

CRIME IN GOODHUE COUNTY 1854-1877

FOREWARD

BY

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The first session of the district court in Goodhue County was held in 1854 in the law office of Philander Sanford, who had arrived in Red Wing the previous year. There were no government buildings in the village in those days, and because Sanford held the dual posts of county attorney and clerk of court, his office was pressed into official service on multiple occasions, as an 1878 history of county explained:

Provisions were made to secure permanent offices for the use of the county officials. In the months of May and June, of this year, I. P. Sandford erected a small frame building next west of his residence on Main street, in the present city of Red Wing, for a law office, which was the first law office erected in the city. This building was used by the register of deeds, clerk of the court (Sandford,) treasurer's office, when he had office business to transact, and for the meetings of the board of county commissioners. The sheriff and treasurer, for the most part, "carried their offices in their hats." This pioneer lawyer's office was also used as a court house for the first term of court held in the county in 1854. It was also occupied by the United States land office in the spring 1855, and until more commodious quarters could be

secured ; and the first government sale of lands was also made in this building.¹

No indictments were issued or trials conducted at that initial session, but in the following years, there were three murder trials and sundry other criminal prosecutions. In 1878, looking back on its first quarter century, county historians boasted that “as compared with other counties, the criminal docket shows fewer cases than any other county of equal population in the State, a fact that speaks volumes for the morality and honesty of the people by whom it is settled.” This is one more example of how county histories published in this period were inflicted with excessive community pride.

In Goodhue County, the accused in a criminal prosecution “enjoyed” a “speedy and public trial” guaranteed by Article I, §1, of the state constitution. Henry Shinneman was indicted on January 5, 1861, escaped from jail, was captured, and tried and convicted on June 23rd. Frank Burdett was indicted for rape on May 7, 1873, and tried and convicted in a one day trial on May 15th. Peter Nugent was indicted for rape on December 12, 1877, and tried and convicted nine days later. One day trials were the norm in most of the nineteenth century.

The following article appeared first on pages 275-278 of *History of Goodhue County* published in 1878. An author is not named suggesting that there were multiple contributors to the book. The article has been reformatted; page breaks added; but the original spelling and punctuation have not been changed. The title, “Crime in Goodhue County, 1854-1877,” has been added by the MLHP.

¹ *History of Goodhue County, Including a Sketch of the Territory and State of Minnesota* 244 (Red Wing: Wood, Alley & Co., 1878). As frequently happens with county histories compiled in this period, there is confusion over dates. The quoted paragraph relates to proceedings of the county commissioners in the year 1855. Sanford probably erected his law office in 1853, when he arrived in Red Wing, or in 1854, just in time for the initial court session.

HISTORY
OF
GOODHUE COUNTY,
INCLUDING A SKETCH OF THE
TERRITORY AND STATE OF MINNESOTA;
TOGETHER WITH
AN ACCOUNT OF THE EARLY FRENCH DISCOVERIES, INDIAN MASSACRES, THE PART BORNE BY MINNESOTA'S PATRIOTS IN THE WAR OF THE GREAT REBELLION, AND A FULL AND COMPLETE HISTORY OF THE COUNTY FROM THE TIME OF ITS OCCUPANCY BY SWISS MISSIONARIES IN 1838. PIONEER INCIDENTS, BIOGRAPHICAL SKETCHES OF EARLY AND PROMINENT SETTLERS AND REPRESENTATIVE MEN,
AND OF ITS
CITIES, TOWNS, CHURCHES, SCHOOLS, SECRET SOCIETIES, ETC.

ILLUSTRATED.

RED WING, MINN.
WOOD, ALLEY & CO., ST. JAMES BUILDING,
1878.

DISTRICT COURT.

CRIMINAL MENTION— A CLEAN RECORD, ETC.

The district court has jurisdiction in important civil and all criminal cases.

The first term of this court for Goodhue county was held in Red Wing, in 1854. Judge William H. Welch presided; P. Sandford was clerk, and P. S. Fish was sheriff. The session was held in Sandford's law office, a small frame structure heretofore described. Not a single case was tried, and no indictments were found by the grand jury. The petit jury was held two days and then discharged, after which the court sat in chambers four days.

There has never been a capital execution in the county, and, be it said to the credit of the population of the county, but few murder cases have ever been tried, and but very few murders committed, as compared with other counties.

SULLIVAN—TRUDELL CASE.

On the morning of the 20th of June, 1859, the dead body of a French half-breed, named Frank Trudell, was found in the yard in the rear of a house in the lower end of town occupied by a woman of bad reputation named Ann Sullivan. The killing had been done with a knife or some other sharp instrument, and the woman Sullivan was arrested for the murder. A first indictment was found against her at the October term [276] (1859) of the district court but in consequence of some legal technicality, the indictment did not hold good, and a second indictment was found at the June term, 1860. The case was called for trial June 28, 1861, and was concluded on the 30th.

THE SHINNEMAN—JENNEN CASE.

On Monday, the 20th day of November, 1860, Henry Shinneman, a German, living on Wells Creek, gave himself into the hands of Sheriff Chandler, confessing at the time that he had shot and killed a neighbor named Jennen. As stated by Shinneman, a quarrel had occurred between himself and Jennen about some injuries the latter had inflicted on Shinneman's cattle by dogging them; that during the quarrel Jennen made an assault on him with an ax, and that in self-defense he had shot and killed him. Shinneman was taken before Justice Smithers for a preliminary hearing, who admitted him to bail in the sum of five hundred dollars. The neighbors of the two men were not satisfied with the action of justice Smithers, and his bondsmen fearing he might leave them in the lurch, Shinneman was re-arrested by the sheriff on the following Monday, and, taken before Justice Post, of Wacoota, for a rehearing. Messrs. Wilder and Williston represented the State, and Messrs. McClure and Colville conducted the defense. The examination closed on Wednesday, the 29th of November, and resulted in committing Shinneman to jail to await the action of the grand jury.

On the 5th of January, 1861, the district court being in session, an indictment was found against Shinneman, and early in the night of Friday, the 18th of January, he broke jail and escaped to the country. On Monday night, the 21st, he was rearrested at the house of a man named Busche, in Florence township, where he had sought concealment, and returned to jail. His case came on for trial on the 23d of June, when he was found guilty of murder in the second degree, and sentenced to the penitentiary for seven years, twenty days of the time to be spent in solitary confinement. After he entered the penitentiary, he managed to elude the vigilance of the officers, escaped from the prison and fled to Canada, and has never been brought back.

CONDON—CHURCHILL MURDER.

About nine o'clock, on the night of the sixth of April, 1875, William V. Churchill, of Cherry Grove township, was shot and killed while sitting

in his own house. The neighbors were immediately alarmed, and arriving at the scene of the tragedy, sundry circumstances were developed which directed suspicion against Thomas Condon, a neighbor, with [277] whom Churchill had had a quarrel during the day. Condon was arrested and taken before Justice Fletcher Hagler for a preliminary hearing. His wife testified that Condon was at home and in bed when the murder was committed, and her testimony was corroborated by their daughter. Nevertheless, the circumstances were so strong against Condon that he was held to the higher court and committed to jail.

An adjourned term of the district court, Judge F. M. Crosby presiding, was held in July of that year. An indictment had been found against Condon, and on the 18th of that month the case was called for trial.

In preparing Mr. Churchill's body for burial, a gun wad or two were found. One of the wads was found against his person by one of the attendants. On opening it out, it proved to be made from a piece of paper torn from an Indianapolis surgical institute circular. This fact was established on the trial, as also the fact that Condon had, a short time before the murder, got some powder from one man, and some shot from another one in the neighborhood, and that he had wrapped each parcel in a circular, or piece of a circular, of that kind. This fact, taken together with threats that Condon had made against the life of Churchill and other corroborative circumstances, formed so strong a chain of evidence against Condon, that he was found guilty and sentenced for life.

The following named citizens comprised the jury before whom he was tried:

A. Seeback, J. B. Dorman, H. B. Powers, G. McCoy, John Heath, W. S. Grow, Justin Chamberlin, August Peterson, Dudley O. Dow, Eric Ericson, Tilton Howard, John Bronson.

John O. McClure prosecuted, and Pierce and Larry defended.

WILSON, THE WIFE MURDERER.

On the night of the 11th of July, 1876, Milton Wilson, of Cherry Grove township, killed his wife by cutting her throat. The family were old residents of the township, and had a kind of cat-and-dog life for a long time previous to the murder. Wilson was about fifty years of age at the time of the murder, and it was shown that a few days previous to the terrible affair, he had whipped and abused his wife in a shocking manner, the trouble arising because of a disagreement between Mrs. Wilson and her step-daughter, and the tragedy seems to have originated from that quarrel. After he had killed his wife, he attempted to cut his own throat, but failed. At the December term of the district court, 1870, an indictment was found against Wilson, to which he plead guilty, and was sentenced to imprisonment for life. [278]

The State of Minnesota *vs.* Frank Burdett. Indicted for rape May 7, 1873. Tried May 15, 1873, found guilty, and sentenced to the penitentiary for twenty years. Pardoned by Governor C. K. Davis, February 25, 1875.

The State of Minnesota *vs.* Peter Nugent. Indicted for rape Dec. 12, 1877. Tried Dec. 21, 1877, found guilty, and sentenced in March, 1878, to the penitentiary for twelve years.

The above paragraphs embrace all the important convictions from Goodhue county. There have been few other convictions and short sentences, but as compared with other counties, the criminal docket shows fewer cases than any other county of equal population in the State, a fact that speaks volumes for the morality and honesty of the people by whom it is settled. ■

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