

## THE MINNESOTA STATE ARCHIVES THEIR CHARACTER, CONDITION AND HISTORICAL VALUE<sup>1</sup>

Archives are public records. Broadly speaking, they are those documents which reflect the official life of a community. Defined more specifically, they are the books, papers, or plans, either written or printed, which are used in the official business of any public office and are the property of the state or community.<sup>2</sup> The archives of Minnesota may be classified as state (including territorial) and local. It is with the territorial and state records that this paper is concerned.

The archives of a territory or state are usually kept at the seat of government. In Minnesota numerous changes in the location of the territorial headquarters during the first few years resulted in a constant shifting of the records. Governor Ramsey, who took up his official residence in St. Paul, June 25, 1849, kept the executive office, for a time, in his house on Third Street between Robert and Jackson. Rooms were secured for the other territorial officers and for the first legislature, which convened September 3, 1849, in a little two-story log building on Bench Street, "The Central House"—a far cry from the magnificent capitol of the present time. The three succeeding legislatures had little better quarters. In January, 1851, the second assembly met in a brick building on St. Anthony Street between Washington and Franklin, on the spot where the well-known Metropolitan Hotel later stood. The third legislature came together in 1852 in the Goodrich Building on Third Street just below Robert. The fourth assembly met the next year in the Chouteau Building, a two-

<sup>1</sup> Read at the stated meeting of the executive council of the Minnesota Historical Society, St. Paul, April 12, 1915.

<sup>2</sup> Massachusetts Commissioner of Public Records, *The Laws Relating to the Public Records and Public Documents*, sec. 5 (Boston, 1913).

story brick structure situated on the corner of Third and Minnesota.<sup>1</sup>

These first legislatures were greatly interested in the question of a suitable building wherein to house permanently the new government. One of the difficulties, the securing of a site, was solved by the gift of a tract of land by Charles Bazille to the territory on June 27, 1851.<sup>2</sup> Building operations were begun within a month, but the structure was not completed until 1853.<sup>3</sup> The transferring of archives to the new building dates from July of that year when some of the offices moved in. The fifth legislature met there January 4, 1854.<sup>4</sup> For twenty-seven years this capitol housed a slowly accumulating pile of records: documents telling the official story of the development of territory and state. In 1881, on the eve of the dissolution of the legislature, fire suddenly broke out in capitol and in a short time the building was practically destroyed. Fortunately most of the records were saved. There were those who thought that the fire was incendiary in origin, a supposition never proved. The citizens of St. Paul, fearing that the fire might mean the reopening of the old question of the location of the state capitol, equipped the barely completed Market Hall in a night. This Market Hall served as the seat of government pending the reconstruction of the old capitol.<sup>5</sup> It was July of 1883 before the last office returned to the rebuilt structure and the archives had a central resting place again.<sup>6</sup> The increase in the business of the state soon made these quarters inadequate and in 1893 a capitol commission was appointed by the legislature to plan, build, and furnish

<sup>1</sup> J. Fletcher Williams, *History of the City of Saint Paul and County of Ramsey, Minnesota*, 224, 227, 235, 284, 321, 333 (*Minnesota Historical Collections*, 4); *St. Paul Pioneer Press*, July 27, 1898, p. 3.

<sup>2</sup> *Ibid.*; Williams, *History of St. Paul*, 144, 291.

<sup>3</sup> *Ibid.*, 308.

<sup>4</sup> *St. Paul Pioneer Press*, July 27, 1898, p. 3.

<sup>5</sup> *Ibid.*; William Watts Folwell, *Minnesota, the North Star State*, 325 (*American Commonwealths* series).

<sup>6</sup> *St. Paul Pioneer Press*, July 27, 1898, p. 5.

a new building. As a result of its activities, the corner-stone of the present capitol was laid July 27, 1898, and in 1905 the new building was occupied.<sup>1</sup> Most, if not all, of the official records of the state were removed to the new capitol, but as new departments were established, it became necessary to reoccupy the old building. Thus, at the present time, the archives of the state are to be found in the old and new capitols, with the exception of those of the state highway commission, which has its office in the down-town district.

The public archives commission of the American Historical Association has been conducting investigations for some years with a view to ascertaining just what public records exist in each state, and has been publishing reports of the progress made. Minnesota is one of the few remaining states where, until recently, no such work has been done.<sup>2</sup> The commission, acting in coöperation with the Minnesota Historical Society, is now engaged in making such a survey of the Minnesota archives. Since the printed material is readily accessible and fairly well known, the present preliminary investigation has been confined to a survey of the manuscript records.

One who has not gone from office to office and from room to room can have little appreciation of the aggregate bulk of valuable material which the state has accumulated since its early days. The mass has constantly increased in volume, and its proper care and supervision is a problem which administrative officials are facing to-day. The archives thus far covered by the present survey include, in the new capitol, those of the governor, the secretary of state, the auditor, the attorney-general, the insurance commissioner, the dairy and food commissioner, the game and fish commission, the superintendent of education, and the clerk of the supreme court; in the old capitol, those of the department of labor and industries, the department of weights and measures, the drainage commission, and the live stock sanitary board. For the purpose of showing

<sup>1</sup> *St. Paul Pioneer Press*, July 27, 1898, p. 5; Folwell, *Minnesota*, 343.

<sup>2</sup> American Historical Association, *Annual Report*, 1912, p. 241.

the character of the existing documents, some of the more interesting records in the offices of the secretary of state, the governor, and the clerk of the supreme court will be considered in this paper.

The secretary of state is the recording officer of the state and, as such, is the official custodian of many documents. He is aided in his general duties by an assistant secretary and eight clerks.<sup>1</sup> The archives are kept in an office, an office vault, a document room with two vaults, a shipping room, and two sub-basement vaults. They may be classified as legislative, election, census, executive, corporation, bond, and land records, correspondence, and miscellaneous documents.

Among the legislative records are the original and engrossed bills which later became law, dating from 1849 to the present time, the bills which did not become law, the enrolled laws from 1858 to date, and the journals of the house and senate from 1849 to date. It will be noted that the enrolled laws for the territorial period are lacking. The file of bills which did not become law is also incomplete. The election records are not so extensive as the legislative. The returns for federal, state, and county officers are broken files, the last being the most complete. Other interesting election records are returns of primary elections and papers connected with election contests. Both of these files are of comparatively recent date. In this office are to be found the original records of the decennial censuses taken by the state since 1865, and, in addition, copies of the United States schedules for Minnesota for the years 1850, 1860, and 1870. Financial accounts connected with the census appear to have been preserved for the 1905 census only. The executive archives in this department contain a complete record of civil appointments made by the executive department from 1849 to the present date and also registers of other official acts of the governor, such as proclamations.

<sup>1</sup> *Legislative Manual of the State of Minnesota*, 1915, p. 233.

It is the duty of the secretary of state to keep a record of the various kinds of corporations, domestic and foreign, which do business in Minnesota. Files of these corporation records date from 1857 to the present time; the railroad companies, however, because of their importance, have received a separate classification. Other interesting documents are the affidavits of the publication of official notices by newspapers, the records of the incorporation of churches, registers of trade-marks, and correspondence. Bond records include the oaths of territorial and state officials, bonds of county officials and notaries public, the records of the board of commissioners of the Minnesota railroad bonds, and peddlers' bonds. The documents relating to the county officials are not so complete as the others.

Valuable land records in the custody of the secretary of state are the original United States government field notes of surveys, which have been turned over to the state. These amount to several hundred volumes. A portion of the field notes have been copied by the state, but the copies are said to contain numerous errors. There are also a large number of plats relative to land grants, dating mostly from 1860. The correspondence archives are largely in files, arranged according to subjects. Under the heading miscellaneous may be included reports and papers of the printing commission, the shipping department, and various other departments, and papers relative to the Vicksburg and Shiloh monuments.

The governor is the chief officer of the executive department of the state and is aided by a secretary and such other assistants as are necessary for the carrying-out of the duties of the office.<sup>1</sup> The archives of the department are kept in two vaults adjoining the reception room and in a third vault in the sub-basement. They may be classified as constitutional, election, executive, and legislative records, records of notaries public, extradition and pardon records, official reports and communications to the governor, correspondence, and mis-

<sup>1</sup> *Legislative Manual*, 1915, p. 233.

cellaneous papers. An interesting constitutional document is the original constitution of the state with signatures. Among the election records are the certificates of election to the constitutional convention of 1857, petitions for establishing election precincts in 1851, and the schedule of votes on the constitutional amendment of 1872. In the executive archives is found a complete register of important acts of the governor, such as proclamations, important letters, notices of appointments, and messages of the governor to the legislature during the territorial period. The legislative records contain numerous bills vetoed by the governor and letters relating to laws exchanged with executives of other states during the territorial period. The notarial records contain numerous letters concerning appointments. The extradition and pardon records include testimony given in trials, applications for pardon and for restoration to citizenship, and papers concerning the execution of criminals. The official reports and communications to the governor include reports of various offices and departments extending over a long period. These files are incomplete. The largest series of documents in the governor's office is the correspondence, arranged in general and special files. This mass of material has to do with a variety of subjects, such as application for office, military affairs, taxation, relief, relations with the government at Washington, changes of county seats, world's fairs and expositions, internal improvements, and exchange of documents with other states. Among the miscellaneous records are those pertaining to financial accounts, papers of the attorney-general, press clippings, and the Minnesota register from the centennial exposition at Philadelphia in 1876.

The supreme court dates from territorial times. Originally it was presided over by three justices. This number was later raised to five and, in 1913, two commissioners were added. The court has both original and appellate jurisdiction and meets twice a year, in April and October, in the new capitol.<sup>1</sup>

<sup>1</sup> *Legislative Manual*, 1915, p. 258.

The records of the supreme court, in the custody of the clerk, are housed in three offices and an adjoining vault and are quite complete. They consist, in general, of rolls of attorneys, files of papers concerning cases, judgment books, registers of actions, order books, minutes of the court, naturalization records, correspondence, and miscellaneous papers.

The roll of attorneys contains the signatures of lawyers acting as attorneys and counselors of the court, affixed to an oath faithfully to perform their duties as such. The original ledger, dating from 1858, is still in use. The files of papers concerning cases contain the records of over nineteen thousand cases which have been brought before the court. The triplicate records of the court, showing the legal progress and deposition by the court of each trial, are in so-called judgment books, registers of actions, and order books, ranging from territorial times to the present. The naturalization archives contain a variety of papers concerned with naturalization matters, which formerly were under the jurisdiction of the supreme court, but which are now handled by the district courts. A few boxes of correspondence, mainly recent, were found. The miscellaneous records consist of fee accounts in connection with the court, exhibits in trials, and papers concerning the records of cases in the lower courts. The latter, upon the handing-down of a decision by the supreme court, are returned to the courts from which they were appealed.

In discussing the condition of the archives of the state, the preservation of the records will be considered first and then the manner in which they are arranged and classified. The question as to what records have been preserved can not be accurately answered in a preliminary survey of this sort. Nevertheless, an intimate acquaintance of several months with the documents themselves enables one to draw certain conclusions in the matter. A survey by departments discloses varying conditions; for the duration of the office in question, the character of its duties, the amount and nature of the space available, and the attitude of the officials are only part of the

determining influences in the drama of the preservation of any document after its current life is over. A close examination of the archives shows gaps existing in various files, but some of these are due to changes in method of classification, and the records still exist. For example, under one official, separate files of correspondence on certain topics will be kept; later, all correspondence will be thrown into a general file and the use of separate files discontinued; later still, perhaps, the correspondence will again be arranged in files by subjects.

Actual losses of documents have occurred, however. These have been due to fire, to the attitude of officials, and to the use of poor materials in the original making of the records. Though some minor conflagrations have taken place in the buildings where the daily history of the state has been kept, the only fire causing a loss of records concerning which definite information is available was that which partially destroyed the state capitol on March 1, 1881. The fire broke out a few minutes after nine in the evening, at a time when both houses were in session, and spread so rapidly that in a short time the building was untenable. "Nevertheless, in the time given, the work of rescuing the records, archives and numberless documents stored in the various rooms was carried forward with lightning-like rapidity. There were hundreds of helping hands and from every room and passage, a busy crowd kept going, laden with bundles of written matter, books, furniture, pictures, carpets, lamps, desks and office fixtures and, in short, any and every thing portable and in the least valuable." Some civil war records from the adjutant-general's office, a few legislative bills lying on the table in the governor's office, some cases from the desk of the office of the clerk of the supreme court, three fourths of the books in the library, and some books from the rooms of the superintendent of public instruction and from the offices of the railroad commission were burned. A more serious loss, however, occurred in the document room of the secretary of state. This room was forgotten in the confusion, and a mass of general and special

laws, of executive documents, and journals was entirely consumed.<sup>1</sup> The fireproof vaults of the building contained numerous other archives which were found intact after the fire.

A serious problem which has had a bearing on the attitude of officials towards the preservation of records has been the lack of proper accommodations for them. In territorial times the bulk of the records was so small that there was no difficulty about housing them. But as the state grew older, as its business increased, and as its activities widened, the lack of adequate space in which to keep the archives became more and more of a problem and is now a constant complaint met with in the rounds of the departments. The enlarging of rooms, the building of vaults within offices, and the taking-over of spare areas in the sub-basement of the capitol have only partially relieved the situation. Some officials, in their efforts to solve the problem temporarily, have destroyed those papers which seemed to them no longer necessary for administrative purposes. The correspondence files have suffered rather severely from this method of solution. The removal of the state offices to the new capitol seems to have been an occasion for the destruction of some documents. A valuable series of letter copies going back to the early days of the state and containing material which can never be replaced, appears to have disappeared at that time. Ignorance of the value of original records has also played its part in the loss of archives. The destruction of various original inspection documents is an example. In some cases, where printed reports were made, the preservation of these was deemed sufficient and the originals were destroyed. The failure of officials to preserve records admits of defense, perhaps, where it can be shown that they are of little or no value, but too often, apparently, the

<sup>1</sup> *St. Paul Pioneer Press*, March 3, 1881, p. 5. The document clerk in the office of the secretary of state contradicts the statement of the *Pioneer Press*. He says that hardly any papers were lost from his office. Such important files, however, as the enrolled laws of the territory appear to be missing and were probably destroyed at that time.

decision as to the worth of a document has been left to those who were not qualified to judge.

Another important factor in the preservation of records is the character of the paper and ink used in their construction. A failure to provide for some uniformly efficient practice in this respect has caused some documents to deteriorate through the mere passage of time. Fading ink and disintegrating paper tell the story. Correspondence of which a copy was desirable was everywhere kept, previous to the day of the typewriter, in copy and letter-press books. In Illinois and other states, where the archives are older, a great deal of money has been spent in copying old records in order to preserve them. Generally speaking, the letter-press copies of Minnesota previous to 1880 and, in some cases, so far down as 1890, are illegible; as a result valuable material on matters of interest is lost to posterity.

Thus far the causes of the actual loss of records have been considered. Attention should be called to the fact that those which remain are not altogether safe from destruction. Many of the archives are kept in vaults, the presumption being that in this way they are protected from dampness and from fire; but whether they are so safeguarded depends in each case on the vault in question. The office vaults in the new capitol are safe, but this is not true of those in the sub-basement. Certain vaults there are formed by the shutting-off of spaces, enclosed on three sides by walls, on the fourth by a wooden lattice. These vaults serve for ordinary purposes, but do not protect their contents against fire or against flooding by water. In one instance a large storeroom in the sub-basement is utilized as a vault; until it was repaired two or three months ago, the ceiling was leaky and the floor had rotted away in places. A few vaults have barred windows opening on the corridors; these would not keep out fire and water. Instead of being equipped with double doors, which offer the best protection against fire and water, the majority of the vaults in the sub-basement have only single steel doors. In the old capitol, as

may be easily learned from an inspection of the building, the records in the offices and many of those in the vaults are in constant danger from fire. Some of the vaults in the basement are reasonably fireproof. The Minnesota Historical Society has three so-called vaults there, only one of which is properly designated. The existence of two windows, protected only by iron shutters, and plaster falling from the ceiling are among the undesirable features of this vault. The remaining two are simply rooms with wooden doors. In some of the basement vaults in both the old and new capitols, doors are left unlocked or ajar for the sake of convenience. Documents housed in such vaults are not properly protected.

Still another menace to the archives is their exposure to dust and dirt. Even in one of the best of the vaults a clerk claims to have raised a crop of potatoes in the dust every spring. Some records are lying on shelves with no protective covering and a few documents are already in bad shape for this reason. In two offices the older documents are placed in galvanized tin boxes, a practice which has much to commend it. Elsewhere, heavy paper and pasteboard boxes are used; these perishable coverings gradually fall apart; the dust and dirt, sifting in on the manuscripts, makes the writing illegible, and, after a time, the documents are valueless. One vault was found with no lock to the door; the records in it, an extensive series of correspondence, were piled against one wall in letter boxes, many of which were in a bad state of decay; the rest of the room was filled with a *débris* of wooden boxes and books. Vaults in so bad a condition as this are, fortunately, rare.

The manner in which archives are arranged and classified determines in a large degree their value for historical or administrative purposes. A study of the Minnesota archives discloses many systems of filing. As far as current records are concerned, each department, for its own purposes, has its documents well arranged and accessible. The older archives show varying conditions, ranging from admirable systems of classification to none at all. Two self-evident reasons for this

state of affairs are the great bulk of the documents and the lack of room wherein to arrange them properly. Other important reasons are errors in classification, the lack of indexes, the misplacing of documents, the physical inaccessibility of files, and the unfamiliarity of officials with their older records.

One vault was found in which no attempt to classify the records had been made. The floor was heaped waist-high with printed reports. Among them was a series of manila folders, some of which were broken open, containing original reports, correspondence, and other matters relating to the department. These records, irrespective of the conditions in which they were found, were in themselves filed according to no recognizable system. In some cases, records had been classified originally, but the work was poorly done. In other cases, the original arrangement may have been satisfactory, but, with a change in officials, new methods of filing were instituted. Where this has happened several times, the records are in a confused state. Again, the system of classification may be clear, but there may be an omission of dates, making the chronology of documents difficult. Titles, or any indication other than internal evidence as to the character of a record, are often lacking. Pasted labels have frequently dropped off. Actual mislabeling is met with often enough to be annoying. This is usually due to the practice of dumping out old files and using the boxes which contained them for new material without changing the original titles.

The work in some of the offices is occasionally hampered by the lack of proper classification of the archives. It is said that a clerk in a certain department spent, on one occasion, as much as a week in looking for a document among the older records, and then failed to find it. If the archives in question had been properly arranged and classified, it would have been a comparatively simple matter to have found the document or to have ascertained its non-existence. Aside from the annoyance and trouble caused by the failure to find older documents, the amount of time wasted in searching is worthy of considera-

tion. There are indexes for single vaults in a number of departments, but there ought to be indexes for every room or vault where archives are kept in any amount.

Even when a proper system of classification has been adopted, it takes constant care and watching to keep it up. It is a common story among officials that persons desiring to examine certain documents have removed them from the files and either have failed to return them or have put them away in the wrong places. In such cases, the library principle that a book misplaced on the shelves is a book lost holds good. On the occasion of the erection of the new capitol, the question came up as to whether the old capitol site had not been a conditional gift and would not revert to the heirs of Charles Bazille if the capitol should be removed. It was important, therefore, to find the original deed. A search was instituted, but it could not be found. It was hoped in 1897, when an inventory was taken of the documents in the treasurer's office, that the deed would come to light. Eventually it was discovered by accident in the office of the secretary of state, where it had been misplaced in a file.<sup>1</sup> Outside interference occurs sometimes in other ways. Thus, when surprise was expressed at the use of two gunny sacks as containers for a large number of territorial records, the explanation was offered that a janitor had probably needed the boxes in which they had previously been stored.

The practice of keeping supplies and records in the same vault is productive of confusion and, at times, makes the records difficult of access. In one office vault a flooring of boards, supported by the tops of two steel filing cases, has been made. Piled on these boards as high up as the ceiling and extending back about five feet was found a valuable series of correspondence records; to get at them, the writer was obliged to balance on the top of a stepladder, his head between two boards, and move the boxes aside one by one. The official in charge should not be criticized for such conditions; rather

<sup>1</sup> *St. Paul Pioneer Press*, July 27, 1898, p. 3.

should he be commended for displaying such ingenuity in filing his records. He had no other place for them. Another department, because of the lack of space in its quarters, uses a legislative committee room for the storing of a considerable portion of its records. When the legislature is in session, the lock to this room is changed, and the records are temporarily inaccessible. Another official said that there was a vault containing some of his older archives in the sub-basement, but that the key to it had been lost.

The character and the amount of the state archives, the conditions under which they exist, and the extent to which they have been classified have been considered. There remains the question of the value of this material. Records are useful both in an administrative and in an historical sense. The administrative value often passes with time, but the historical value, depending rather on the content of the documents than on their use, is more permanent. Age, in fact, often increases their historical importance because of the destruction of other materials from which the same information might otherwise have been gained. It is with the historical value of archives that this paper is concerned.

Students of history are interested to-day not only in the lives and deeds of great men, but also in the actions of the majority, in what the average man thinks and feels. The content of the state archives is valuable for the writing of history from both of these points of view, and, it must be remembered, is practically untouched for these purposes. If this material could be made available, valuable and interesting information along political, economic, social, military, legal, and many other lines could be gained.

Take, for instance, such a topic as the political influence of the Scandinavians in Minnesota. In the census schedules appear the actual names and locations of the Scandinavians in the various portions of the state. The naturalization records in the office of the clerk of the supreme court tell what proportion of the Scandinavians became citizens from year to year.

From election statistics could be determined how many of them ran for office, how many were elected, and, to some extent, the parties with which they were affiliated. The journals of the house and senate would show how many Scandinavians were in the legislature, and which of them were members of important committees, in short, would tell the story of their general activity in legislative affairs. The original and engrossed bills would disclose what bills introduced by Scandinavians became law and in what types of legislation they were interested. From the applications for civil appointments and from the registers of executive acts could be told what proportion of the Scandinavians have held civil office. The correspondence files of the various departments would throw further light on the subject.

A study of the Minnesota railroad bonds would furnish an interesting subject of research for the student of economics. He would find information in the correspondence, the vouchers, warrants, and land records of the auditor's office; in the bond records of the treasurer's office; in the election, legislative, bond, and correspondence records of the secretary's office; and in the papers of the attorney-general. The case records in the office of the clerk of the supreme court and the correspondence of the governor's office would be additional sources of information.

A valuable monograph in social history could be written concerning the various relief projects of the state. In the governor's archives are a large number of manuscripts pertaining to the grasshopper devastations, consisting of applications for relief, offers of contributions, reports of conditions from county auditors, orders for relief, and papers relating to the furnishing of grain to the settlers. Information on the subject could also be gained from the vouchers and warrants in the auditor's office, from the original and engrossed bills, from the bills which did not pass, and from the journals of the house and senate in the office of the secretary of state.

Considerable material could be gathered on the subject of

the relation of the people of Minnesota to the Indians from the reports of Indian depredations by army officers, from petitions for protection, and from miscellaneous correspondence received by the governor.<sup>1</sup> These sources of information could be supplemented by the Indian pension records in the adjutant-general's office consisting of applications for pensions and by lists of pensions allowed. Legislative records in the secretary of state's office would also furnish information on this topic.

Interesting legal studies on the relations of the state with the various corporations could be made from the records of the attorney-general and from the cases of the supreme court. Other studies for which information exists are the development of the railroads, the rise of the lumber industry, the settlement of government and state lands, conditions in various factories and industries, the educational development of the state, and the reclamation of swamp lands.

In conclusion, it should be pointed out that, although valuable material for the history of the state is contained in the archives, such material, under present conditions, is not readily available for use. The problem, then, is, what disposition shall be made of the archives so that they may be accessible both to officials and to students of history. The same problem has been met elsewhere in various ways. One plan is to place the older records in the charge of a commission and to erect a suitable building where they can be housed and afterward classified and catalogued as rapidly as possible. Another plan is to place the records in the charge of the historical society or state librarian. Much has been accomplished along these lines in the eastern and southern states and especially in Iowa. The experience of these states as well as that of foreign countries, where the problem is much older, demonstrates that the essential element in its solution is the concentration of non-current archives under the jurisdiction of an official or institution specifically charged

<sup>1</sup>As an illustration of the value of the material which is available in the archives of the governor's office, a letter found among the miscellaneous correspondence is given below, page 54.

with the duty of caring for them and making them accessible. In Minnesota the most feasible procedure would seem to be for the legislature, upon the completion of the building for the Minnesota Historical Society, to empower the society to take over, classify, and catalogue such of the older archives as are no longer useful in an administrative sense. This would mean, for officials, the placing of their records where they would be under the constant care of trained attendants and where any document would be instantly available. For students it would mean the throwing-open for use of a vast amount of valuable material for history, relating not only to the state but also to wider fields.

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