

“ Court Houses of Otter Tail County ”

in

HISTORY

OF

Otter Tail County **MINNESOTA**

ITS PEOPLE, INDUSTRIES AND INSTITUTIONS

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Editor

**With Biographical Sketches of Representative Citizens and
Genealogical Records of Many of the Old Families**

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MLHP: The following article appeared on pages 119-133 of the first volume of this history of Otter Tail County. It is complete, though reformatted. Original spelling, punctuation and grammar have not been changed.

CHAPTER V.

COUNTY BUILDINGS.

COURT HOUSES OF OTTER TAIL COUNTY.

A study of the official records of Otter Tail county reveals the fact that a part of the present court house was the first building erected by the county as a court house, and that the County had then been in existence for thirteen years. Starting on its career with the first meeting of the commissioners on September 12, 1868, the county seat itself shifted from Clitherall to Tordenskjold, from there to Otter Tail City, and finally to Fergus Falls, where it was located as a result of an act of the Legislature and a subsequent election.

For the first few years there was so little official business that a court house was not an actual necessary and when, as old residents say, the county was moved from Otter Tail City to Fergus Falls in the fall of 1872 and all of the county effects were hauled overland in a wagon, it may be seen that there was no crying need for a county building. The early officials kept their offices in their homes and even after the seat of justice was moved to Fergus Falls, frequent references are made in the commissioners' records to the payment of sums for the carrying of election returns to O. Jorgens, "at his home at Wall Lake." Early settlers still living (and G. O. Dahl is one of them) aver that Jorgens, who was the county auditor, carried his office records around with him wherever he went. Some dozen books contained all the official business of the county up until the spring of 1871. Before that time all of the records in the register of deeds' office were kept at the county seat of Douglas county; neither was the district court yet meeting in the county.

Although the legislative act of 1858 and the one of a decade later had designated Otter Tail City as the county seat, yet when the commissioners first met in the fall of 1868, they did not meet at that place. Instead, they foregathered at Clitherall, the home of Marcus Shaw, one of the commissioners, and the center of the greatest part of the county's population. S. J. Whiting, the auditor appointed by the state, as well as Chancey Whiting, the other commissioner, were both residents of Clitherall. The county commissioners continued to meet

at Clitherall until March, 1870, holding in all eleven meetings at that place. In only one of these meetings is any mention made of an office building of any kind; on January 4, 1870, the record says that the commissioners met “at the auditor’s office in Clitherall.” If the county seat is to be considered the place where the official business of the county is transacted, then Clitherall must be accorded the honor of being the first county seat of Otter Tail county. On the other hand there is no evidence to show that the village was ever recognized by the Legislature or any act of the commissioners as the seat of justice.

The Legislature of 1870 was induced by some patriotic citizen from Otter Tail county to pass an act establishing the county seat at Tordenskjold, and the act of February 28, 1870, fully accounts for the meeting of the commissioners at Tordenskjold on April 29, 1870. But the honor thus thrust upon the embryonic village of Tordenskjold was to last for only one year. The succeeding Legislature rescinded this act on the ground that it did not provide for the people of the county to vote on the question. The act of 1871 further stated that the county was to be re-established at Otter Tail City. However, while Tordenskjold was reveling in its glory as a county seat, the commissioners ordered a court house and jail built in the place, and, although the resolution ordering erection of the buildings was not rescinded, yet no steps were taken looking toward carrying it into effect.

Eight meetings were held by the county commissioners at Tordenskjold, and in the meeting held on October 18, 1870, it is apparent that they felt that the county seat was to remain permanently at this place. No further proof of this statement is needed than that furnished by their own record— to quote:

“A resolution offered by A. Johnson to build a court house at the county seat, Tordenskjold, for the sum of one thousand dollars, to be built in the months of December, 1870, and January, February, March, April and May, 1871, and that A. Johnson be authorized to receive bids from any person desiring to build said house, and make contract with said person between the 9th and 15th of November, 1870. The size of said house shall be thirty feet by twenty-four and ten feet from floor to floor. And a jail built of large oak logs, floor, roof and walls, and eighteen feet by twelve feet. All together the cost shall not be more than \$1,000. This above resolution was adopted by a

majority of the board of county commissioners of Otter Tail county. Adopted October 18, 1870.”

This extract from the commissioners’ records is interesting from at least two different standpoints. In the first place it shows that the board considered Tordenskjold the county seat, and, furthermore, that it was to remain so for an indefinite period. In the second place, it contains the first mention of either a court house or jail, and although the resolution just quoted was never carried into effect, it shows that the commissioners felt the need of such buildings. It is probable that various places were used for the county offices, but the records show but one bill for office rent while the seat was in Tordenskjold. Ole Ihlseng was paid eight dollars on March 14, 1871, “for furnishing house or room for commissioners’ meetings.”

As has been stated, the county seat was permanently located at Otter Tail City by the act of February 16, 1871, and the commissioners held their meeting there on March 14, 1871. The new county seat had been platted as a village as early as January, 1869, and was the first village platted in the county. At the time the seat of justice was moved to Otter Tail, the Northern Pacific railroad was surveying its right of way through county and the village was on one of the projected rights of way. Here comes the one little incident which has changed the whole course of Otter Tail county history.

Everyone admits that if the railroad had been built through Otter Tail City, it would be the county seat today, As it finally turned out, the railroad was built through the county, but about twelve miles northeast of the village. And why was this done? Why, when the construction camps, tools etc, were actually in the village and the company ready to begin work on the proposed road, did the company suddenly decide to withdraw from the county seat and run its line several miles to the northeast? The answer to this question is summed tip in two words—Thomas Cathcart.

Thomas Cathcart was the proprietor of Otter Tail City, a man of considerable ability along some lines but, unfortunately for the future of his townsite, he obstinately refused to give a right of way through his land and no amount of urging on the part of his fellow citizens could induce him to yield. The railroad company became disgusted and, as

a result, changed their plans and built the road through the county as it appears today. As soon as it was seen that the railroad was to miss the county seat, the hundreds of people attracted to the pretty little village on the shores of the lake began to leave. Within a few months the once thriving village was a scene of desolation and, to add to its cup of woe, the Legislature in the spring of 1872, passed an act establishing the county seat at Fergus Falls. The latter village was to have a railroad and, furthermore, was nearer to the center of population of the county than Otter Tail City. The county voted on the removal of the county seat in the fall of 1872 and the result was a death-blow to Otter Tail City.

During the period of less than two years that the county seat remained at Otter Tail City no effort was made to build a court house, although a log jail was built in the village during this time. Michael Anderson, the sheriff, lived in the village and rented part of his house to the county, as indicated by two orders of six and fifteen dollars, respectively, which were granted him by the commissioners. Marcus Shaw, the treasurer, was paid twenty-four dollars on September 6, 1871, for office rent of the clerk and treasurer. Some time during the summer of 1871, a part of a building belonging to E. G. Holmes, a merchant of the village, was rented for county purposes. The commissioners entered into an agreement with Holmes to rent his building and entered the following minute on their records apropos of this agreement:

“Abstract of lease of Court House:

“Otter Tail county shall have use of all the building which is at this date occupied as court house and have uninterrupted right to use it as offices, for county officers or in any way as the county commissioners may direct from the 25th of November, 1871, until November 25, 1872, for three hundred dollars and the rent shall be paid quarterly in advance and the county commissioners shall have right to use said house for the same purposes the next two succeeding years for two hundred and fifty dollars per year if they choose to do so. Witness O. Jorgens. January 6, 1872.”

With the expiration of the first year's lease on November 25, 1872, the county notified Holmes that they had no further use for his building. It was known by this time that the county seat was to be

moved to Fergus Falls. The history of this removal is told in the chapter on the Organization of Otter Tail County. It is interesting to note that Marcus Shaw presented a bill at the January, 1873, session of the commissioners "for moving three offices from Otter Tail City to Fergus Falls," asking seventy-six dollars for such service. He does not state in his bill what the three offices were, but it is likely that they were those of clerk, treasurer and register of deeds. The auditor, O. Jorgens, kept his office at his home in Wall Lake.

One of the inducements which led the county to vote in favor of Fergus Falls was a gift of an entire block of land for county purposes by George B. Wright and Richard J. Mendenhall. Not only did these patriotic citizens donate all of block 37, but they also offered the county the use of a building for county purposes, free of charge, for one year from January 1, 1873. This offer of a lot and house was made and accepted by the commissioners on January 7, 1873, although it was more than a year before the county got an undisputed title to the block in question. The formal proposal of Wright and Mendenhall to donate block 37 to the county is recorded in the session of July 5, 1873, and reads as follows:

"We hereby propose to give to the county of Otter Tail a warranty deed conveying in fee simple the whole of block 37 in Fergus Falls free of cost, provided that in case the county seat of said county shall be removed from Fergus Falls within eight years from this date, and that within that time the county shall not have erected permanent county buildings and improvement at a cost of not less than \$10,000 (Ten Thousand Dollars) on said tract: That we shall have the right to repurchase and to obtain from the county a good title to said block, on payment of the value of the improvements thereon, which value shall be determined by appraisers, one of the appraiser to be selected by us or our representatives, one by the county of Otter Tail, and the two thus chosen, if unable to agree, to select a third, and the award of any two of said appraisers to be final.

This proposal of Wright and Mendenhall was accepted by the commissioners and recorded as follows:

"Resolved, that we, the board of county commissioners of the county of Otter Tail, accept the within proposal of George B. Wright and

Mendenhall by the understanding that the title of the within mentioned block shall vest in the county of Otter Tail in the state of Minnesota, permanently after the expiration of eight years from this date if the county seat for said county shall not be removed from the present designated place and sooner if the said county of Otter Tail shall by its legal authorities erect county buildings including all kinds of improvement to the value of \$10,000 on said block 37 in the village of Fergus Falls. This above resolution passed by the board of county commissioners this 7th day of July, 1873.”

But this resolution just quoted did not settle the matter, since the board, at its September session, passed another resolution in which they specifically say that “we do not accept the deed from Wright and Mendenhall to block 37 for the reason of its defect.” At this same session (September 9, 1873) the board rescinded its action of the 7th of the preceding month accepting the proposal of these two men. It was not until nine months later that the county finally became the undisputed owner of block 37. On June 3, 1874, the commissioners definitely accepted the proposal of Wright and Mendenhall and from that date the county has had undisputed possession of the block on which the present court house and jail are located.

Before the county had secured possession of the block on which the present court house and jail are standing they entered into an agreement with August Nordonmalm for the purchase of lot 3, block 33, in the village of Fergus Falls. The board agreed to pay six hundred dollars for the lot, three hundred dollars on the delivery of the deed and the remainder on June 1, 1874. This lot, which is now vacant, is on Bismark street, immediately west of the Park hotel. At that time there was a story-and-a-half frame building on it and it was this building, long since torn down, which was used as a court house from the fall of 1873 until October 15, 1878. On that date the county began to pay rent for the Goodsell building on Lincoln street, occupying the latter until they moved into the present court house. The county sold lot 3, block 33, on July 25, 1881, to J. P. Williams for the sum of eight hundred dollars. It might be stated here that the log jail which was moved from Otter Tail City stood on the rear of this lot and not on block 37, where it was ordered placed according to the resolution of the commissioners on January 3, 1873.

THE PRESENT COURT HOUSE.

The initial step in the erection of the present court house in Otter Tail county was taken by the county commissioners on January 5, 1877. On that day it was "Resolved by the board of county commissioners that the county auditor, county treasurer and county register of deeds be appointed a committee to procure and submit a plan for court house and jail and the probable cost of the same and report at the next meeting of this board. Adopted January 5, 1877."

The cause of this resolution lay in the fact that the building on lot 3, block 33, which had been used for a court house since the fall of 1873, was now in such a dilapidated condition that it was absolutely necessary either to build or secure new quarters.

It takes money to build court houses and as events turned out, it seems that the commissioners did not fully consider how they were going to finance the proposed building. They asked the Legislature for permission to bond the county to the amount of six thousand dollars and the Legislature granted their request in the act of February 15, 1877. The act follows:

"An act to authorize the county commissioners of Otter Tail county to issue bonds for the purpose of erecting county buildings, approved February 15, 1877.

"Be it enacted by the Legislature of the state of Minnesota:

"Section 1—The county commissioners of the county of Otter Tail are hereby authorized to issue bonds of said county to an amount not exceeding six thousand dollars for the purpose of erecting county buildings at the county seat of said county, as the same may be fixed by law, which bonds may be in such denominations as may be determined by said commissioners, and shall be signed by the chairman of the board of county commissioners, and countersigned by the county auditor of said county, and shall bear interest at a rate not exceeding ten per cent. per annum, payable semi-annually.

"Section 2—The principal of said bonds shall be made payable at such times, not less than three nor more than ten years from and after the date of issue thereof, as may be determined by said commissioners, but no more than two thousand dollars of such principal shall be made payable in any one year, and the issue of

such bonds shall bind said county to the payment of the principal and interest thereof, according to the tenor of said bonds; and the said commissioners are hereby authorized to and they shall annually levy a tax upon the taxable property of said county, over and above all other taxes required by law to be levied, sufficient to meet such payments.

“Section 3—The said bonds shall not be sold or disposed of at less than their par value, and the proceeds thereof shall be used solely for the purpose of erecting county buildings in said county.”

However, for various reasons, mostly financial, it was decided not to build at this time, but to rent another building. It was more than a year later (September 20, 1878) before the county took any action one way or the other. On that date it was decided not to build, but to rent, as is evidenced by the following minute in the commissioners' record of that date:

“Resolved by the board of county commissioners of Otter Tail county, that we authorize the county auditor to rent four rooms for the following officers, namely: Auditor, treasurer, register of deeds and clerk of court, and, whereas, Louis Goodsell has offered to rent the rooms necessary, the county auditor is hereby authorized to contract with said Goodsell for the above-named rooms for the period of one year and date from the 15th day of October, 1878.”

On the same day the commissioners decided to rent the building which had been used as a court house in Fergus Falls prior to this time. In the same resolution which made provision for the rental of the old court house, authority was given the committee to purchase stoves for the Goodsell building which was to become the new temple of justice. This action of the commissioners is set forth in the following resolution:

“Resolved by the board of county commissioners of Otter Tail county that we appoint H. Juelson, a committee of one, to buy stoves necessary for the county use, and also the same committee is hereby authorized to rent the court house to any responsible person, who will pay the most rent, and to sell the furnace under the court house, and be it further resolved that the above committee is hereby authorized

to draw out of the county revenue fund the amount of money necessary to buy the above mentioned stoves.”

The Goodsell building, which, by the way, is still standing and is now (1916) used by Lake & Lowry as a real estate and loan office, continued to serve as a court house until the present building was ready for occupancy. The basement was fitted up for offices and the second story was used as a court room.

However, this arrangement did not prove satisfactory and on January 10, 1879, it was “Resolved, that the chairman of the board of county commissioners is hereby instructed to procure plans and specifications for a court house for this county, said plans and specifications not to be paid for by said county unless used, said plan, etc., to be for a brick court house to be of the cost of about ten thousand dollars.”

Between the January and March sessions, 1879, it seems there must have been an agitation to combine the court house and jail in one building; at least on March 21st the board decided “to build a court house with jail in the basement, the cost not to exceed fifteen thousand dollars.” In view of the fact that the building which was proposed on this day is still standing, it seems pertinent to record here the resolution which made possible the present building. It follows:

“Whereas, the board of county commissioners of the county of Otter Tail have this day determined to build county buildings, to-wit: A court house and jail, on block 37 in the village of Fergus Falls in said county.

“Therefore, be it resolved by the board of county commissioners of said Otter Tail county, that A. Leverson, Clement Crogan and Hans Juelson be and they are hereby appointed a building committee and they are hereby authorized and directed to proceed without unnecessary delay to contract for the building of said court house and jail for said Otter Tail county, to be built in the year 1879, and the said committee aforesaid are hereby fully authorized and empowered to do anything necessary and proper within the premises.

“Provided, that the contract for the construction of said buildings shall be let to the lowest bidder who shall execute a good and sufficient bond with sufficient sureties in such amount as said committee shall determine, to be approved by the chairman of the board of county commissioners.

“And provided, further, that such buildings shall not cost more than the sum of fifteen thousand dollars when fully completed. Resolved, further, that said court house and jail shall be constructed of brick, or of brick and stone, to be made as near fireproof as practicable, with sufficient fireproof vaults to contain all public records of said county.

“Resolved, further, that the jail be made in the basement of said court house.

“Resolved further, that said committee be and they are hereby authorized and empowered to employ a suitable man or men to superintend the construction of said buildings, in their discretion.

“Resolved by the board of county commissioners of the county of Otter Tail, that the bonds of the county be issued in the sum of six thousand dollars (\$6,000) pursuant to chapter seventy (70) of the Special Laws of 1877, for the purpose of raising money for the erection of county buildings for said county—such bonds to be signed by the chairman of said board and countersigned by the county auditor and made payable in Boston, Massachusetts. Such bonds shall be in denominations of not less than the sum of one hundred dollars nor more than the sum of one thousand dollars; said bonds to have interest coupons attached and payable as follows, to-wit:

“One thousand dollars payable five years after date.

“One thousand dollars payable six years after date.

“One thousand dollars payable seven years after date.

“One thousand dollars payable eight years after date.

“One thousand dollars payable nine years after date.

“One thousand dollars payable ten years after date.

“That said bonds shall bear interest at the rate of seven per cent per annum, payable semi-annually, and shall not be sold for less than par. Resolved, that said bonds shall be sold by the treasurer of the said county. Resolved, further, that the county auditor and county

treasurer keep a correct record of said bonds Adopted March 21, 1879.”

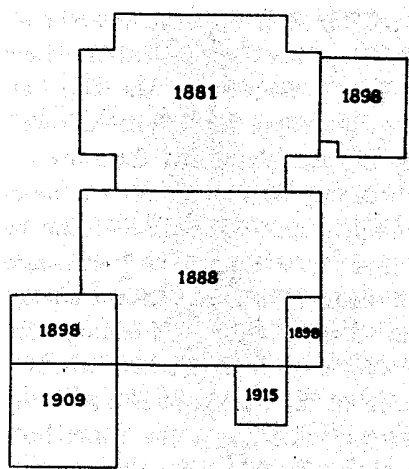
There seemed to be some doubt on the part of some as to the legality of the action of the county commissioners in regard to the levying of the mill tax for the purpose of building the court house. In order to quiet any apprehensions, the commissioners asked the Legislature to pass an act legalizing their action in this matter and the Legislature responded by passing the act of February 14, 1879. This act follows:

“Be it enacted by the Legislature of the state of Minnesota: That the action of the board of county commissioners of the county of Otter Tail, in levying a tax of one mill upon each dollar of the taxable property of said county, for the year 1878, for the purpose of raising a fund to build a court house in and for said county, is hereby declared legalized and made valid the same as though the action of the said county commissioners in assessing and levying said tax had been in strict conformity to the statutes existing and in force at the time of such assessment and levy.”

The contract for the building of the court house was let to Stanford Brothers, of Fergus Falls, in the spring of 1879 for the sum of thirteen thousand two hundred dollars. The architect was E. P. Bassford and he received a total of two hundred and ninety dollars for his services. The grading around the building cost an additional five hundred thirty-five dollars and fifty-three cents, making the total cost to the county of fourteen thousand twenty-five dollars and fifty-three cents.

Unfortunately, the first court house was too small and within half a dozen years the building was so crowded that it became imperative that an addition must be built at once. On January 3, 1888, the commissioners passed a resolution authorizing an addition and on March 21, at the following session, a contract was let to Stanford Brothers for eight thousand seven hundred and seventy-five dollars. The first floor of this addition is now occupied by the auditor and register of deeds. This addition practically doubled the size of the building and it was thought that it would prove of sufficient size for many years to come. The present heating system was installed in 1895-96 by Hoorn, Bergman & Company. By 1902 the clerk of the district court and the probate judge became so cramped for space

that the board ordered an addition, locally known as a vault. This was built in the summer of 1902 by John Lauritzen, at a cost to the county of five hundred thirty-four dollars and two cents. The county business kept increasing by leaps and bounds and it was not long before the auditor had to have additional room. In 1898 a vault was built adjoining the auditor office in the rear, the addition costing two thousand nine hundred and forty-five dollars. The fourth addition to the rapidly growing building was built in the summer of 1909 at a cost of two thousand nine hundred dollars. This was another vault for the use of the auditor and stands in the rear of the first vault built for this office in 1898. John Lauritzen built the addition and during the same summer repaired the vault attached to the clerk's office.



When Lauritzen built the 1902 vault, the commissioners did not want to go to the expense of putting in a good foundation and the result was that the vault in the course of time started down the hill toward jail. Lauritzen, in his bid of two thousand nine hundred dollars, was not only to build the vault for the auditor, but also to move the clerk's office back up the hill and put it on a firm foundation. The last addition of the court house was completed in the summer of 1915 at a cost of one thousand one hundred and seventy dollars. This was a vault for the register of deeds and was built by J. P. Johnson, who was awarded the bid by the commissioners on April 25, 1915. A small coal shed was built at the southwest corner of the building, adjoining the register of deeds' office several years ago at the time the heating plant was installed. It would be impossible to designate the kind of architecture represented by this, building, erected, as it has been

under such circumstances. To the original building completed in 1881 there have been no less than six additions at different times, and yet the building presents, a very respectable appearance from the outside. To the casual observer it does not appear as a conglomerate structure, a fact due to the use of the same colored brick in all of the additions. Time only can tell when the building will become so crowded that it will be necessary to build the seventh addition, but it is safe to say that it will be only a few years.

SUMMARY OF THE COST OF THE PRESENT COURT HOUSE.

Original building.....	1881.....	\$13,200.00
Doubling size of.....	1888.....	8,775.00
First vault of auditor, vault of clerk and probate judge.....	1898.....	2,945.00
Steel ceilings and general repairs...	1902.....	534.02
Second vault of auditor	1909.....	2,900.00
Vault for register of deeds.....	1915.....	<u>1,170.00</u>
Total cost.....		\$29,524.02

THE FIRST JAIL.

It was not until after the county had been organized two years that any effort was made by the county commissioners to provide a place for the incarceration of prisoners. While the county seat was still at Tordenskjold, Alick Johnson, the chairman of the board, offered a resolution on October 18, 1870, to build a court house and jail "at the county seat, Tordenskjold, for the sum of one thousand dollars, to be built in the months of December, 1870, and January, February, March, April and May, 1871." The jail was to be eighteen by twelve feet and built of large oak logs. The cost was to be included within the one thousand dollars, which, according to the resolution, was to cover the construction of both the court house and jail. This resolution was adopted "by a majority of the board of county commissioners of Otter Tail county. October 19, 1870."

However, this was the nearest that the county came to building a jail at Tordenskjold, if the records of the commissioners disclose all of their proceedings. The last meeting of the board at Tordenskjold was held in January, 1871, but, strange to say, no mention is made in the record of the county seat being changed to Otter Tail City, where the

March meeting of the board was held. The seat of justice remained at the latter place until it was moved to Fergus Falls, the first meeting of the board at the latter village being held on January 7, 1873.

The first actual steps toward providing Otter Tail county with a jail were taken on March 15, 1871, when a deputation of citizens from Otter Tail City appeared before the commissioners and asked that a jail be built in their village. The commissioners seem to have felt that such building ought to be erected and, accordingly, appointed a committee, composed of J. H. Sanders J. S. Cowell and C. H. Myer, to investigate the matter and report at the next meeting of the board. No steps were taken at the next meeting (May 9, 1871), but on July 10, 1871, the board definitely decided to erect a jail in Otter Tail City and appointed Marcus Shaw and Martin Fiedler to receive bids for a jail to be built of "Sollid Oak logs hued on three sides and floor and ceiling of the same material and hued on three sides." This building was to be eighteen by twelve feet inside and eight feet from floor to ceiling, with gable ends of boards and roof of shingles. Otter Tail City agreed to donate three "good" lots for the jail site. The building was to be ready for occupancy by August 15, 1871.

When the board met for the next time (August 8) Marcus Shaw was awarded the contract, his bid of four hundred and twenty-five dollars being the lowest of a number submitted. On the same date the Commissioners ordered a description of the proposed jail spread upon the records. This log bastille was to conform to the following specifications—the exact language, bad spelling and punctuation and impossible grammar are reproduced verbatim:

"Resolved by the board of county commissioners of Otter Tail, State of Minnesota; That we will build a jail for said county of Otter Tail of the size and shape as follows:

"Twenty feet long inside and sixteen feet wide and eight feet between floor and ceiling. The house shall either be built of oak or pine logs hued on four sides in the walls and on three sides in the floor and ceiling no log in floor ceiling and outer walls shall be smaller than to measure six inches diameter on the top and after it is hued. The gable ends shall be made of good pine lumber and in workmanlike

manner fitted up. The roof shall be of good pine lumber and pine rafters and of No. — pine shingles sufficiently nailed and fitted on.

“The inside of said jail shall be divided into rooms as follows: two cells each six by ten and one room six by twelve feet and one room eight by sixteen feet. There shall be five windows in the whole building and all grated with three-fourth of an inch round iron in sufficient number to be proper for such house. There shall be four doors one of them shall be three inches thick & lined with heavy sheet iron between a thickness of boards on both sides of said sheet to make it a thickness of three inches said last mentioned door shall be the door leading from prisoners room into the Sheriff.

“The last described door shall also be locked with an iron bar across five eighths of an inch thick heavy tire iron. There shall also be two iron gates, one into each cell the up and down iron in said gate shall be of sound three fourth of an inch bars and placed four inches apart and on the said gates shall be four bars across of heavy tire iron and solid hinges and sufficient locks proper for such house. The partitions wall shall be of the same strength and thickness except, the walls between the two cells shall be only four inches thick logs in planks. The two windows in the Sheriff’s room shall have twelve panes of glases, each pane ten inches by twelve and the three (3) windows in the cells shall have three panes in each and each ten by twelve. There shall also be a chimney made of bricks well burnt and solid and good, and there shall also be put on a decent cornice under the roof and all sides of said house. Said jail shall be ready for use on or before the first Tuesday in September A. D. 1871.”

When the, commissioners met on the second Tuesday of the, following September, they found the jail practically completed and ordered the auditor to issue county orders to the contractor, Marcus Shaw, for four hundred dollars. Although he took the contract at four hundred and twenty-five dollars, yet on this date September 6, it appears that he was to receive four hundred and fifty dollars, the final fifty dollars to be paid “at any future time when the said M. Shaw has according to bargain finished said jail.” But this jail of “Solid Oak hued logs” was destined to remain in Otter Tail City only a short time. Within a year after it had been accepted, an agitation was begun to remove the county seat to Fergus Falls.

The county commissioners held their first meeting at Fergus Falls on January 7, 1873, and authorized Hans Juelson, a member of the board, "to move the county jail from Otter Tail City to the village of Fergus Falls and rebuild the same on block 37 in said Fergus Falls on a suitable site This order was carried into effect and the jail, after being razed at Otter Tail City, was hauled log by log, to Fergus Falls and raised on lot 3, block 33, the vacant lot immediately west of where the Park Hotel now stands.

The first step towards a new jail in Fergus Falls was made on January 5, 1877, when the commissioners appointed a committee, consisting of the auditor, treasurer and register of deeds, "to procure and submit a plan for court house and jail, and the probable cost of same, and report at the next meeting of this board," Not only was no report made concerning new county buildings at the next meeting, but it was not until two years later that the board made any effort toward building either a court house or jail. On January 10, 1879, a resolution was passed which instructed the chairman of the board to procure plans and specifications for a courthouse and it was their intention to provide quarters for prisoners in the basement of the proposed court house. At the next meeting of the board (March 21, 1879) they decided "to build a court house with jail in the basement, the cost not to exceed fifteen thousand dollars." The building was to stand on block 37, in the village of Fergus Falls, to be made of brick or of stone and brick, as near fireproof as possible and with sufficient fireproof vaults to contain all the public records of the county.

At this same meeting the board made provisions for financing the construction of the building. Bonds to the amount of six thousand dollars (issued pursuant to chapter 70 of the Special Laws of 1877) were issued and made payable in Boston, Massachusetts. These bonds were divided into six lots of one thousand each, the first falling due five years after date, the second, six years, and the sixth and last lot being payable ten years after date. The bonds bore seven per cent, interest and were not to be sold at less than par value.

The court house was completed in the fall of 1881, but for some reason no provision was made in the basement for the jail. In 1882 a contract was let to J. H. Van Dorn, of St. Louis, for the remodeling of the basement and the installation of three steel cages. This work was

completed in the summer of the following year, but within less than two years it was seen that this had been a useless expenditure of money. The arrangement not only did not provide sufficient room for the incarceration of prisoners but it was so unsanitary that it received, and no doubt merited, the severe condemnation of the health authorities.

There was much opposition to the temporary arrangement whereby the basement was used for jail purposes at the time the work was being done. By 1885 it was very evident that the county would be compelled to build a jail and, being unable to do this without a bond issue, the Legislature was asked to pass an act authorizing a bond issue. The Legislature responded by passing an act on February 24, 1885, as follows:

“Be it enacted by the Legislature of the State of Minnesota:

“Section 1—That the board of county commissioners of the county of Otter Tail be, and hereby are, authorized to issue and negotiate bonds in an amount not exceeding thirty thousand dollars for the purpose of constructing a county jail and sheriff’s residence in Fergus Falls, the county seat of said county.

“Section 2—Said bonds, and the interest coupons attached, shall be signed by the chairman of said board of county commissioners, and attested by the auditor of said county and sealed with his seal. The auditor of said county shall keep a record of all of said bonds that may be issued, which record shall show the date, number and amount of each bond, the rate of interest, the time when due, the place where payable, and the name of the party to whom issued.

“Section 3—Such bonds shall bear interest at a rate not exceeding seven per centum per annum, and be issued in such denominations, and be made payable at such place as the board of county commissioners shall determine. The principal shall become due and payable not more than thirty nor less than ten years from the date thereof.

“Section 4—The board of county commissioners of said county shall have authority to negotiate said bonds as in their judgment shall be for the best interests of said county, but not for less than their par value.

“Section 5—The proper authorities of said county shall annually levy, in addition to all other taxes, an amount sufficient to pay the

interest on the bonds so issued; and when any principal sum is about to become due may levy a sufficient amount to pay such principal when due.

“Section 6—This act shall take effect and be in force from and after its passage. Approved February 24, 1885.”

The whole issue of thirty thousand dollars was sold on March 27, 1885, to N. W. Harris & Company, of New York City, the company paying a premium of one hundred and eighteen dollars. E. P. Bassford was employed as architect and his plans were ready in a short time. The bids were opened on April 23, 1885, and the contract let on the same day. The contract was let in two parts, one for the building proper and the other for the iron and steel work. Stanford Brothers, of Fergus Falls, who had built the court house, secured the bid for the construction of the building, with a bid of \$11,490, and J. H. Van Dorn was the successful bidder for the iron and steel work. His bid of \$9,850 was the lowest of the several bids submitted. These combined bids, with the subsequent extras which invariably creep in, brought the total cost of the jail up to \$21,852.32.

At the time the jail was built it was considered the finest penal institution in the state of its kind. It combined all the latest and most improved ideas in jail construction, and was in every way the best jail in the whole state. Built as it was, under the direction of the state board of corrections and charities, it conformed in every particular with their ideas along the latest methods of sanitation. When the steel cages were taken out of the basement of the court house, an addition was made to the jail which contained two of them. It was thought that they were too valuable to throw away and, as the county could not get a fair price for them, it was finally decided to make the addition to the jail and put them into it. With this exception, the jail stands as it did when it was built thirty years ago, and so well was the building built that it bids fair to stand for many years yet to come. □

RELATED ARTICLES

- Eben E. Corliss, "Reminiscences of the Early History of Otter Tail County" (MLHP, 2012)(published first, 1916).
 John W. Mason, "The Bar of Otter Tail County" (MLHP, 2008- 2012) (published first, 1916).
 Hastings H. Hart, "The County Jails, 1888-1890" 19 (MLHP, 2012) (published first, 1891).
 Hastings H. Hart, "The County Jails, 1892-1894" 25-26 (MLHP, 2012) (published first, 1895).

For memorials to county lawyers, see:

- "John W. Mason (1846-1927)" (MLHP, 2012).
 "John O. Barke (1850-1921)" (MLHP, 2011).
 "James L. Brown (1853-1929)" (MLHP, 2012).
 "William L. Parsons (1858-1939)" (MLHP, 2012).
 "Judge Frank C. Barnes (1889-1963)" (MLHP, 2011). ■

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