

OLD prison
at Stillwater
about 1900



The Minnesota STATE PRISON *during the STILLWATER Era, 1853-1914*

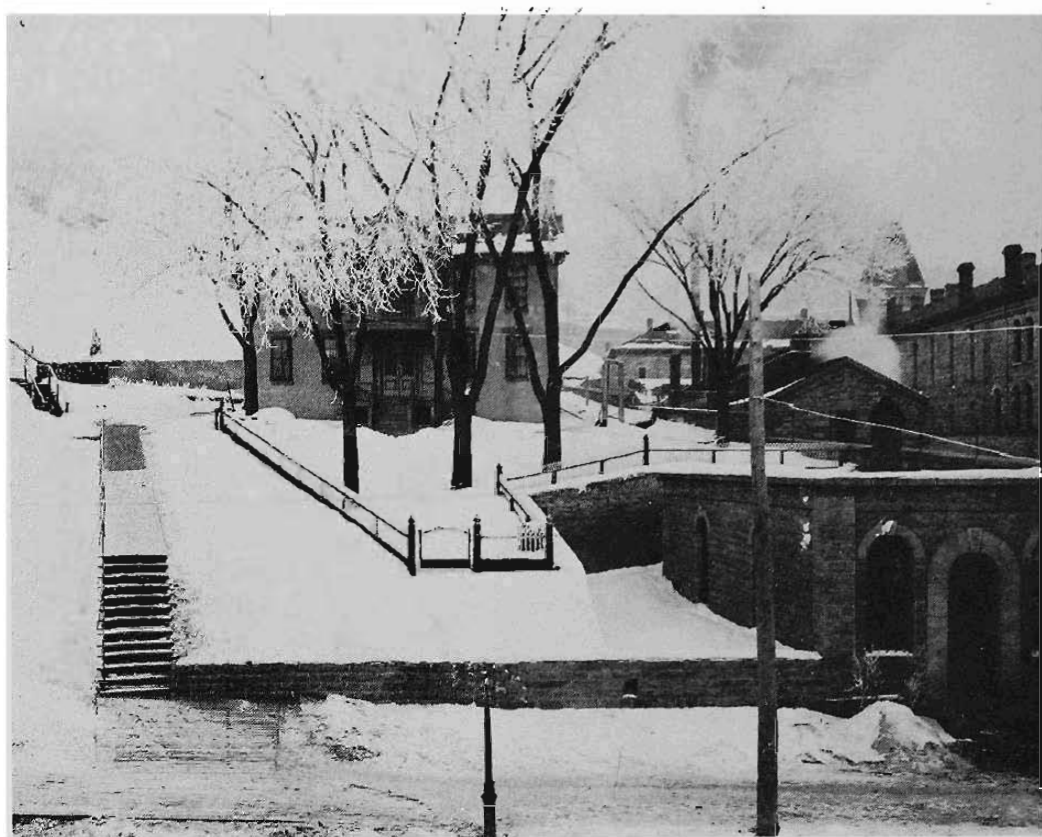
JAMES TAYLOR DUNN

AMONG THE POINTS stressed by Governor Alexander Ramsey in his message to the first territorial legislature on September 3, 1849, was the lack of a suitable lockup controlled by civil authorities. He strongly advised that "there should be proper and safe places of confinement" for prisoners in the new territory, and urged the legislature to ask the federal government for money to construct a prison. One would suffice for the whole territory, the governor believed, "until the period when increased population and greater wealth, may enable each county to have a proper building for the

purpose." Earlier, through an arrangement with the commandant of Fort Snelling and with officers at Fort Ripley, civilian malefactors were held under arrest at these military posts, but they frequently escaped from the territory before they could be sentenced—a situation which caused a writer for a St. Paul newspaper, the *Minnesota Chronicle and Register* of April 20, 1850, to rationalize that "probably this is the best way to dispose of our rascals so long as we are destitute of a prison." Governor Ramsey's suggestion was approved by the legislators, and in June, 1850, Congress appropriated twenty thousand dollars "for the erection of a penitentiary."¹

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¹ Minnesota Territory, *House Journal*, 1849, p. 16, 17; 1851, p. 23.



THE warden's house adjoining Battle Hollow, built to serve the territorial prison

Selection of a site was the next problem. A proposal that the prison be built in the village of St. Anthony was met by a majority of its residents "with the most marked contempt," according to the *Minnesota Pioneer* of St. Paul for January 30, 1851. Another suggested location was farther up the Mississippi and more toward the middle of the state, perhaps somewhere in Benton County. But this idea was rejected by the larger downriver cities, according to the same newspaper, as too "far removed from the present and probable future centre of population." In February, 1851, the legislature designated St. Paul as the territorial capital and selected Stillwater, the thriving metropolis in the St. Croix Valley, as the site for the penitentiary.² The new prison would be erected on four acres of land in Battle Hollow, a marshy ravine

near the north end of the town, close to the river. Surrounded on three sides by precipitous cliffs, Battle Hollow had received its name from a bloody encounter of Sioux and Chippewa which took place there in July, 1839.

In May, 1851, after the Minnesota board of commissioners of public buildings voted to construct the prison of stone, the firm of Jesse Taylor Company, which included Francis R. Delano, Martin Mower, and John Fisher as partners, began the work. Among penitentiary buildings completed by early 1853 were a three-story prison house with six cells and two dungeons for solitary confinement, a workshop, and an office, all designed by Fisher, constructed of material taken from nearby quarries, and

² Minnesota Territory, *Laws*, 1851, p. 5.

located within an enclosure of about 280 square feet surrounded by a twelve-foot wall. Outside was the warden's house, halfway up the south hill overlooking the prison. To manage this physical plant, the territorial legislature of 1853 provided for an administrative structure consisting of three inspectors, appointed by the governor for terms of two years, and a warden, named by the legislature for a term of five years. The law designated Delano, one of the contractors, as the first warden, and he assumed office on April 4, 1853.³

A native of Massachusetts, Delano had settled in Stillwater by 1851 and had there engaged with little success in lumbering. During his early years as warden, he built up a profitable private business on the prison grounds. With his own funds, he purchased and took into the government-constructed penitentiary about eight thousand dollars worth of steam-powered machinery for the manufacturing of shingles, sashes, doors, flooring, wagons, and plows. He put the prisoners to work in his shops and in addition hired some fifteen Stillwater residents to assist the convicts in filling special orders—such, for example, as fencing for the Capitol grounds in St. Paul. Regulations required that the inmates be kept busy from sunrise to sunset, with thirty minutes allowed for each meal. Conversation was never permitted. As punishment for unruly conduct or disobedience,

there was first a bread-and-water diet in solitary confinement and, as a last resort, twenty lashes a day for five days.⁴

Security arrangements within the newly built penitentiary, however, left much to be desired, and escapes were frequent. During a ten-month period in 1856, seven men and one woman fled confinement. Their methods of escape varied. The hall floor was pried up; an iron cell door was lifted from loosened hinges; a burglar's bar was smuggled in, according to the warden's record book, by "unknown hands"; locks and shackles were picked; iron window bars were sawed; holes were dug through the outside wall.⁵ A writer for the *St. Croix Union* of Stillwater complained on May 2, 1856, that either "the penitentiary is badly constructed or . . . some one or more of its officers are grossly derelict in duty." Delano, however, convinced the editor, Milton H. Abbott, that the fault lay not with the warden but with the prison, since the walls and buildings were not, as claimed, "of the most approved and substantial kind." The fact that there were no night guards was never mentioned.

The warden, as stipulated by law, was obliged to accept temporary prisoners from Minnesota counties that lacked adequate jail facilities. The local governments involved were, however, expected to pay all expenses incurred in confining prisoners from their areas. Although official statistics mention only five convicts received at the territorial prison between 1853 and 1858, the half-dozen usable cells were nonetheless continuously crowded with temporary county prisoners. Most of the time, two and often three men were forced to share a single unit.⁶

The counties sending prisoners to Stillwater frequently failed to pay the lodging fees, and the warden found it increasingly difficult to collect from them. By the beginning of 1857 they owed Delano seven hundred dollars, and he claimed that he had "stood all the loss he could." Following an inspection visit to Stillwater, the prison

³ Bonds dated July 16, 1851, and May 4, 1852, in "Miscellaneous Papers, 1849-1858," Secretary of State's Papers; Board of Inspectors of the Territorial Prison of Minnesota Territory and the State Prison, "Record of Proceedings," February 4, 1853, in Minnesota State Archives; Minnesota Territory, *Laws*, 1853, p. 10.

⁴ *Daily Minnesota Pioneer* (St. Paul), December 27, 1854; *House Journal*, 1854, p. 44-54.

⁵ "Personal Record of Warden," March 17, April 30, October 17, November 10, December 11, 1856, in Minnesota State Prison archives, Bayport. The prison records cited herein were made available to the writer through the courtesy of Warden Douglas C. Rigg and members of his staff.

⁶ Minnesota, *General Laws*, extra session, 1857, p. 188; Minnesota Territorial Prison, *Fifth Annual Report*, 9.

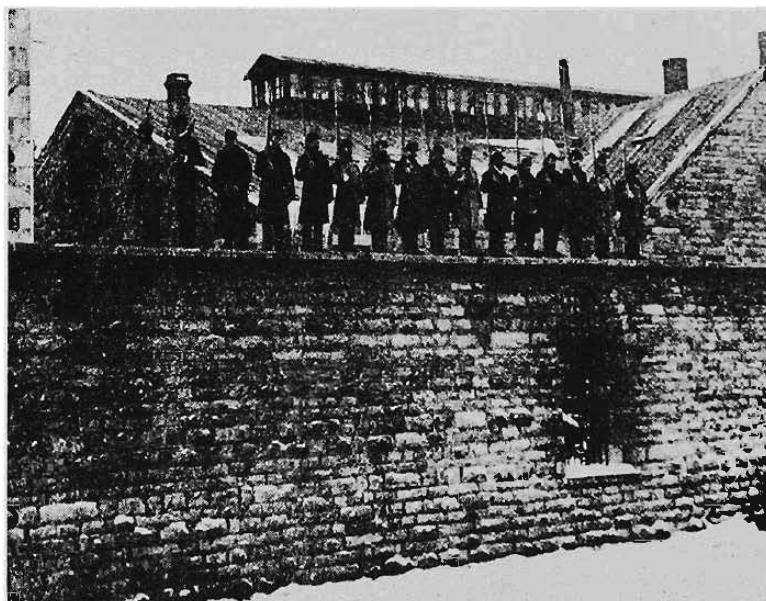
committee of the legislature recommended that the warden should not be held responsible for prisoners if the counties were lax in paying for their keep. An act to this effect was approved on May 23, 1857, and Warden Delano immediately freed prisoners from Winona, Nicollet, and Houston counties because payments were not forthcoming from the county commissioners.⁷

"There is something wrong about the Territorial Prison," reads an editorial in the *Weekly Pioneer and Democrat* of St. Paul for November 5, 1857, published after the escape of an accused murderer from LeSueur who was placed in the Stillwater prison for safekeeping pending trial; "any person who desires it can escape from it, and the Warden does not even think it worth while to offer a reward, or notify the public." On November 21, 1857, the *St. Paul Financial, Real Estate and Railroad Advertiser* joined the fray by claiming that, "a canary bird in a 10 acre field, with the bar doors down at that, would be more safely caged." Scarcely had the year 1858 begun, when a new convict, perhaps to prove this statement correct, led three of his companions in a successful jail break. Unobserved, they picked a large hole

through the cell block wall and, with the aid of a handy ladder, quickly cleared the inadequate exterior wall while the guard was attending church services elsewhere in the village. The *Advertiser* of December 19, 1857, expressed the opinion that "the Warden should have a fixed salary and no officers in the institution should have an interest in the contracts, or in the labor of the convicts; nor be the owner of any part of the tools or machinery used in the institution." The *Stillwater Messenger* added its bit on February 10, 1858: "Our Penitentiary is a great humbug. There is no security about it—it is a cheat, a swindle, a disgrace."

As a result of all these accusations, the United States government stepped into the picture and instituted lawsuits against Michael McHale and Roswell B. Johnson, both of whom were prison officials and business partners of Delano. The territorial legislature immediately ordered a grand jury investigation, which took place late in 1857. The jury members, in reporting to Judge Charles E. Flandrau, found Warden Delano and Deputy Warden McHale "negligent and careless." A total of eight scathing in-

⁷ Territorial Prison, *Fifth Annual Report*, 6.



GUARDING
the prison walls
in the 1860s

dictments were brought against the prison officials for alleged neglect of duties. Delano, on the other hand, challenged the moral character of several members of the grand jury, most of them fellow townsmen. Without using any names, he accused one of "having been tried in a sister State for the highest crime known to the laws," and another of spreading his traps and dealing "a little game of Chuck-a-luck" between the sittings of the jury. Delano also complained that the jurors spent exactly twenty-seven minutes at the prison and visited only three cells. Most of their time while there was taken up by the high jinks of a Stillwater "eccentric wag" and saloon proprietor named Emanuel Dixon Farmer who was a member of the jury. For example, the jurors locked Farmer in one of the cells and released him only when he promised that he would supply drinks for everyone present.⁸

Realizing, no doubt, that the territorial laws governing the penitentiary were faulty, and aware of the need for reorganization and reformation of the prison system with the approach of statehood for Minnesota, Governor Samuel Medary was apparently loath to press charges against Delano and his deputies. During the early months of 1858 nothing more was heard of the grand jury indictments and the lawsuits were dropped. The prison's first warden remained in charge until the expiration of his term on March 4, 1858.⁹

⁸ *Weekly Pioneer and Democrat* (St. Paul), December 3, 1857; Territorial Prison, *Fifth Annual Report*, 7, 14; Joint Committee of the Legislature, *Report*, 1858 [?].

⁹ In 1862 Delano was elected mayor of Stillwater, and after his term in office he moved to St. Paul to become general superintendent of the St. Paul and Pacific Railway. The town of Delano was named in his honor. See Warren Upham and Rose B. Dunlap, *Minnesota Biographies*, 172 (*Minnesota Historical Collections*, vol. 14).

¹⁰ Letters of 1858, printed as Stillwater Prison, *Official Correspondence*, and bound with the Minnesota Historical Society's copy of the prison's *Annual Reports*.

¹¹ "Record of Warden," August 28, September 23, 1858.

ON THE DAY Delano retired, Colonel William C. Johnson, sheriff of Washington County and a former Marine Mills justice of the peace, presented his commission as warden. Although his appointment had been signed by Governor Medary the previous November, Johnson was undoubtedly restrained from taking over until the close of Delano's term. When he did appear, Delano's deputy, McHale, who had been authorized to transact all the business of his partner, refused to surrender the prison keys. He demanded full payment for the machinery placed within the walls by Delano and Company before allowing anyone else to take charge.¹⁰ Johnson did not force the issue. He made no attempt to assume the position to which he had been named, and McHale acted as warden for another five months. In the meantime, Minnesota joined the galaxy of states, and its new government faced a busy period.

Not until August 19, 1858, was a new warden, acceptable to all factions, appointed. This was thirty-two-year-old Henry N. Setzer, a Stillwater lumberman and a prominent representative in the first territorial legislature. He assumed direction of the state prison after an amicable agreement was reached with the former warden and his business associates and the acting warden surrendered the keys. Setzer's first order was for six muskets and bayonets from the state armory for the use of prison guards. Today firearms are forbidden within the walls of the prison, but they were carried by interior guards until a new prison was occupied in 1914.

Setzer immediately resolved the thorny county prisoner problem. "There is no authority now existing," ruled the new warden when he refused one such prisoner, "by which the State prison can be converted to the use of a common jail, to keep in custody persons merely committed for trial."¹¹ Setzer and the state board of prison inspectors also clamped down on many lax methods prevalent at the territorial penitentiary. It was decided that the state institution could

be used only for business relating to the prison—for example, unauthorized persons would not be allowed to walk on the walls surrounding the buildings. During territorial times the health and spiritual needs of the inmates had been neglected. This was rectified under the new regime by the appointment in August, 1858, on a part-time basis, of Dr. Helon Fay Noyes of Stillwater as the prison's first physician and the Reverend John C. Caldwell, rector of the local Presbyterian church, as the first chaplain.¹²

A Democrat who was not amenable to the politics of Abraham Lincoln, Setzer put himself on record as being unwilling to hold office under any "Black Republican administration." Thus, in December, 1859, he tendered his resignation. Before doing so, however, he touched on a subject that was to draw comment from all succeeding wardens until the old territorial penitentiary was finally abandoned in 1914 and the new Minnesota State Prison occupied at Bayport. He strongly recommended that the recently constructed prison be removed from the "marshy and unfit" location in Battle Hollow, which, he said, would never offer enough space "to enlarge and improve the State Prison to make it fit and secure enough to answer the purposes of its erection."¹³

John S. Proctor gave up his Stillwater hardware store to receive the prison keys from Setzer on January 16, 1860. According to the politically opposed *Stillwater Democrat*, the newly appointed warden was the "very best man whom Gov. Ramsey could have selected from the Republican ranks of this city." Proctor served well for eight years under four Minnesota governors. His long tenure of office, during a period of spoils and great political favoritism, proved the wisdom of Ramsey's choice. At a yearly salary of \$750.00, Proctor, according to the *Messenger* of January 30, 1866, "bro't order out of chaos which formerly adorned and gave a stench" to the institution.

Perhaps the new warden's outstanding contribution to improved organization within the state prison was a plan for reducing

the length of convicts' sentences through good behavior. As originally instituted in 1862, the scheme allowed a total of three days for each month of satisfactory deportment, to be granted at the discretion of the warden. Bad conduct brought a forfeiture of credits gained. This system, considerably altered and broadened over the years, is still in effect. Early in 1874 the Minnesota legislature passed a law providing that prisoners be paid for the three days a month of reduction in sentence which they could gain under the good behavior plan. At a salary rate of forty-five cents a day, which contractors were then allowing each able-bodied prisoner, an inmate could earn for himself a maximum of a dollar and thirty-five cents a month. The total accumulated by any one man, however, could not exceed twenty-five dollars. This arrangement, according to the inspectors, was a great morale builder, for it kept the inmates from being despondent and preserved their self-respect.¹⁴

Another major change made by Warden Proctor was the discarding of the red and blue jackets, blanket wool caps, gray pants, and hickory-cloth shirts worn previously by the prisoners. Proctor furnished all convicts with clothing that would help make detection certain in event of escape. It consisted of hip jacket, woolen pants, and skull cap, all with alternate black and white horizontal stripes. These "penitentiary stripes," first introduced in 1860, were not completely abolished within the prison walls until 1921. Proctor was also the first to use guards for patrolling the prison at night. During the long winter evenings, convicts were allowed to burn lamps in their cells until eight

¹² Board of Inspectors, "Proceedings," August 19, 1858; *Stillwater Messenger*, February 21, 1885. Edward Eggleston was prison chaplain from July 1 to September 30, 1861.

¹³ *Messenger*, February 21, 1885; "Record of Warden," December 28, 1859; Minnesota State Prison, *Annual Report* to the legislature of 1859-60, p. 5.

¹⁴ Minnesota, *General Laws*, 1862, p. 133; 1874, p. 132.

o'clock in the hope that they might get inspiration from such works as Irving's *Washington*, Elliott's *Sermons*, a novel called *The Jealous Husband*, and Harriet Bishop's *Floral Home*, the only Minnesota book in the prison's small collection. Although the inmates' library had been started by Delano and somewhat revitalized by Proctor, there was little indication during these early years that it would later become one of the finest prison libraries in the country.¹⁶

IN 1859 John B. Stevens of Stillwater, a manufacturer of shingles and blinds, had leased the prison workshop from the state for five years at a rental of a hundred dollars a year. He took over all convict labor, paying a generous seventy-five cents a day for each full-time worker. This was the beginning of the contract system in the Minnesota State Prison, which ended only when the old prison was abandoned fifty-five years later. When Stevens' shingle mill unfortunately burned in January, 1861, forcing the contractor into bankruptcy, George M. Seymour and his partner, William Webster, Stillwater manufacturers of flour barrels, took over the contract for prison labor. They established a wage for a day's work from each prisoner which was scaled to advance from thirty to forty-five cents over a five-year period. Toward the end of the 1860s, Seymour joined with Dwight M. Sabin, soon to be a state and later a United States Senator, to form the new firm of Seymour, Sabin and Company. This concern continued to rent the

prison shops and to employ the inmates, who worked in silence under guard, manufacturing sashes, doors, blinds, barrels and other wood products.¹⁶

The contract system exploited by these firms was criticized by a warden for the first time in February, 1868, when Joshua L. Taylor, a St. Croix Valley lumberman, was placed at the head of the prison by Governor William R. Marshall. Both Taylor and the inspectors could read the handwriting on the wall when they urged that inmates be allowed to work for the benefit of the state rather than for private concerns. They felt that the existing system was detrimental to Minnesota's financial interests and that the evils resulting from it were "positively injurious to the discipline and hostile to the reformation of the convicts." Prisoners rose at 5:30 A.M. and worked for eleven hours in summer and nine in winter. During 1870 forty-eight prisoners produced \$50,000 worth of tubs, buckets, and barrels for the steadily expanding Seymour, Sabin and Company. In 1871 the firm's sales amounted to \$135,000.¹⁷

Over the succeeding three years antagonism toward the contract system increased, as it became the general opinion that the institution was being managed at too great an expense to the state and too large a profit to the contractors. Newspapers of 1874 suggested that "the prison should be self supporting by the contract system or the state should buy out the contractors and do its own business." Already criticisms were growing strong against profiteers. And the warden agreed that "the contract system of labor is bad," and that "sooner or later it must be abandoned."¹⁸

Such criticism of the contract system notwithstanding, Seymour, Sabin and Company continued to expand. For example, the firm began making threshing machines in 1876 and its business so prospered, especially with the introduction of the nationally known Minnesota Chief threshers, that the company soon could boast of being the world's largest manufacturer of such ma-

¹⁶ "Record of Warden," August 26, 1858; State Prison, *Annual Report* to the legislature of 1860-61, p. 4; to the legislature of 1863, p. 26; *Stillwater Democrat*, February 4, 1860.

¹⁷ State Prison, *Annual Report* to the legislature of 1859-60, p. 3; to the legislature of 1862, p. 4; *Democrat*, January 19, 1861; *Taylor's Falls Reporter*, June 19, 1869.

¹⁸ State Prison, *Annual Report* to the legislature of 1869, p. 7; John W. McClung, *Minnesota as It Is in 1870*, 269 (St. Paul, 1870); *Messenger*, August 9, 1872.

¹⁹ *St. Paul Dispatch*, quoted in *Messenger*, February 27, 1874; State Prison, *Annual Report* to the legislature of 1873, p. 4.

chines. Its net profits for 1881 came to over three hundred thousand dollars. In May, 1882, the North Western Manufacturing and Car Company was organized by Sabin and "certain wealthy persons" representing large railroad interests. Sabin's original company was absorbed into this burgeoning concern, which continued to make doors, sashes, blinds, flour barrels, and threshers, as well as to take on the construction of portable and traction farm engines, and to manufacture freight and passenger cars for several Northwestern railroad companies.¹⁹

In addition to prison labor, which the company's officers openly bragged they had obtained through a "very advantageous contract" with the state, approximately twelve hundred civilians were employed in the prison shops and around the extensive yards that had mushroomed outside the walls. "It was never expected when the contract for prison labor was made," apologized the inspectors in 1884, "that the Manufacturing Co. of Seymour, Sabin & Co. would develop into the mammoth N.W. Manufacturing and Car Co. . . . Had that result been foreseen, the shop room would most certainly have been restricted, and also the number of citizen employees allowed within the prison grounds."²⁰

But the company, through agreements and contracts signed with the state, had established too firm a foothold to allow any fundamental change in the existing arrangements. During their twenty-two years at the Stillwater institution, the contractors managed to assume virtually complete control over prison affairs. Almost from the beginning they alone were given the lucrative building contracts for additions, improvements, and repairs in and about the prison grounds. As a result, the money received annually by the state from Sabin's company for prison labor and rental of the workshops was considerably less than the amount the government paid out to the same firm for constructing buildings and repairing the prison wall. The contractors even assumed the right to choose guards and

officers employed by the state in the prison. The evils of the contract system, first recognized by Warden Taylor, had multiplied.²¹

Eventually, in 1887, the state legislature, yielding to pressure from the St. Paul Trades and Labor Assembly, ruled against prison labor contracts that would come into competition with free enterprise. The long-standing agreement with Seymour, Sabin and Company and its successors was therefore terminated a year later, leaving over four hundred unemployed prisoners for whom only such temporary work as repairing the warden's house and finishing the prison wall could be found. Meanwhile, the car company continued to use the prison premises for its manufacturing operations.²²

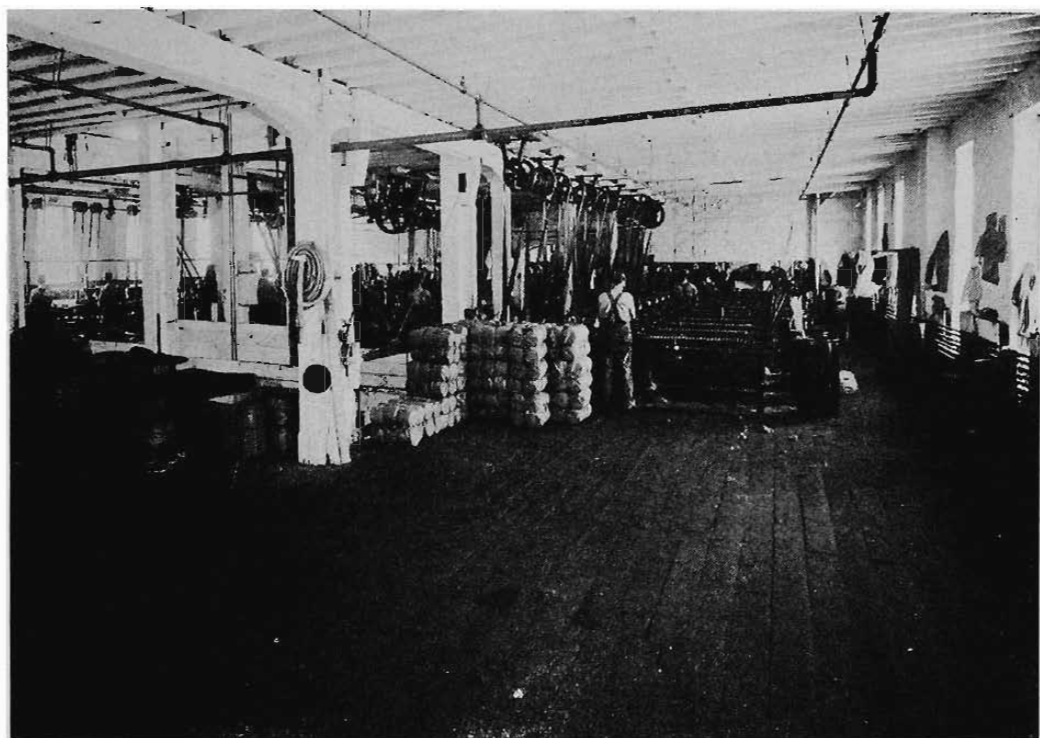
As a result of an exhaustive report on convict labor made by the inspectors in 1889, and because of the disastrous effect of idleness on prisoner morale, the legislature allowed a partial resumption of the contract system. Accordingly, the warden made arrangements for a two-year convict labor agreement with the Minnesota Thresher Company, a firm which was formed by the stockholders of the car company and purchased its assets. Under this agreement half of the prisoners could be employed by the contractors. To furnish work for the remaining inmates, plans were formulated in 1890 for the state to go into business on its own. Since a combine of cordage manufacturers was then charging unreasonable prices for binding twine, to the disadvantage of Minnesota's farmers, a binder twine industry

¹⁹ State Prison, *Biennial Report* to the legislature of 1883, p. 6; *North Western Manufacturing and Car Company*, 3 (1882); Special Committee of the House of Representatives, Appointed to Investigate the Conduct and Management of the State Prison at Stillwater, *Report*, 10 (St. Paul, 1891); Seymour, Sabin and Company, *Minute Book*, February 15, 1882, owned by the Minnesota Historical Society.

²⁰ State Prison, *Biennial Report*, 1884, p. 7.

²¹ Special Committee of the House, *Report*, 2, 12, 20.

²² George B. Engberg, "The Knights of Labor in Minnesota," in *Minnesota History*, 22:387 (December, 1941).



Twine factory in the Stillwater prison about 1900

was initiated at Stillwater, and this proved successful almost from its beginning. Prison-made twine, sold at a reduced price, meant considerable saving to the farmers of the state, and Minnesota thereby established what was for many years the foremost state-account system in the nation. It remains today one of the major industries at the prison. At the same time, the power wielded by the contracting company had been greatly lessened, indicating that the contract system of prison labor was on its way out.²³

Between 1860 and 1867, the number of state prison inmates jumped from four to fifty-two—an increase due, said the board of inspectors, to the “general carnival of crime which seems to reign over the whole country.” This caused overcrowding and made necessary the construction of new

buildings. A three-story cell block was erected and an additional shop built by Seymour and Webster, contractors, and paid for by the state so that Seymour and Webster, manufacturers, could employ a larger number of prisoners.²⁴

AT THE END of his two-year term, in 1870, Taylor declined reappointment because the salary of a thousand dollars a year was “not commensurate with the position and duties required to be performed.” To replace him, Governor Horace Austin appointed Captain Alfred B. Webber of Albert Lea in March. An occasional attorney-at-law and part-time politician, best known as an ex-hotelkeeper, he was a political appointee with few qualifications for the position. His credulity was clearly displayed in his defense of a pardoned convict: “It is pretty generally believed now that he was not guilty of any crime. I know he was not, for he told me all about it after he was pardoned.”²⁵

²³ Blake McKelvey, *American Prisons*, 103 (Chicago, 1936).

²⁴ State Prison, *Annual Report to the legislature of 1866*, p. 3; to the legislature of 1868, p. 4.

²⁵ *Stillwater Republican*, September 27, 1870; *St. Paul Pioneer*, September 1, 1870.

Less than half a year after his appointment, Webber summarily dismissed long-time Deputy Warden Robert R. Davis on the strength of accusations of theft made by William McGee, a military prisoner. Davis countered with multiple charges against Webber, including "dereliction of duty, violation of prison discipline, and corruption in office." They were strongly denied by Webber, who scored Davis for his "inhuman and unjust treatment" of prisoners. The testimony presented to Governor Austin contained imputations that the warden, by this time nicknamed "Bull Beef" Webber, speculated for his own benefit in prison flour and beef; that he allowed wives to enter the prison to sleep with their husbands; and that one life convict was frequently permitted temporary freedom so he could go hunting in Wisconsin. The testimony showed, however, that the prisoner's partner in most of this extra-curricular activity was Deputy Warden Davis. Governor Austin finally asked for Webber's resignation, and in September he named a Civil War general, Horatio P. Van Cleve of St. Anthony, to fill the vacancy. Van Cleve refused the senate-confirmed appointment, having "no intention of moving to Stillwater." Colonel William Pfaender of New Ulm also declined it. The choice eventually fell to another St. Croix Valley lumberman, Henry A. Jackman, a self-styled "very Black Republican," who for many years had served as a member of the prison board of inspectors.²⁶

Under Warden Jackman, the first major building program interrupted the routine of prison life, as "the old dilapidated and tottering Territorial buildings" were removed. The only original building left standing was the warden's house. New and substantial accommodations for a maximum of 158 prisoners were erected in their place by the prison labor contractors. The warden called the new quarters "an honor to the State, a credit to the builders, and a blessing to the inmates." Only two years later, however, the new cell block proved to be less of a "credit to the builders" than Warden Jack-

man had thought, for faulty construction made it easy enough for a prisoner to escape by crawling under his cell door and between the window bars. Fewer than a hundred inmates were received during Jackman's tenure. Punishment consisted of confinement in the dungeon on a reduced fare, some recalcitrants being shackled with a fifty-pound ball and chain for as long as a month. Occasionally, however, there was a relaxing of discipline. Following Warden Proctor's term in the 1860s the prisoners had been granted three labor-free holidays—Thanksgiving, Christmas, and Independence Day—when they were treated to special meals. The local newspaper reported in detail on Jackman's Fourth of July party in 1873. All work was suspended, recorded the *Stillwater Gazette* of July 8, and the inmates were allowed freedom of the buildings, but not of the yard. Cigars were distributed as a prelude to a "sumptuous dinner" at noon, which was followed by more cigars. Later in the day, "a barrel or two of lemonade was concocted and dispensed—with an unsparing hand."²⁷ Today ten holidays are observed at the state prison.

The year 1874, however, was a hapless one for Warden Jackman. In May, Deputy Warden Eri P. Evans, who had been relieved of his recently acquired position, retaliated by charging the warden with fraud, theft, neglect of duty, and infractions of discipline. Both the warden and inspectors demanded an immediate and thorough investigation, which resulted in the dismissal

²⁶ *Pioneer*, August 26, 28, 1870; *St. Anthony Falls Democrat*, March 11, 18, 1870; Webber to Austin, August 25, 1870, Pfaender to Austin, September 20, 1870, Jackman to Austin, January 5, 1870, Governors' Archives, in Minnesota State Archives. For biographical information on Webber, see Franklyn Curtiss-Wedge, *History of Freeborn County*, 90, 252, 507 (Chicago, 1911); Edward D. Neill, *History of Freeborn County*, 364 (Minneapolis, 1882).

²⁷ State Prison, *Annual Report* to the legislature of 1872, p. 7; "Punishment Record," August 3, 1872, in Minnesota State Prison archives; *Messenger*, August 9, 1872.

of all accusations. The governor was handed four hundred pages of testimony, but so far as is known he did not request Jackman's resignation. At about the same time, Alonzo P. Connolly, a St. Paul newspaperman, visited the prison and reported in the *St. Paul Dispatch* of June 24, 1874, that many of the newly built cells were damp and absolutely filthy, and that some of the bedding was wet. Faced with continued criticism, and "feeling keenly the effect of these charges," Jackman submitted his resignation in July, 1874. Governor Cushman K. Davis appointed John A. Reed of Sterling in Blue Earth County to the post, and he became the new warden at what one newspaper called "that miserable basin."²⁸

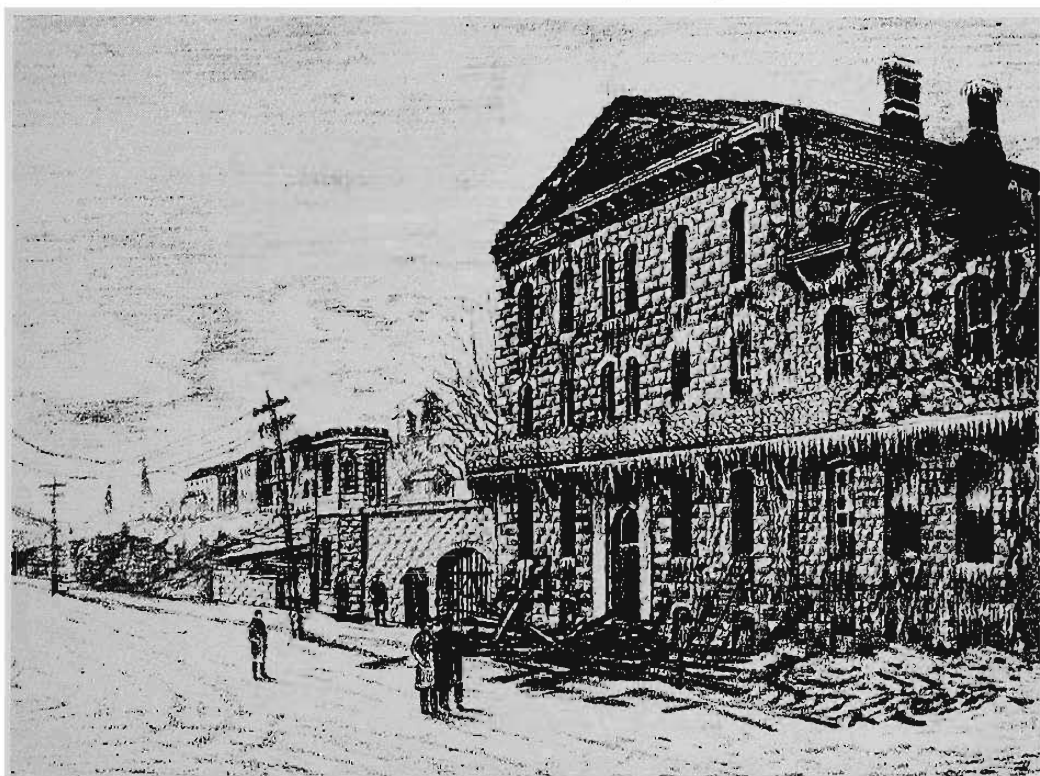
WARDEN REED'S twelve years at Stillwater were unsettled ones. The number of

²⁸ *Messenger*, May 22, 1874; *Dispatch*, June 5, 1874; *Pioneer*, January 20, 1874.

inmates more than quadrupled and the state found it difficult to furnish adequate living and working space as well as yard room for the convicts and for the ever-increasing number of civilians employed by Seymour, Sabin and Company. Until this time, Minnesota had without much trouble managed to expand its prison facilities to meet the slowly growing criminal population. But the 1870s saw a continuing need for enlargements to the physical plant.

Two fires in 1884 were major catastrophes for the prison. Both occurred in January, and each presumably was set by a "citizen incendiary." On January 8 the large, four-story woodworking shop and several smaller buildings burned. Far more devastating was the conflagration of January 25, which started in the basement of the car company office on a bitter cold night, and raged completely out of control, leaving a great part of the prison a mass of ruins and blackened walls. With the cell block threat-

RUINS of the Minnesota State Prison after the fires of 1884



ened, the National Guard was called out and 350 chained prisoners were led from their smoke-filled quarters into the subzero weather. An inmate who did not obey the order to leave was the only casualty. "The striped sojourners in our city seem to have enjoyed the episode," reported the *Messenger* for February 2, "as they have been able to talk with each other quite freely, play games, and read at will."

The prison on the following day must have been a discouraging sight. There were no quarters for officers or prisoners; few provisions remained intact; and all utensils, hospital equipment, furniture, and library books were gone. About the only objects saved were the prison records. Governor Lucius F. Hubbard went immediately to consult with Warden Reed, and they decided to transport some of the prisoners to neighboring county jails, including those at St. Paul, Minneapolis, Winona, and Hastings, as well as the local Washington County lockup. The rest were housed temporarily on the prison grounds. When the time came to remove the selected convicts, a vast crowd pulled and pushed and elbowed its way in front of the barred gates. "The appearance of the prisoners," said a reporter in the *Daily Globe* of St. Paul for January 27, "chained two and two, dressed in their striped clothes . . . created quite a sensation," as they marched down the main street of Stillwater to the railway depot. Before being taken to Winona, the matron and six female inmates, three serving terms for murder, were guests of the warden and his wife at their home adjacent to the prison. When the prisoners later returned to Stillwater, it was to a temporarily roofed and fire-scarred cell block.²⁹

Considerable reconstruction was completed by mid-1886, with 582 cells and ample shop room and machinery to employ over five hundred workmen. Since the prison population at the time was only 387, there was enough space for years to come. The contracting company faced financial difficulties after the fire and was placed in

the hands of a receiver. In spite of setbacks, however, all available prison labor was employed making engines and threshing machines. "Careful observation," reported the state board of corrections and charities, "has confirmed our good opinion of the administration of Warden Reed."³⁰

Outside the walls, however, trouble was brewing for the warden. In their report for 1886, the three prison inspectors spoke out strongly against accusations which had been leveled at those connected with the management of the institution. "Ambitious men, disappointed, scheming demagogues," the inspectors informed Governor Hubbard a few months before he went out of office, "cannot understand why it is that business men will accept such positions as these unless it is to ally themselves to rings and assist in defrauding the State." It became more and more obvious that a change of wardens would accompany the next political shift.³¹

The change came when Andrew R. McGill became governor of Minnesota early in 1887. He did not reappoint Reed, but named in his stead Halvur G. Stordock, a farmer from Rothsay in Wilkin County. Two of the three prison inspectors resigned because of the governor's move "to make place for some of his political friends."³² Stordock was the last warden in Minnesota appointed by a governor.

Within a few months the new warden and the inspectors demanded an investigation of what they called prison "irregularities and immoralities" under Reed. The reasons for the request are obscure. The governor appointed a committee of three from the state board of corrections and charities to study the accusations, and before they reached a decision several months later, many scandalous charges and countercharges had been

²⁹ State Prison, *Biennial Report*, 1884, p. 23-25.

³⁰ State Board of Corrections and Charities, *Biennial Report*, 1886, p. 28.

³¹ State Prison, *Biennial Report*, 1886, p. 9.

³² John DeLaittre, "Reminiscences," 175, a manuscript owned by the Minnesota Historical Society.

RECREATION hour
in the
prison yard



advanced by Reed, Stordock, and their respective lawyers. During the hearings, Governor McGill relieved Stordock of his official responsibilities. Mrs. Sarah E. McNeal, whom ex-Warden Reed had shortly before called the "very competent matron" of the prison, was the principal witness against him. Also giving testimony were several convicts who must have spent a good part of their time trying to gather evidence (based on "vague suspicions," said the report of the investigating committee) by listening through keyholes and peering over transoms.³³ Even the *Prison Mirror*, the inmates' newspaper established by Stordock in 1887, entered the fray with biased accounts of the inquiry. On September 21 it quoted an article from the *Glencoe Register* which flatly asserted that Reed and other prison officials were "living off the state and were public plunderers." This controversial editorial policy, and the *Mirror's* original motto, "God Helps Those Who Help Themselves," were both quickly scrapped.

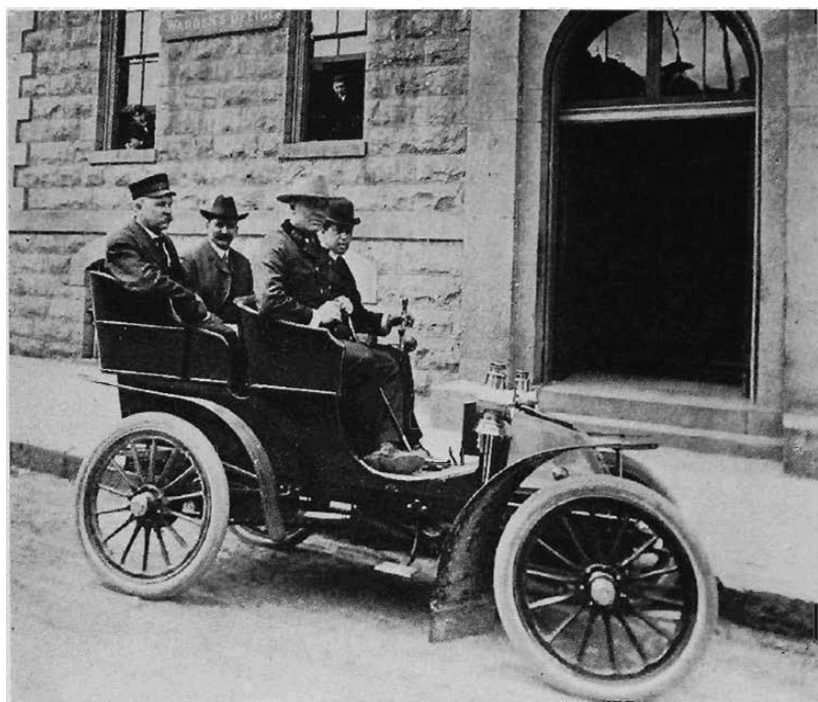
In December, the committee reported

³³ *Messenger*, September 10, 1887.

³⁴ *Messenger*, December 10, 1887; *Prison Mirror* (Stillwater), June 20, 1888.

that none of the charges against Reed was sustained; both Warden Stordock and Mrs. McNeal were reprimanded, and Reed was gently censured. After the dismissal of the indictments, Stordock was restored to his position, but Sarah McNeal did not return as matron. This affray almost resulted in tragedy when, in June of the following year, Reed attempted suicide at his Minneapolis home.³⁴

In 1889, the legislature tried to take political favoritism out of prison affairs by vesting all direction and control of the Minnesota institution in a five-member board of managers, which was made responsible for the appointment of the warden. In August, 1889, John J. Randall, a sixty-year-old coal merchant from Winona, was selected to replace Stordock. "Randall has a good record," reported the *Messenger* on August 3, "and will doubtless make a good warden." But the Stillwater newspaper could not resist inferring that Senator Sabin, of the prison contracting firm, had influenced the choice. Randall's short term of eighteen months was marked by several innovations of importance to the prison's future. The first steps were taken toward establishing a school. In



PRISON officials
with Wolfer
at rear left, 1901

1890 a Chautauqua reading circle was organized, and this group remained an active and influential part of prison life for almost fifty years, until 1938, long after the collapse of similar experiments in the few other institutions which tried them.³⁵

Once again, however, accusations from discharged prison officials were heard, following a now familiar pattern. This time the victim was Randall, whom many critics considered too lenient toward the inmates. There were others who felt that Randall was being forced out because he was not amenable to the wishes of the prison contractors. "Until the position is removed from politics," advised the *Gazette* on December 4, 1890, "the life of a warden in Minnesota will continue to be an unhappy one." A committee of the House of Representatives which, in January, 1891, investigated the conduct and management of the prison, concluded that both Stordock and Randall were removed "because their administrations did not meet the wishes of those connected with the prison contractors."³⁶ That Randall was "honest, upright and conscientious will

never be denied," the *Messenger* asserted on March 28. "If he erred it was in placing too much confidence in convicts and subordinate officers who were unworthy."

THE FIRST professional penologist to head the Minnesota prison was Albert Garvin, who assumed the post of warden in February, 1891. He had received his training at the Illinois State Prison in Joliet. There was talk that Garvin, friendly to the contracting company, was chosen through its influence; whatever the reason, during his short stay at Stillwater he brought discipline back into prison life. This warden, whom the prisoners themselves called "fearlessly progressive," also did most of the spade work in establishing a grading system and a prison school. Garvin, however, remained at Stillwater only a year and a half before he moved on to

³⁵ Minnesota, *Laws*, 1889, p. 413-429; Frank Buckley, "Chautauqua in the Minnesota State Prison," in *Minnesota History*, 29:321-333 (December, 1948).

³⁶ *Messenger*, October 25, November 15, 1890; Special Committee of the House, *Report*, 28.

become St. Paul's chief of police.³⁷ His work was ably continued by Henry Wolfer, who was picked to head the state institution on his record of twenty years' experience as another Joliet-trained penologist. He took over at Stillwater in June, 1892, becoming the old prison's most distinguished leader and introducing a new era in prison management for Minnesota. Except for one year, Wolfer served as warden until 1914, when the Battle Hollow location was exchanged for new quarters at Bayport.

During Wolfer's administration, reformatory methods were successfully introduced at the Stillwater prison with the granting of conditional pardons to deserving men. Ordered on an experimental basis by Governor William R. Merriam in June, 1892, pardons were authorized by state laws the following year. The power of granting them rested solely in the hands of the governor until 1897, when a board, consisting of the governor, the chief justice of the supreme court, and the attorney general, was given the responsibility. A grading system for prisoners, which was continued until 1953, was instituted in 1893. At about the same time the school was established under Carlton C. Aylard, principal of the Stillwater High School, and it remains today as an important feature of prison life.³⁸

Wolfer had been at Stillwater only two years when the Minnesota Thresher Com-

pany failed, throwing 350 inmates out of work. To give them employment, several shoe manufacturing contracts were let during the few remaining years in the old prison. The state began making farm machinery at the prison in 1907. Manufacturing this equipment and cordage remain the two major industries of the prison today. Wolfer's stable and progressive administration received able support from Hastings H. Hart, secretary of the state board of corrections and charities. As one writer has pointed out, "It was no coincidence that Stillwater was the best state prison in the country throughout the era."³⁹

An administrator of such stature obviously deserved a better plant in which to implement his program. The damp, poorly ventilated, roach-infested buildings were a disgrace to the state. "Bed bugs are so numerous," complained one of the inmates, "they drive the average prisoner wild with pain and annoyance. The air is foul. The stench is almost intolerable." In 1902 and again in 1904 Wolfer pointed out in his reports the necessity of a new prison. The Minnesota legislature finally recognized the need, and after it provided in 1905 and 1909 for new buildings to be constructed a few miles south of Stillwater, the end of the antiquated institution in Battle Hollow approached rapidly. Extensive new structures on the St. Croix River at Bayport replaced the crowded quarters that were "not fit to keep hogs in, let alone human beings." By 1914 the final contract with a shoe company expired, and only then were the last of the inmates removed to the model new prison built under Warden Wolfer's supervision — a prison that for many years was considered the best penal structure in the country.⁴⁰

³⁷ *Messenger*, December 6, 1890, June 4, 1892; *Prison Mirror*, June 9, 1892.

³⁸ Minnesota, *Laws*, 1893, p. 106-108; 1897, p. 18-20; 1907, p. 58; State Prison, *Biennial Report*, 1894, p. 4.

³⁹ McKelvey, *American Prisons*, 149.

⁴⁰ "Sent to Stillwater," in *Monitor Magazine*, 1:50, 214 (November, 1911, March, 1912); State Prison, *Biennial Report*, 1902, p. 1; 1904, p. 2; Minnesota, *Laws*, 1905, p. 547; 1909, p. 29; McKelvey, *American Prisons*, 228.

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THE INDEX for volume 36 of *Minnesota History*, covering the eight issues published in 1958 and 1959, is now ready for distribution. Copies will be sent to members and subscribers who ask for them as long as the supply lasts. Requests should be addressed to Mrs. Phyllis Sandstrom, Minnesota Historical Society, St. Paul 1.



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