15, 1916 in Sioux Falls, South Dakota.³ The couple had 2 daughters. Frances Rena was born February 2, 1918 and Marianne Hermine was born December 10, 1919.⁴

After leaving his position at the Indian Training School, Irving began working in the newspaper trade. He was involved with several newspapers printed in and around Pipestone County including the *Holland Index*, the *Woodstock News*, and the *Rock County Star*.² In February of 1920, Irving filed his candidacy for the office of Probate Judge in Pipestone County.⁵ Three months later he ceased publication of the *Woodstock News* to devote his full attention to his campaign.⁶ His efforts must have worked. In November 1920 Irving was referred to as Probate Judge-Elect in an article

¹ "1900 United States Federal Census" database and digital images, *Ancestry.com*, (<http://www.ancestry.com> : accessed 16 October 2020) search for James Irving died Charles Mix County, South Dakota 1906; Year: 1900; Census Place: Plain Center, Charles Mix, South Dakota; Page: 13; Enumeration District: 0074; FHL microfilm: 1241547.

² "Jas. Irving to Start Newspaper at Luverne," *Pipestone County Star* (Pipestone, Minnesota), 31 January 1919, p. 4, col. 4.

³ "South Dakota Marriages 1905-2017" database and digital images, *Ancestry.com*, (<http://www.ancestry.com> : accessed 16 October 2020) search for James Irving marriage to Bessie Lovejoy in South Dakota; South Dakota Department of Health; Pierre, South Dakota; *South Dakota Marriage Records, 1905-2016*.

⁴ "1920 United State Federal Census" database and digital images, *Ancestry.com*, (<http://www.ancestry.com> : accessed 16 October 2020) search for James Irving with spouse Bessie Irving living in Pipestone County, Minnesota, USA; Year: 1920; Census Place: Burke, Pipestone, Minnesota; Roll: T625_850; Page: 1B; Enumeration District: 172.

"U.S., Indian Census Rolls, 1885-1940" database and digital images, *Ancestry.com*, (<http://www.ancestry.com> :accessed 16 October 2020) search for Marianne Irving born Pipestone County, Minnesota 1919 with father James Irving; Year: 1923; Roll: M595_685; Line: 3; Agency: Yankton

⁵ "Irving First to File for County Office," *Pipestone County Star* (Pipestone, Minnesota), 27 February 1920, Sec. 2, p. 1, col. 3.

⁶ "Irving Quits the News," *Pipestone County Star* (Pipestone, Minnesota), 14 May 1920, p. 4, col. 3.


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that appeared in an issue of the *Pipestone County Star*. That same article revealed what may have been Irving's first involvement in activism for Indian Affairs. He was referred to in the article as the Vice President of Education for the Society for American Indians. This organization was lobbying for changes to the Indian Bureau's way of educating Indian youth, specifically calling into question the practice of segregating Indian children from their families verses having them attend public schools near their homes.⁷

Vote For and
Re-Elect



JAMES
IRVING
Present
JUDGE OF PROBATE
Candidate to Succeed
Himself
Your Support at the General
Election, Nov. 6th, is Respect-
fully Solicited.

On November 6, 1922 Irving appeared before the Minnesota Supreme Court and was sworn in as an attorney; having successfully passed the Minnesota Bar Exam. Interestingly in the 1940 Federal Census he reported his highest level of education as 3 years of college, implying he never completed college or law school. Irving was the second Native American in Minnesota history to have successfully passed the bar examination in the state.⁸ He continued to work as Probate Judge in Pipestone County throughout the 1920s. His last race for the seat as Pipestone County Probate Judge saw 7 candidates in the June primary. Irving placed second, securing his position on the ballot for the November general election.⁹ Irving campaigned in the *Pipestone County Star* placing ads, that included his picture, in editions of the newspaper leading up to the election.¹⁰ When the results of the November 6, 1928 election came in, Irving retained his seat as Probate Judge receiving 2,507 votes county wide to his competitor's 2,027.¹¹

Ad campaign used by James Irving in his successful bid for re-election in the November 1928 general elections. Originally appeared in the Pipestone County Star on page 2, column 6 of the October 5, 1928 edition.

⁷ "Irving to Gathering of American Indians," *Pipestone County Star* (Pipestone, Minnesota), 12 November 1920, p. 1, col. 4.

⁸ "Pipestone's Indian Lawyer," *Pipestone County Star* (Pipestone, Minnesota), 21 November 1922, p. 4, col. 1.

⁹ "Howard Got Big Vote in Judgeship Race," *Pipestone County Star* (Pipestone, Minnesota), 22 June 1928, p. 1, col. 2.

¹⁰ "Vote For and Re-Elect James Irving," *Pipestone County Star* (Pipestone, Minnesota), 5 October 1928, p. 2, col. 6.

¹¹ "A Landslide for Hoover-Curtis," *Pipestone County Star* (Pipestone, Minnesota), 9 November 1928, p. 4, col. 3.

Census records reveal that sometime between 1920 and 1930, while Irving was Probate Judge of Pipestone County, he and Bessie were divorced. In 1930 he was living in Pipestone with daughters Frances, age 12, and Marianne, age 10. They were all roomers at the boarding house of Charles and Katie Vickerman. Bessie was living in Minneapolis and reporting as the wife of Archie C. James. Official marriage records reveal they were not married until 1942.¹²

Serving as Probate Judge was not Irving's only endeavor while in Pipestone. In 1923 he was appointed Chairman of the Pipestone County Red Cross.¹³ In 1928 he began to publish a national newspaper for Indians named the *American Indian Bulletin*. This paper was printed locally at the office of the *Pipestone Leader* newspaper and was focused on the issues facing Native Americans. Irving also studied theology and became an ordained minister in the Episcopalian Church.¹⁴ While his exact role in the *Yankton Sioux Tribe vs. the United States* trials is not clear, Irving was involved. He was the person who gave the attorney representing the tribe a tour of the Pipestone Quarries in 1927.¹⁵ He later received information from that same attorney which he presented to the local newspaper for publication.¹⁶



James Irving and others on the Pipestone County Courthouse steps; date unknown. Presumably taken during the Court of Claims hearing held to determine the value of the Pipestone reservation land. The hearing was held at the Pipestone County Courthouse on September 30, 1927. Photo from the collection of the Pipestone County Historical Society.

¹² "1930 United States Federal Census," database and digital images, *Ancestry.com*, (<http://www.ancestry.com> : accessed 27 October 2020) search for Bessie B. James; Year: 1930; Census Place: Minneapolis, Hennepin, Minnesota; Page: 23B; Enumeration District: 0248; FHL microfilm: 2340834. "Minnesota Official Marriage System," database, *MOMS.com*, (<http://www.moms.com> : accessed 27 October 2020) search for Archie C. James and Bessie B. Irving between 1920 and 1950; <https://moms.mn.gov/Search?S=1>.

¹³ "Jas. Irving Chairman for Red Cross Drive," *Pipestone County Star* (Pipestone, Minnesota), 30 October 1923, p. 1, col. 2.

¹⁴ "Indian Newspaper to be Published in Pipestone," *Pipestone Leader* (Pipestone, Minnesota), 20 December 1928, p.9, col. 3. "Irving is Active in Mission Plan," *Pipestone County Star* (Pipestone, Minnesota), 4 May 1934, p. 6, col. 4.

¹⁵ "Attorneys for Indians Visited Pipestone," *Pipestone County Star* (Pipestone, Minnesota), 2 August 1927, p. 1, col. 4.

¹⁶ "Differ Widely on Reservation Value," *Pipestone County Star* (Pipestone, Minnesota), 20 December 1927, p. 1, col. 2. "Decision in Pipestone Case Expected Soon," *Pipestone County Star* (Pipestone, Minnesota), 13 January 1928, p. 1, col. 3.

In 1931 Irving resigned his position as Probate Judge to be effective May 1st of that year citing his desire to relocate to Sioux Falls, South Dakota to practice law. He later withdrew his resignation, though by self-admission only on a temporary basis.¹⁷

Following his stint in Sioux Falls, Irving landed in Sioux City, Iowa. It was at that location that he befriended two other Indians and the trio formed Indian Missions, Inc. The purpose of that organization was to provide a place for the roughly 300 Indians living in Sioux City to worship as well as receive public assistance. James Irving served as pastor for this mission.¹² By 1937 James Irving had made his way to Des Moines, Iowa where he worked as editor for the Historical Record Survey, a WPA project focused on gathering and publishing the history of Iowa counties.¹⁸ In 1940 he was living in the Oxford Hotel in Des Moines which was being operated as an annex of the Salvation Army.¹⁹ He remained in Des Moines until sometime after April 1942. It was at that time that Irving registered for the WWII draft. He reported the same occupation and address as the census and listed his daughter, Frances Rena Thompson, as the person who would always know his location.²⁰

It is necessary to note that Frances had married Joseph Daniel Thompson of New Kensington, Pennsylvania in November 1939. The couple made their home in that location.²¹ The significance of this became apparent as Irving relocated to Pennsylvania sometime around 1943.²² He lived at 1112 Forbes Street, in the Pullman Hotel. Newspaper articles from 1949 reveal Irving continued to advocate for Indians. He was the impetus behind the formation of the Peace Pipe Council, an organization of several Indian tribes. The Council's goal was to provide a place for the various tribes to gather and share the heritage, culture and arts and crafts of their people.²³ Irving was

¹⁷ "Resignation Has Been Withdrawn," *Pipestone County Star* (Pipestone, Minnesota), 17 April 1931, p. 1, col. 6.

¹⁸ "Jas. Irving has WPA Position at Des Moines," *Pipestone County Star* (Pipestone, Minnesota), 24 September 1937, p. 6, col. 1.

¹⁹ "1940 United States Federal Census," database and digital images, *Ancestry.com*, (<http://www.ancestry.com> : accessed 22 October 2020), search for James Irving born 1882 in Charles Mix County, South Dakota; Year: 1940; Census Place: *Des Moines, Polk, Iowa*; Roll: *m-t0627-01195*; Page: *81A*; Enumeration District: *100-92*.

²⁰ "U.S., World War II Draft Registration Cards, 1942," database and digital images, *Ancestry.com*, (<http://www.ancestry.com> : accessed 22 October 2020), search for James Irving born Charles Mix County, South Dakota in 1882; The National Archives at St. Louis; St. Louis, Missouri; *World War II Draft Cards (Fourth Registration) for the State of Iowa*; Record Group Title: *Records of the Selective Service System*; Record Group Number: *147*; Box or Roll Number: *110*

²¹ "Iowa, Marriage Records, 1880-1945," database and digital images, *Ancestry.com*, (<http://www.ancestry.com> : accessed 22 October 2020), search for Frances Rena Irving born 1918 in Pipestone, Minnesota; Iowa Department of Public Health; Des Moines, Iowa; Series Title: *Iowa Marriage Records, 1923-1937*; Record Type: *Marriage*

²² "U.S. City Directories, 1822-1995," database and digital images, *Ancestry.com*. (<http://www.ancestry.com> : accessed 23 October 2020), search for James Irving in Pittsburgh Pennsylvania; *Ancestry.com. U.S. City Directories, 1822-1995* [database on-line]. Provo, UT, USA: Ancestry.com Operations, Inc., 2011

²³ "Indians to Meet, Stand by in Case We Give City Back," *The Pittsburgh Press* (Pittsburgh, Pennsylvania.) 27 February 1949. Photocopy downloaded from www.newspapers.com, 19 August 2020 and archived in the Irving Family File of the Pipestone County Historical Society, 23 October 2020. "Indians Here to Form Club," *Pittsburgh Sun-Telegraph* (Pittsburgh, Pennsylvania). 1 March 1949. Photocopy downloaded from www.newspapers.com, 19

elected Secretary-Treasurer of the Peace Pipe Council and was active in that organization as he spoke to the public about Indian topics.²⁴ James Irving was 67 years old at the time.

On October 3, 1955, at the age of 73, Irving entered Mayview State Hospital located in Pittsburgh, Pennsylvania. He died in that location 16 months later, on February 22, 1957. He was 75 years old. The cause of death was stroke caused by underlying high blood pressure and heart disease. He was buried in the Melrose Cemetery located in South Fayette Township, Allegheny County, Pennsylvania. His burial was paid for with Social Security Funds²⁵ indicating he was of low financial resources.

James Irving was a highly intelligent individual. Throughout his life he “wore many hats” including teacher, newspaper editor, judge, attorney, clergy, and Indian rights activist. His life story ended in humble means but that does not take anything away from the life he led. Steven Covey, author of *The 7 Habits of Highly Effective People*, once said, “Life is not accumulation, it’s about contribution.” It seems an appropriate way to sum up the life led by James Irving.

August 2020 and archived in the Irving Family File of the Pipestone County Historical Society, 23 October 2020. “Indian Club,” *Pittsburgh Post-Gazette* (Pittsburgh, Pennsylvania.) 22 February 1949. Photocopy downloaded from www.newspapers.com, 19 August 2020 and archived in the Irving Family File of the Pipestone County Historical Society, 23 October 2020. “Eight District Indians Form Peace Pipe Council,” *The Pittsburgh Press* (Pittsburgh, Pennsylvania.) 3 March 1949. Photocopy downloaded from www.newspapers.com, 19 August 2020 and archived in the Irving Family File of the Pipestone County Historical Society, 23 October 2020.

²⁴ “Indian to Speak on Point History,” *The Pittsburgh Press* (Pittsburgh, Pennsylvania.) 8 May 1949. Photocopy downloaded from www.newspapers.com, 19 August 2020 and archived in the Irving Family File of the Pipestone County Historical Society, 23 October 2020. “Point Park Session,” *Pittsburgh Post-Gazette* (Pittsburgh, Pennsylvania.) 9 May 1949. Photocopy downloaded from www.newspaper.com, 19 August 2020 and archived in the Irving Family File of the Pipestone County Historical Society, 23 October 2020.

²⁵ Pennsylvania State Archives. “Mayview State Hospital Records” 1955-1957. Folder: “Irving: Family File.” Vertical Files. Pipestone County Historical Society, Pipestone, Minnesota.

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