

“THE EARLY POLITICAL HISTORY OF MINNESOTA”

BY

CHARLES D. GILFILLAN

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FOREWORD

BY

DOUGLAS A. HEDIN
Editor, MLHP

If Charles Duncan Gilfillan is recalled by lawyers today, it is because he was the younger brother of Chief Justice James Gilfillan.¹ He was admitted to the bar in Minnesota in 1853, at age twenty-two. He practiced with his brother from 1857 to 1863, when he stopped. He must have continued to represent some clients, however, because allegedly the “foundation of his fortune was secured from his commissions as attorney for the sufferers by the massacre [during the U.S.-Dakota War], who had claims against the government for property destroyed.”²

¹ James Gilfillan (1829-1894) served as Chief Justice of the Minnesota Supreme Court during two periods, 1869 and 1870 and from 1875 to 1894. For his bar memorial, see “James Gilfillan” in *Testimony: Remembering Minnesota’s Supreme Court Justices* 66-79 (Minn. Sup. Ct. Hist. Soc., 2008).

² Franklyn Curtiss-Wedge, ed., *2 The History of Redwood County* 625, 627 (1916).

For a general history of claims for damages—sometimes called “depredation” claims—arising from conflicts with native tribes, see Larry C. Skogen, *Indian Depredation Claims, 1796-1920* (Univ. of Oklahoma Press, 1996). Skogen briefly discusses U.S.-Dakota War claims, and Mary Hawker Bakeman has published five books listing individual claims, which are available at the Historical Society. The war lasted only two months in late 1862 but claims by surviving settlers and “loyal” Indians lasted decades. See, e.g., *U. S. v. Sesseton and Wahpeton Bands of Sioux Indians*, 208 U. S. 561 (1908) (Holmes, J.).

He left the law to pursue business interests in St. Paul. He prospered, as an entrepreneur, banker and developer. He served on the board of directors of the First National Bank of St. Paul for thirty-seven years; in 1881-1882, he developed the Gilfillan Block at the corner of Jackson and Fourth streets. Writing in 1886, Journalist Thomas Newson was profuse in his admiration:

The Gilfillan block in its massive solidity and architectural beauty, will remain long after its owner has passed beyond the sight of man. It rears its lofty head where once was a deep ravine down which meandered a stream of water, and the gully through which this stream ran was the only natural road from the river up on to Jackson street. Now that section is the busiest part of the city. The building itself is six stories high, made as near fire-proof as it can be, and cost close on to \$200,000. Mr. Gilfillan at one time owned part of the Merchants' hotel with Mr. Potter, but in dividing the property Potter took the hotel which he subsequently sold to Allen, and "Gil." became the possessor of the corner property he now owns.³

His most significant and lasting contribution was being the "prime mover" in the St. Paul Water Works Company as it constructed a system of supplying water to the city in the late 1860s and 1870s; even after it was bought by the city in 1882, he served on its Board of Commissioners for five years.⁴

³ Thomas McLean Newson, *Pen Pictures of St. Paul, Minnesota, and Biographical Sketches of Old Settlers: From the Earliest Settlement of the City, Up to and Including the Year, 1857* 442 (1886). It was razed in 1940.

⁴ For the account of the building of the water works, and for the only thorough biographical portrait of Gilfillan, see Merrill E. Jarchow, "Charles D. Gilfillan: Builder Behind the Scenes," 40 *Minnesota History* 221, 228 (1967).

One of the founders of the Republican Party in Minnesota, he was elected the first chairman of its central committee in 1856. According to his biographer, "For the remainder of his life, he gave unswerving devotion to the party he had helped found, but it never rewarded him with high office.⁵ Though he never held national office, he represented districts in Ramsey County during two terms in the Minnesota House of Representatives, 1865 and 1876, and two terms in the Senate, 1879-1887.

In the late 1880s, he bought and developed a 10,000 acre farm in Redwood County. He was president of the Minnesota Valley Historical Association, and helped build monuments commemorating events of the U.S.-Dakota war in 1862. The following profile of him, probably prepared by a family member, appeared in a history of that county published years after his death on December 18, 1902:

Charles Duncan Gilfillan, one of the most prominent factors in the early history of Minnesota, was born in New Hartford, Oneida county, New York, July 4, 1831, son of James and Janet Agnes Gilfillan. The father, James Gilfillan, a carpet weaver and woolen manufacturer, was born, as was his wife, in Bannockburn, Scotland, where both families had lived for many centuries. In 1830 the family came to the United States with a Scotch colony and

⁵ Jarchow, *supra* note 3, at 223.

Curiously, he is not profiled in Eugene Virgil Smalley's *A History of the Republican Party from Its Organization to the Present Time to Which is Added A Political History of Minnesota from a Republican Point of View and Biographical Sketches of Leading Minnesota Republicans* (1896), although his brother is. *Id.* at 344-45. He likely did not chose to be a subscriber to this book.

located in Oneida county, New York. Charles Duncan Gilfillan was born in New Hartford, New York. As a boy he moved to Chenango county and was there educated at the Home Academy in New Hartford, New York. As a youth he alternated his winter schooling with summer work on farms and at the age of seventeen entered Hamilton College, where he remained for two years. This institution in 1893 conferred upon him the honorary degree of Master of Arts. In 1850, then a young man of nineteen years, Mr. Gilfillan went to Washington county, Missouri, where during the ensuing fall and winter he taught school at Potosi in the iron region southwest of St. Louis. In 1851 Mr. Gilfillan came to the state of Minnesota, in the annals of which state his name was to occupy a prominent place. For two years after his arrival he taught school in Stillwater and at the same time studied law in the office of Michael E. Ames. In 1853 he was admitted to the bar and soon after took a partnership with Gold T. Curtis, succeeding to a considerable portion of the practice of his preceptor. In the spring of 1854 at the first municipal election held in Stillwater, he was elected to the office of recorder. In the succeeding autumn he removed to St. Paul. In 1857 he formed a law partnership with his brother, James Gilfillan, later chief justice of the Supreme Court of Minnesota, an association which continued until 1863, when Mr. Gilfillan retired from the practice of law. His name will be permanently associated with the early history of the city of St. Paul, owing to his connection with the water system. He gave to the subject much thought and study, consulted all the best authorities and single handed proceeded to construct the present system, which he carried success-

fully to completion. Mr. Gilfillan was president, secretary and leading spirit of the old water company until the sale of the system to the city in 1882, after which he remained a member of the board of commissioners. Few men were more actively connected with the material interests of St. Paul and of the State. In 1882 he built the Gilfillan block in St. Paul at the corner of Fourth and Jackson streets. This building was at the time the finest of its kind in the city. He operated largely in city property and owned large tracts of land throughout the state, including the Gilfillan tract of ten thousand acres in Redwood county, which he bought in 1882. In early life Mr. Gilfillan was a Whig and cast his first vote for the Whig ticket. However, he was present at the first formal organization of the Republican party of Minnesota, at the capitol in St. Paul, February, 1855, to which party he yielded unswerving devotion for the rest of his life. He was active in politics and always effective as a worker. He was the first chairman of the Minnesota Republican Central Committee, and held the position for four years. In 1859 he was the first regular Republican candidate for mayor of St. Paul, but was defeated by Hon. John S. Prince. He was a member of the House of Representatives from Ramsey county in 1864, 1865 and 1866. From the latter year until 1886 he was a member of the State Senate, and thus served in the Legislature for a period of thirteen years. He was instrumental in promoting the passage of some of the most wholesome and just laws found on the statute books of the state. He was chairman of the committee on railroads and was for ten years on the judiciary committee. Mr. Gilfillan organized the Minnesota Valley Historical Association, of which he was the moving

factor. It was his generosity which financed the erection of many of the monuments and markers which, in the locality of Redwood and Renville counties, mark many of the historical scenes of the Sioux Indian uprising of 1862. In the facts of this uprising Mr. Gilfillan was especially interested as the foundation of his fortune was secured from his commissions as attorney for the sufferers by the massacre, who had claims against the government for property destroyed. In behalf of these people he labored early and late and secured from the fund sums which helped many of them to start anew in life. Mr. Gilfillan spent much time in travel and educated his children largely in Germany and France. Mr. Gilfillan was prominent in banking circles in St. Paul, being one of the organizers of the St. Paul Trust Company and for many years vice-president of the First National Bank of St. Paul. In his later life, Mr. Gilfillan devoted his time to developing his farm in Redwood county. He carried on extensive farming and stock raising. For this purpose he built Gilfillan station and elevator and extensive stock yards. Mr. Gilfillan was married December 28, 1859, to Emma C. Waage, daughter of Rev. Frederick and Angelina Waage. Mrs. Emma (Waage) Gilfillan died at Philadelphia, September 25, 1863. The only child born of this marriage died in infancy. Mr. Gilfillan later married Fannie S. Waage, sister of his deceased wife. By this marriage there are four children, Emma K., Fannie W., Charles O., and Frederick J.⁶

Thomas Newson, who must have heard him tell many stories of old political skirmishes, recalled, "In early days Mr. Gilfillan was a power-

⁶ Curtiss-Wedge, *supra* note 2, at 625-7.

ful and very active Republican party man, and he can tell more about the outside and inside of the early politicians of this State than any person living.”⁷ On February 14, 1898, now in retirement, he delivered his recollections of political foes and friends in the territorial era to a meeting of the Executive Council of the Minnesota Historical Society. “The Early Political History of Minnesota” was published subsequently in the Volume 8 *Minnesota Historical Society Collections* 167-180 (1902). It is posted below. It is reformatted. Footnotes have been added by the MLHP. Otherwise it is complete. □

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⁷ Newson, *supra* note 3, at 442-43.

THE EARLY POLITICAL HISTORY OF MINNESOTA.

BY

HON. CHARLES D. GILFILLAN.

After the admission of the State of Wisconsin into the Federal Union, that part of the Territory of that name outside of the state lines was left in an uncertain political condition. Was it still the Territory of Wisconsin with the old laws yet in force, or was it not? The general opinion prevailed that this section was still under the laws passed by the Territory of Wisconsin, and that the governor and the secretary of the Territory were still occupying the same positions in reference to the section sliced off. It was, however, thought best that an agent be sent to Washington to urge the creation of a new Territory. Prominent citizens from different sections of the Outside Territory met at Stillwater and selected, for this purpose, Mr. Henry H. Sibley, who was then at the head of the Fur Company. No politics entered into this selection; it was made because Mr. Sibley was then the most eminent and influential person in the region. He proceeded to Washington. After the lapse of a few months, an act creating the new Territory was passed and Mr. Sibley was admitted as its delegate, under what might be called a "squatter" election. President Taylor appointed Alexander Ramsey to be the governor of the new Territory of Minnesota. He arrived in St. Paul in the latter part of May, 1840, and shortly thereafter issued his official proclamation, declaring the Territory organized, and provided for the election and for the meeting of a legislature.

On June 14, 1849, Colonel James M. Goodhue, in an issue of the Pioneer, the first newspaper published within the limits of the new

territory, urged that there should be no parties in its politics, as the people had no vote in national matters and had no power to command anything, while on the contrary they had everything to ask of Congress. "What we want, let us ask for; 'ask, and you shall receive.' But to hold out one hand to secure a gift and the other to strike, is the conduct of a madman."

This was the declaration of the policy which was to become and remain the dominant one in the new Territory for the next few years. Goodhue was elected public printer by the first legislature.

It would be impossible, among Americans, and especially among those in the West, to be satisfied with one political party; the elements soon began to work, to organize an opposition party. This resulted in a convention held October 20, 1849, in which a platform was adopted, according to its own language, embracing the principles of Jefferson, Madison, Monroe, Jackson, and Polk. The latter had already sunk into forgetfulness, but the memories of fat gifts of patronage still lingered in the minds of a few members of the convention. Rice does not appear to have been present upon the occasion of this convention, nor Mr. Sibley. The latter, however, wrote a letter, affirming his faith in the political principles of Jefferson. But he continued to cooperate with those citizens who thought it their paramount duty to work together to advance the interests of the Territory.

The national administration, and the majority of Congress, were Whig; but the elements in the territory were generally Democratic. As late as 1851 there were not sufficient public lands in Minnesota to supply one year's immigration, with a quarter-section to each head of a family. All the country west of the Mississippi was Indian land, and all north of a line drawn east and west through and about the locality of Princeton.

The most important of all political movements was the one to make a treaty with the Sioux, to obtain a title to their land in Minnesota. Mr. Sibley had such commanding influence with the Sioux, that no treaty could be made without his aid. Mr. Rice had no influence whatever with the Sioux. It was necessary for Gov. Ramsey, in bringing about a treaty, to enter into a political movement with Sibley, which he proceeded to do. The influence of Mr. Sibley among the Democrats in Congress, and of Gov. Ramsey with the National Whig administration, resulted in the extinguishment of the Sioux title to all of their land within the present limits of Minnesota, except a strip of land lying along the Minnesota river below Granite Falls, about ten miles in width and sixty miles long, which was retained as an Indian reservation.

There was bitter opposition to this treaty, and many charges of fraud were made. But the opposition came from those who were unable to manipulate the treaty in their own interests. The charges preferred were investigated by the United States Senate; and the parties censured were declared by that body to be not only innocent, but their conduct was declared to be highly meritorious and commendable. The public mind in Minnesota settled down to the belief that these charges were brought by a set of unscrupulous men who were not permitted to manipulate matters for their own interests. These treaties redounded more to the interests of Minnesota, in its early days, than all other measures combined. The prominence of Mr. Sibley, and his powerful aid, rendered him the most influential man among the Democrats in the Territory. The Whigs of all stripes soon were of the opinion that Gov. Ramsey exhibited the greatest wisdom when he formed the coalition with the Sibley Democrats. The Whigs alone could not have made the treaties. The Whigs and the Rice Democrats could not have made the treaties. Only the Whigs and the Sibley Democrats could make the treaties, and they made them.

The opposition to the Territorial administration organized and repeatedly elected members of the legislature, but never a majority. The larger number of Democrats preferred to act with the majority of the Whigs. But still the organization of forces against the dominant power went on. In August, 1850, a coalition of anti-Sibley Democrats and Whigs brought out Colonel Mitchell as candidate against Sibley for delegate to Congress. This election resulted strongly in favor of Sibley.

A very bitter feud arose between the members of the American Fur Company and Mr. Henry M. Rice, who had formerly been a member of the company. The Fur Company claimed that Mr. Rice had acquired title to that part of St. Paul then known as the upper town, holding it in the same manner as the title to Kittson's addition and other property in the lower town was held, simply for the benefit of the Fur Company. Mr. Rice had given away many lots in the upper town and had sold many, and he was the man above all others instrumental in building up that section. Outside of the members of the Fur Company, he was admired for his generosity and public spirit.

To recover this property, a suit in chancery was brought by the Fur Company against Mr. Rice, charging him with all sorts of fraud. The feeling of bitterness spread from the principals to their adherents throughout the Territory, extending to judges, jurors and officers of the court, as well as to the legislature, and justice was but little regarded. As an instance of the extravagance of official conduct, there can be found, in the first or second Minnesota Supreme Court reports, a footnote, by the official reporter, to this effect, "It is but justice to Mr. Rice to say that he denies each and every one of the charges in the bill." ⁸ This, I think, is the only instance in any law report published in

⁸ This case does not appear in James Gilfillan's edition of the Minnesota Reports.

the English language, where a reporter stepped out of his official line to defend parties to a lawsuit. The majority of the legislature was "Fur," and they created new judicial districts, to which they banished inimical judges, where they would have no judicial functions to perform.

Naught came of this suit, and with its disappearance, and with the withdrawal of the American Fur Company from the Indian trade, the political influence of Mr. Rice ascended rapidly, while that of Mr. Sibley declined. At the next delegate election, Mr. Rice became the candidate of the Democratic party, and was elected by a large majority over Alexander Wilkin, who ran as an independent Whig. Some Whigs, and nearly all the Democrats, supported Mr. Rice. By this time it became apparent that the political elements of Minnesota were Democratic. After this accession of Mr. Rice to power, he became and continued the undoubted leader of his party for eight years.

During the days of the Territory, there was never any general organization of the Whigs as a party. Some of them voted with the Rice Democrats, but the greater number with the Sibley side. However, there was a local exception to this. At Stillwater there was a small and very select body of Whigs, who preferred to act upon a higher plane than that chosen by either of the other parties. These Whigs met in convention, and nominated a straight Whig ticket. They polled fifty-two votes in Stillwater, and elected a member of the House of Representatives. This member, upon arriving at the capitol, kept the House nearly three weeks from organizing in the attempt to force his own election as speaker. This effort cost nearly ten thousand dollars. But, as Uncle Sam paid the bills, it did not excite much indignation on the score of economy. This representative then lowered his aims and compromised upon the proposition to elect his friend as assistant clerk

of the house. The total fruits of this effort of the select Whig party was the election of a dull man to an inferior office, which he was incompetent to fill. Thus ended the first and only attempt to act as a separate party.

During the next four years the Democrats had everything their own way, but they were divided into factions. A prominent man among them was David Olmsted, who led, during a part of this period, the anti-Rice forces. After the appointment of Willis A. Gorman as territorial governor, he also joined the anti-Rice forces, and endeavored to build up a Democratic party in opposition to Mr. Rice; but the latter possessed too many friends, particularly among the old settlers, to be supplanted by a newcomer. In 1854 the passage of the Nebraska bill, and the actions of the Democratic administration in Kansas, shocked the anti-slavery sentiment of the North, and made a deep impression in Minnesota. Many of the Democrats threw off allegiance to their party, while others resolved to fight the slavery propaganda inside of party lines.

In March, 1855, a few people, strongly anti-slavery, most of them former Democrats, met at St. Anthony, passed strong resolutions upon the slavery question, and provided for a general Territorial convention, to be held at St. Paul on the 25th of the following July. At the meeting in St. Anthony, the name Republican was first applied to a party within the Territory. This name was adopted by the July convention, and the party was finally launched under that name. The call for this July convention was signed by Alexander Ramsey, William R. Marshall, and about twelve others. The convention adopted and sent forth a strong set of resolutions. It elected a central committee of fifteen, of which the writer was made chairman, and was thus provided with the full machinery of a party, which party even a united Democracy could

hardly make head against. This convention nominated William B. Marshall as delegate to Congress. On the same day, Mr. Rice was nominated as the Democratic candidate of the National Democracy. Some time after this, Mr. Olmsted was brought out as the anti-Nebraska Democratic candidate. The election resulted in favor of Mr. Rice, who received a handsome plurality, but not a majority.

The meeting at St. Anthony, and the convention at St. Paul, had been governed by a set of men, a majority of whom were very radical and might be called purists. They attempted to build a political party upon the lines of a church organization. They put into the platform a Maine Liquor Law plank. Perhaps they thought that this plank would be acceptable to a majority of the people; for, some years before, the legislature had passed a Maine liquor law, to be effective upon the ratification by the people. This law was approved by about fifty-eight per cent of the voters. To those of you who have been familiar with St. Paul for the last twenty-five years, it will seem a little amusing that this law was approved by its electors, with a good majority. When its vote was ascertained, all the church bells of the city rang for joy. The Olmsted Democrats denounced the proslavery ideas of the National Democrats, and the Maine liquor law of the Republicans. Minnesota, at this early date, had acquired a large German population, of whom 90 per cent, at least, were antislavery, and 100 per cent against the Maine liquor law. They voted principally for Olmsted. This was the first and last move ever made in a Republican general convention for a general prohibitory liquor law in Minnesota.

In 1854 and 1855, a matter creating quite a commotion in politics arose out of a grant of lands made by Congress to aid in the building of railroads. Immediately upon the passage of the act, the word "or" or "and," I do not remember which, had been changed, so as to give

the lands to a then existing railroad company. Congress, in its indignation, immediately repealed the act. The company claimed that rights were at once vested in the grant, which placed it beyond the power of repeal. A great political fight followed in Minnesota, confined solely to the Democrats. The party friends of the railroad company, headed by Mr. Rice, were on one side, and the friends and appointees of General Gorman on the other side. The latter called themselves "anti-fraud Democrats." Both parties had their newspaper organs; and a stranger, reading them, would have supposed that the people of the place were nearly all bad. In a year or two thereafter, the United States courts decided that the repealing act was valid, and that no grant existed. This removed the great source of contention between the parties in the Territorial times. A stranger then reading the newspapers would have thought that the people of the country were tolerably good.

The rapid growth of the Republicans united the different factions of the Democratic party, and from then on till after the admission of the state, during the years 1856 to 1860, a great work was done on behalf of the Republicans, to educate the voters to their way of thinking. Nearly all the Republican speakers of national reputation were brought to Minnesota to do missionary work. Of these, I can recall the names of Lyman Trumbull, Owen Lovejoy, John P. Hale, Zachary Chandler, Dan Mace, Galusha A. Grow, Schuyler Colfax, Carl Schurz, and Frank P. Blair, Jr. Among a portion of the people there existed an opinion that the Republicans were a little puritanical in their notions; and it was thought, by the Central Committee, that Frank P. Blair, Jr., could do them a great deal of good. He lived in St. Louis, and, in that city, had made a gallant fight in behalf of the anti-slavery cause, with great success. He was immensely popular with the "boys." He came, and there was no disappointment in the result. Some funny incidents

occurred among other things. In an ambitious city in the Minnesota valley, there was a coterie of active young Democrats, who conspired to defeat his work in their locality. Upon his arrival, they agreed to take him in charge, and two or three of their number were to show him Democratic attention. After an hour or two, two or three more were to take him in charge and continue the attention, and so on. On his arrival, they proceeded to carry out their plans. At the time appointed for the Republican meeting, Samson appeared, and made a powerful anti-slavery argument. The Democratic zealots were not there. These Deilahs had been shorn and were helpless. They had forgotten that Blair belonged to one of the oldest Democratic families in the country, and that his father had been the most intimate adviser of General Jackson. Either they had forgotten this, or, if not, they had not yet discovered the law of heredity. After this there was no further attempt to overcome Blair by Democratic weapons.

Another speaker who exercised great influence was Carl Schurz. This distinguished orator, who was master of the English as well as of the German language, possessed great clearness of ideas, exactness of expression, and sincerity of manner, and made a most profound impression upon Americans as well as upon Germans.

In the year 1857 commenced the great campaign, wherein the stakes were many times larger than ever before. A state constitution was to be made and adopted, and under it were to be elected a governor and state officers, two, if not three, members of congress, and two United States senators. In view of these great prizes, all factions in either party came together, and the battle was fought with united forces on both sides. In the first election, both sides claimed the election of a majority of their own faith, as delegates to the constitutional convention. Upon the arrival of the delegates at St Paul, an effort was made by the

leaders on both sides to agree upon a line of conduct which would avoid a disgraceful scene, and, perhaps, a failure to make a constitution at all. The parties could not agree, and each side prepared to grab first, and as much as they could, or, to use the language of the respective parties, to secure their rights.

The convention was to meet in the hall of the House of Representatives, at noon. As both territorial and city administrations were Democratic, it was feared, on the part of the Republicans, that an attempt might be made to clear the hall of Republicans, or to prevent, by the aid of the police, the entrance of Republican delegates to the hall. The Republicans concluded to take possession of the hall the evening before, camp there all night, and be on hand when the hour arrived. This they did. As the hour approached, the Democratic delegates came into the hall; and precisely at twelve o' clock, Mr. Chase, Secretary of the Territory, and Mr. North, a Republican delegate, sprang to their feet, nominated a chairman, and declared him elected. The chairman declared elected by Mr. North got possession of the seat first, and the Republicans proceeded to organize the convention.

The Democrats withdrew, and, after caucusing awhile, appeared at the outside of the door of the hall with ex-Governor Gorman at their head. He, after looking in, turned to his followers, and in that clear, sonorous voice of his, said, "A mob has taken possession of the Hall of Representatives and the convention will proceed to the Senate Chamber to organize," which the Democratic wing immediately proceeded to do.

About one-third of the time occupied by the convention in its entirety was devoted by orators to showing posterity that their particular convention was a legal one, and the other a false one. Hennepin

county was entitled to eight delegates, and without these the Democratic convention could in no sense claim a majority. The Republican candidates from that county and received the regular certificates of election issued by the authority provided by law, for that purpose, namely, the register of deeds. The Democrats complained that he had ignored the facts and had arbitrarily and unlawfully issued these certificates. The Democratic governor promptly removed the register. The people renominated him for the same office and the issue was plainly made up. He was triumphantly elected by several hundred majority. "Vox populi, vox Dci," is an old Democratic maxim;⁹ and, tried by this test, I submit to you, my hearers, did the Democrats have any claim whatever to have the regular constitutional convention? As I do not believe that this maxim is always infallible, I cannot answer the query myself.

After the speakers in each convention had exhausted themselves in making their side appear right to those present and to posterity, they proceeded to the business of making a constitution; appropriate committees were appointed, and common sense soon began to prevail among the better men of both sides. As soon as an article was drawn and discussed by each convention, it was submitted to the proper committee of the opposite wing; and so on, through all of the different subjects, until an instrument agreeing in all respects, including orthography and punctuation, was adopted by each body. As a rule, the ablest men of each party belonged to one or the other conventions, and I have no doubt that if each part had acted entirely independent of the other, the result would have been practically the adoption of the same instrument. The art of constitution-making had then become well understood, and all constitutions made during the previous twenty

⁹ "The voice of the people is the voice of God."

years contained practically the same principles; although it was believed, by the members of each party, that the framing of a constitution under the guidance of their side would redound much to the advantage of their party. I do not think it would have made any difference, except in the matter of apportionment for the members of the legislature. The party which obtained the mastery would have taken good care that their side should not suffer in this respect. The constitution formed gave universal satisfaction and was approved by the people.

After the adjournment of the constitutional convention each party met in convention and nominated candidates for the different state offices, and also for three members of congress. The Democratic ticket was headed by the name of H. H. Sibley for governor, and the Republican by Alexander Ramsey. After an exciting campaign, the Democratic ticket was declared elected, and Sibley installed as governor in accordance therewith. The Democrats obtained a small majority in the legislature, and elected Henry M. Rice and General James Shields as United States senators. The latter was a newcomer, and his election was a bitter dose to many of the old settlers in the party.

At the next election, in 1859, the Republicans again placed Alexander Ramsey at the head of their ticket. In 1857 the Democrats had the control of the election machinery and the canvassing board. It was unanimously believed by the Republicans, and by many of the Democrats, that Governor Sibley was not elected, but only counted in. The race in 1857 had shown that ex-Governor Ramsey was a very popular man among the masses, running several hundred votes ahead of the balance of his ticket. The idea that he had been unjustly treated in 1857 was of immense advantage to him in 1859, and to the balance of the Republican ticket, and the entire Republican ticket was then

elected. The Republican party was thus entrenched in power in the State of Minnesota, and they have never since been dislodged, during a period of nearly forty years. There have been but two cases in the United States where the Republican party has shown such a hold upon state government.

Perhaps no portion of the West contained a body of men equal in ability to those found here upon the organization of the Territory. Most of them, although passing the greater portion of their lives in the wilderness, were well educated, and intellectually were of surprising brightness. It was a singular fact that all the Indian traders were Democrats; not a Whig, as far as I knew, was among them. This can be accounted for by the fact that during their residence here they were under a national Democratic administration, with the exception of the four years comprising the terms of Presidents Taylor and Fillmore. It was clearly their interest to be on good terms with the administration from whom they received the license to trade, and who could facilitate or hinder their trade with the Indians. I think that it was their realization of these facts that caused the traders, under the Whig administration, to keep aloof from building up and maintaining a strict partisan organization of their own liking, and which led them to cooperate cordially with those who claimed to work for the interests of the Territory.

There was something peculiar to the Indian trade which benumbed the fine notions of honor necessary to success in commerce between white men. To those having a slight insight into the trade, it would seem to be more or less necessary that the commercial conscience should be other than that existing between civilized people. It was a singular fact that nearly all these traders carried their Indian conscience into politics. These men became after a time much disliked by the masses

of their own party, and were styled by them "Moccasin Democrats." However, they were the brains of the party and pulled it through some very tight places, through which they would not have passed without their aid. The influence of the Moccasin Democracy ended with the election of Mr. Lincoln. It had supported Breckenridge as against Douglas, and made a very sorry exhibit of strength. From that time it disappeared as a political factor.

The press exercised a great influence in politics, as well as in the development of the material interests of the Territory. I cannot close this paper without some mention of a most remarkable character, Col. James M. Goodhue, who, during his short life in Minnesota, of about three years, exercised greater influence upon the political life and material development of Minnesota than all the other newspaper men that period. Born a Yankee, liberally educated, he came west as a young man, and advanced farther west to Minnesota within a few days after its Territorial existence began. Without capital, but with a hand-press and a font of type, he commenced to publish his paper in a wooden shanty, which he with his own hands put up. He acted at the same time editor, typesetter, devil, and newsboy. Soon a large portion of the people of Minnesota read his paper, and its circulation extended throughout the Western, Middle, and Eastern states. I first read it in Missouri, in 1850, and through it was led to come to Minnesota. Goodhue had the sarcasm of a Junius, and the wit of a Prentiss. As a specimen of the former, at the conclusion of a scathing article upon some of the Territorial officials, he said, "The gall we have shown is very honey compared to what we have in reserve for them." As a specimen of his wit, with the sting in it, in speaking of a federal officer whose influence in obtaining his appointment was a mystery, and whose business conduct was not always creditable, and who in the free and easy western way had borrowed a small boat and gone down the

river in the night, he says: "He stole *into* the Territory, he stole *in* the Territory, and I stole *out* of the Territory." As a specimen of his playful humor, he says: "Our citizens were treated to an address by our distinguished townsman, the Hon. John A. Smith, Esq., author of 'The Black Hawk War,' and an unpublished Novel of Intense Interest!" Again, upon twins appearing in his family, he says, "Our patrons ought now to take two papers." In the winter season, when Minnesota was shut off from the world and without mail for weeks, he published a most interesting paper; its issue was looked for with the expectation of something racy, and the readers were not disappointed. His paper always advocated the adoption of measures necessarily attendant upon a high civilization. He wrote three editorials urging the necessity of securing grounds for a public cemetery, but he died before this wish was realized, and to-day no man knoweth where his bones lie.

The most remarkable man, in many respects, who ever appeared in the Northwest, was Joseph R. Brown. Coming as he did, at the age of fourteen, a drummer-boy in the United States Army, he remained in this section for nearly sixty years. He was engaged principally in the Indian trade. I think he was a clerk in the Wisconsin Territorial Legislature for one term. Certain it was that as Secretary of the Minnesota Council during its first and second sessions, as clerk of the Minnesota House at its fourth session, in 1853, during the next two years as a member of the Council, and in 1857 as a member of the House, he was one of the most influential men in the Legislature. He drew up most of the bills, and often told the presiding officer how to rule. This he did in no dictatorial manner, but because nearly all of the members knew nothing about legislation. He usually attended party conventions, and, although often weak in the number of his followers, he would gather in a good portion of the fruits of the convention. He had a most infectious laugh, and a keen sense of humor, and was always the

center of a crowd. Those people who had been prejudiced against him, having no knowledge of him except that derived from newspaper accounts, and from his political enemies, after being a few moments in his presence, were satisfied that "Jo, the Juggler," was not so bad a man after all. For many years after I came to Minnesota, knowing but little of him through personal contact, and a good deal of him from newspaper accounts, I thought him the very incarnation of devilry. During the years of 1863 and 1864, I had a good deal of business with him, and was much in his society, and I soon learned to admire him. He, no doubt, had been the best abused man in the country. He would often laugh in late years over the bad things that had been said of him. He possessed one very noble attribute: he entertained no hard feeling towards those who had reviled him. He had a good heart, and would put himself to a great deal of trouble to do a kindness, even to those who had traduced him. He was a well-read man, and wrote and spoke the French language with ease. At one time he was the editor of the Pioneer, the organ of the Democratic party, and filled the position with credit. He would dash off rapidly pages of editorial matter, ready for the type, without an erasure. How he, as well as some other of the earlier traders acquired their learning, is a mystery to me.

The most prominent and influential men in the earlier politics, who overshadowed all others, were Ramsey, Sibley and Rice, and I think they stood in the order in which I have named them. There were several other leading men who afterwards gained political distinction, but the limit of this paper prevents my describing them.

Mr. Rice had to make his way against the business power of his enemies, and he succeeded in getting to the top. He was a man of fascinating address and great energy, and his labor, while in Congress, was unflagging. He worked for the people at large, as well as for

individuals, for political foes, as well as friends, and no official from Minnesota has been his equal in getting work done for his constituents. Many Whigs went over to the Democratic party and remained there, owing to their attachment for Mr. Rice.

Nearly all the actors in the events I have described are now dead. Before their departure, all bitterness accruing from political strife had ceased and they took their leave in peace, with feelings of good will towards all. Full-grown men upon the stage of life, like boys in their school days, say bad things at times about each other, call each other liars and other opprobrious names, and have their fights occasionally. Yet, when these days are past, such matters are only touched upon as subjects of merriment and joke.

There was one thing about the early pioneers that their descendants should be proud of, namely, that no disloyal voice was ever raised against the Federal Union. Among all the factions in the parties at the time of the outbreak of the Civil War, the number of disloyal persons could be counted on the fingers of one hand. The contrast in this respect with some of the neighboring states east and south of us should be remembered by us and those who come after us with great pride. It would perhaps be a good thing for us to become worshipers of the patriotic *manes* of our ancestors and of the founders of this state. ■

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