Popular notions of criminal justice on the American frontier characterize law enforcement as either nonexistent or extralegal in nature. As early as 1849, however, the same year that Minnesota became a territory, the village of St. Paul created a municipal law-enforcement system paralleling county structures established under territorial law. The story of St. Paul’s first years illustrates the challenges facing law enforcers in fluid frontier societies and the role that newspapers played in mobilizing public opinion for or against individuals who pinned on a badge.

Between 1849 and 1854 St. Paul depended upon the county sheriff, the town marshal, and a few policemen to enforce its laws. During the last three territorial years, the city employed a police force that fluctuated between four and eighteen men, depending on the season and perceived need. Despite St. Paul’s remoteness from established centers of civilization, at no time did its officers work without the benefit of law or government oversight. Rather, they worked as team members and under the scrutiny of the public, the daily and weekly press, and elected officials.

By 1849 St. Paul had replaced Fort Snelling as the primary port on the upper Mississippi River, and the village grew rapidly after its designation as capital of the

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new territory and the Ramsey County seat. In June of that year, a visitor described the town as having just 142 buildings and shanties, most less than six months old. Included were three hotels, a territorial-capitol building, warehouses, ten stores, seven groceries, three boardinghouses, two printing offices, two drugstores, a fruit and tobacco store, one or two blacksmith shops, a furniture "room," a wagon shop, one tin shop, a bakery, a billiard saloon, one schoolhouse, and a Catholic church. French Canadians, Yankees, Dakota Indians, and a sizeable group of métis made up St. Paul society.

The formal organization of the territory encouraged immigration on a large scale. Most settlers in the early 1850s were Anglo-Americans from the northeastern and midwestern states. Men greatly outnumbered women, and single women were scarce.

Steamboat arrivals at St. Paul's upper and lower levees, separated by high bluffs along the river, increased from 47 in 1848 to 171 in 1852. The next year, according to one account, some 560 boats with an average of several hundred passengers each debarked in St. Paul, a situation requiring those seeking accommodations to exer-

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cise "the greatest of ingenuity and hard work." Most people stayed only a short while before moving into the interior or returning downriver, but some settled in town. By the mid-1850s many were foreign born, with Scandinavians, Germans, and Irish the three largest groups.

Throughout the 1850s St. Paul remained dependent on steamboats to bring supplies, food, news, mail, immigrants, and visitors. The first railroad link to the East would not be completed until 1862, and good roads were few. Consequently, activity in the town ebbed and flowed with the closing and opening of the river-navigation season in November and April. During the winter, when ice prevented steamboats from traveling up the Mississippi, St. Paul was considerably quieter. Early settlers complained of the town's dullness and looked forward to the hustle and bustle of the warm-weather navigation season.

Between 1850 and 1857 the town's population grew from about thirteen hundred to almost ten thousand, as the creation of the territory fed the already thriving economy. A large transient population passed through the town in search of goods and services. In 1856 alone, some twenty-eight thousand people reportedly registered at St. Paul hotels, while many others sought temporary lodging in private homes.

Land speculation was also rampant. As one St. Paulite recalled, "Everyone dealt in real estate. . . . All classes possessed the speculative mania, and nearly all were living beyond their means." Although at least eleven bankers resided in town, hard currency was in short supply, and many people lived on loans and notes. Territorial banks endorsed city notes or even printed notes using the plates of defunct eastern banks. Lack of sound money and widespread speculation meant that the nationwide financial panic of 1857 hit St. Paul especially hard. Real estate prices plummeted, and many people lost homes and businesses. When St. Paul banks suspended operations, local businesses collapsed. Immigration declined, and many newcomers left town. Credit was unavailable, and several years of bad harvests led to a shortage of food. The city's prosperous territorial years ended on a decidedly bleak note.

A community of 840 settlers, St. Paul became the territorial capital in November 1849 with a government consisting of a council president, who also served as the justice of the peace, a recorder, and a five-member town council. That body appointed a treasurer and a marshal, as well as several "subordinate officers."

As county seat, St. Paul was also home to the county law-enforcement system. County sheriffs, elected for two-year terms, collected taxes, managed the county jail, and kept the peace. Territorial law required sheriffs to "pursue and apprehend all felons" and "execute all warrants, writs and other process from a justice of the peace or clerk of the district court." Sheriffs attended sessions of the district court and meetings of the county commissioners, posted notices of elections, and maintained an office. The sheriff also appointed a deputy or jailor to assist him, for whose actions he was responsible.

The law also obligated sheriffs to take into custody and keep, without charge, "all felons indicted or taken in fact." Sheriffs or jailors could not release these prisoners on their own authority, and if the county had no jail, the sheriff had to find his own way to detain his prisoners. Ramsey County's first sheriff, Cornelius P. V. Lull, kept prisoners locked in his carpenter shop because a "tenable" jail had not yet been erected.

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1Andrew C. Dunn, "Leaves From the Tablets of My Memory Concerning Early Days in Minnesota," [1916], MHS; Foote and Warner, History of Ramsey County, 318.
4Foote and Warner, History of Ramsey County, 319; Abby Fuller to Elizabeth (Lizzie) Fuller, Oct. 20, 1857, Abby Abbe Fuller and Family Papers, MHS; Alexander Wilkin to Sarah Wilkin, Nov. 22, 1857, Wilkin Papers.
5Williams, City of St. Paul, 241-42.
6Minnesota Territory, Laws, 1849, p. 81.
7Minnesota Territory, Laws, 1849, p. 82; Williams, City of St. Paul, 289, 459.
Territorial law also called for two constables per county—Warren Chapman and Warren Woodbury were Ramsey’s first, elected in 1850. Many of their duties were the same as the sheriff’s: both served summonses, warrants, writs, and subpoenas. Reflecting this overlap, legal forms began with the words “To the Sheriff or any Constable of said County.”

In return for performing their duties, sheriffs and constables collected fees. For example, the law dictated that constables should receive twenty-five cents for serving a warrant, fifteen cents for serving a subpoena, fifty cents for summoning a jury, twenty-five cents for committing a person to prison, and five cents per mile for traveling expenses. In addition to receiving similar fees, sheriffs also received a percentage of the taxes they collected.12

St. Paul’s police force seems to have originated in and, later, expanded the role of the town constable. In the early 1850s the local press used the terms police and constable interchangeably; later, newspapers referred only to police. It could be that as the need to deal with crime grew, the constables increasingly found themselves patrolling the streets rather than serving legal papers. Under territorial law, county constables lacked the authority to arrest persons without a warrant and were strictly officers of the court. By contrast, St. Paul ordinances of 1854 and 1856 authorized the marshal and his deputies, or police, to arrest without warrants any persons who disturbed the peace or violated laws.13

Evidence indicates that in the early territorial years residents, as well as the press, failed to grasp the roles of various county and city officers. For example, an 1851 editorial in the weekly Minnesota urged the marshal and constable to “do their duty” and catch the thieves “plaguing” the town. This suggests that town constables were expected to pursue criminals.14

In March 1854 St. Paul’s incorporation act divided the city into three wards and allowed for the election of one justice of the peace, one constable, and one alderman from each. All held office for one year, except for the justices of the peace, who had two-year terms. In May the mayor and city council passed an ordinance specifically defining the office and powers of the city marshal, a position filled by William R. Miller from 1854 until 1858. His numerous responsibilities included being market and wharf master, a task that involved collecting fines, license fees, wharfage taxes, and “all taxes on drays, carts, dogs, butcher stalls, shops and stands for the sale of any game, poultry, butcher’s meat, butter, fish, and all other provisions and vegetables.” Other assigned activities included removing obstacles and nuisances from public places and impounding stray animals.15

St. Paulites further expected the marshal to

CAUGHT.—Moses Castner, Frank and Bryant, our efficient town police, have caught one of the rascals engaged for some time past in robbing the out-houses clothes lines, kitchens and store houses, of our citizens. The fellow’s name is Thomas, a villainous looking rascal, who, with his two sons, lads apparently 12 and 14 years of age, have been carrying on quite a large business in nocturnal stealing, for the last three months. The police made a search of Thomas’ house, on Monday evening, and found a wagon load of stolen goods; embracing clothes of all kinds, blankets, quilts, table covers, crockery ware, whiskey, axes, saws, carpenter tools, &c. and the butter lately stolen from Revd. E. D. Neill.

The stolen property was deposited in French’s auction store, where a large crowd assembled yesterday, and many of them recognized and claimed articles that had been stolen from them.

There are one or two others in town, suspected of being engaged in the same business as Thomas. The police, aided by our citizens are wide awake, and after the rascals. They cannot escape.—With these exceptions theft has been almost unknown in this community.

A crime, as reported in the Minnesota Democrat, December 9, 1851

12Minnesota Territory, Laws. 1849, p. 10; Minnesota Pioneer (St. Paul), Nov. 28, 1849.
13Minnesota Territory, Laws. 1849, p. 82–83; Minnesota Chronicle and Register (St. Paul), Dec. 15, 1849.
15The Minnesota, Nov. 29, 1851; Williams, City of St. Paul. 291.
16Daily Minnesota. May 26, 1854; Williams, City of St. Paul. 349.
serve and execute all legal papers. He had the additional duty of restoring order and peace in the city “in case of any riots or noise of an unusual character, or any unlawful disturbance of any person or persons, or any disorderly assemblage . which may disturb or annoy.” He also had the authority to arrest, without a warrant, all persons participating in disturbances, racing horses on city streets, riding on sidewalks, shooting guns, firing explosive materials, or engaging in “indecent, lewd, immoral, or obscene exhibition of their person.” People found in the streets or in a public house “in a state of gross intoxication” could be arrested “with or without warrant, as the case may be.”

Once the marshal had made a warrantless arrest, it was his duty to make a specific complaint immediately before the city justice. It was also his responsibility to “appear, prosecute, and give evidence” at the examination or trial of the suspect. Any citizen who refused to help make an arrest or quell a disturbance could be fined twenty-five dollars or be imprisoned for twenty days in the county jail—a small, log structure “as secure as if made of pasteboard” on Fifth Street between Wabasha and Minnesota. The only patrol wagon available to police in the 1850s was reportedly a vehicle left standing by a public-spirited grocer each evening near Seventh and Wabasha streets.

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St. Paul’s marshal had his hands full watching over the health and safety of the territorial community. As the population grew, the city found it necessary to hire full-time assistants, or police, to enforce city ordinances and control crime. By the mid-1850s the marshal’s primary duties had evolved from revenue collection and nuisance abatement to controlling disorder and managing the police force. In September 1857 the St. Paul council created the office of city police captain to free the marshal from this increasingly burdensome and time-consuming responsibility.

Close reading of period newspapers and histories reveals that St. Paul apparently employed police officers to aid its marshal as early as 1851 and perhaps earlier. This information, however, does not match the legal record. According to an 1854 city ordinance, ward constables could serve legal papers only if the marshal was unable to do so himself. When the marshal required assistance in making arrests, he was to appoint bystanders to help. The ordinance made no provision for a regular police force nor did it empower the marshal to appoint any permanent deputies. The oldest surviving town ordinance relating specifically to police dates only to 1856. Nevertheless, St. Paul newspapers make earlier references to them. A December 1851 article in the Minnesota Democrat, for instance, applauded three “of our efficient town police” who caught a thief engaged in robbing outhouses. The same newspaper reported a few weeks later about the town’s “night watch,” but this was a voluntary citizen’s patrol, not a regular, paid city police force.

By October 1854, however, a newspaper reported that the city council had given the marshal the power to “employ” a police force as he deemed necessary, and the apparently beleaguered marshal immediately appointed three deputies. These developments suggest that whatever police existed in the town at the time had been acting without the benefit of a specific ordinance or had only been authorized temporarily by the marshal.

Confusion over the roles of constables and police continued into 1856, when in January the city council passed an ordinance allowing the appointment of “special constables” as “peace and good order” required. These men were given authority to make arrests with or without warrants within the city limits for violations of ordinances. Several months later the council passed the first ordinance dealing specifically with appointment of “police officers,” giving itself authority to appoint “suitable persons” and, with the assistance of the mayor, manage them. Consequently, four men—John Gobel, Nicholas Miller, M. C. Hardwig, and Edward Maher—became St. Paul’s first official policemen, aiding Marshal Miller who, according to a history of St. Paul’s police department, “could no longer hold his own.” The men were paid $1.50 for every day of service.

St. Paul’s police ordinance directed the officers to work with the marshal using every “legitimate means” including arrests to “preserve the peace and good order of the city.” Wearing star-shaped badges inscribed “St. Paul Police” and working twelve-hour shifts, they were to help keep the river levees orderly, regulate the movement of drays, teams, and carriages, and see that goods, merchandise, and freight were properly cared for. At least one officer was to be stationed at all times on the levees, and the remainder were to patrol the city. They were to report arrests in writing to the mayor and appear before the city justice within twelve hours to make their complaint against the accused. If an officer failed to report an arrest, he was subject to a fine or discharge.

A newspaper report in August 1856 confirms that the police force provided by this ordinance was the first permanent body of its kind in St. Paul. In response to criticism of the new force, Earle S. Goodrich, the editor of St. Paul’s Daily Pioneer and Democrat, declared:

It cannot be expected by any reasonable individual that the Police System of our City can be perfected in a month or two. We have never had any regular police force previous to the appointment of the present officers in June last, and con-

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18Daily Pioneer and Democrat, (St. Paul), June 25, Sept. 9, 1857.
19Minnesota Democrat (St. Paul), Dec. 24, 1851; Daily Minnesotian, May 27, 1854.
20Daily Minnesotian, Oct. 5, 1854.
21Charter and Ordinances of the City of St. Paul, 1856, no. 46, p. 121, Daily Pioneer and Democrat, May 29, 1856; Alix Muller, History of the Police and Fire Departments of the Twin Cities (Minneapolis and St. Paul: American Land and Title Register Assn., 1899), 42.
22Daily Pioneer and Democrat, May 30, 1856.
Feisty newspaper editor Earle S. Goodrich

considering their small numbers, the limited instructions received for their guidance and the great difficulties to be contended against, it must be confessed that they have acted as well as can be expected. 22

A review of newspapers indicates that while criminal activity increased and decreased significantly with the opening and closing of the river, crimes rose unprecedentedly during the last three years of the territorial period. 23 It was the city's first dramatic increase in crime during the summer of 1856 that led St. Paul to augment and reorganize its police force. In particular, citizens may have responded to newspaper accounts of the disappearance on July 9 of George R. McKenzie, owner of the popular Mansion House hotel, and the mutilation death a few weeks later of laborer Robert Johnson, both of whose bodies were found in the Mississippi River. At its meeting on August 5, the city council passed a new ordinance assigning to the city marshal the additional job of police chief. It also provided for the appointment of more officers and divided the city into three police districts, each with a resident police captain. Given expanded authority to increase the force at his discretion, Mayor George L. Becker immediately enlarged it three-fold to twelve officers, four from each ward. He selected men described in one account as "active, energetic, and not afraid to arrest any man." St. Paul's tiny jail was torn down, and work began on a much larger facility on the same site. 24

A week after the passage of the new ordinance, the mayor issued a number of rules to the police and the volunteer night watch. He prohibited the drinking of intoxicating liquor while on duty and instructed the men to be "constantly on the streets" of their districts, "actively attending to their duties." Specifically, they were not to "rest themselves" in "Groceries, Saloons, or other lounging places." The captains were made responsible for officers who failed to make arrests or quell disturbances, and policemen were instructed to report arrests immediately to their captain, who, in turn, was to inform the police chief, who reported weekly to the city council. Finally, the mayor expected every officer to return warrants and writs promptly or be discharged. 25

The unprecedented criminal activity of the summer of 1856 led the territorial press to criticize the police for the first time. In July 1856 one newspaper complained that the police failed to appear at the scene of a brawl on the levee. The next month editor Goodrich commented, "When occasion requires the presence of our Police officers, they seem to be always out of the way; or if they do happen upon the ground, it is always too late to do any good." In the same issue he also charged an officer with failing to intervene in a street fight in which a man was injured. A few weeks later the newspaper again alleged that policemen had refused to quell a "nasty fight" on the levee, although they

were at the scene. Moreover, the angry editor charged, the officers made no arrests whatsoever after the incident."

The perception that the city was "infested" with gangs of criminals led one St. Paul newspaper to call for the establishment of a regular night-shift police force. In August Goodrich's *Daily Pioneer and Democrat* reported a night robbery and commented that "occurrences of this kind are becoming entirely too frequent in our city. It is getting to be so that it is not safe for unarmed citizens to walk the street after eleven o'clock, in consequence of the large number of desperadoes and bullies that infest the place."

By mid-August residents were so concerned about the ability of the police force to contain crime that they called a public meeting. A "large number of the most respectable and influential citizens of St. Paul" attended and appointed a committee to draft a preamble and resolutions expressing the community's concerns. The resolutions stated:

Resolved, that we, the citizens of St. Paul, who compose this meeting will do everything in our power to aid and assist the City Authorities in maintaining and upholding the laws of the land and ordinances of said city. . .

Resolved, that we will make no other appeal than to the regularly constituted authorities of the city. until it is conclusively shown that they are powerless to free us from the band of prowling vagabonds who are a blight upon our fair young city, but if these and legitimate law fail us, then we will be driven in obedience to nature's law of self-defense to protect ourselves for we are determined to suffer the inflictions of their presence no longer."

\[\text{Daily Pioneer and Democrat. July 22, Aug. 6, 19, 1856.}\]
\[\text{Daily Pioneer and Democrat. July 8, Aug. 6, 1856.}\]
\[\text{Here and two paragraphs below, see Daily Pioneer and Democrat. Aug. 14, 1856.}\]

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*The Pioneer and Democrat office at Third and Jackson, about 1859*
The committee also drafted resolutions requesting that the city council pass a vagrancy ordinance and order the closing of saloons at 10:00 P.M. In addition, the committee suggested that the mayor appoint a temporary special police force of volunteer citizens to augment the regular force.

Meanwhile, Mayor Becker was already acting to reorganize and reinforce the city's police. As he reported to the city council, however, his task was challenging:

I have been actively engaged during the past week in organizing such a police force as the peace, welfare and good order of the city requires. I have experienced unexpected difficulty in securing the services of energetic and effective men. . . . The demand for men far exceeds the supply; and I have been compelled to select for the responsible office of Policeman, some men with whom I have but little or no acquaintance.

Mayor Becker then increased the police force to thirteen men—including Marshal Miller, who acted as chief of police—and issued new rules aimed at making the force more effective. While the mayor and the city council did not adopt the citizens' resolution, they did order saloons to close at midnight. In the ensuing days, panic about crime and the inadequacy of the police subsided quickly. Only one week after the public meeting, a newspaper reported:

Our city, we are happy to state, is again reduced to a perfect self-complacent condition of quietude. Brawls, fights, and disturbances of all kinds have ceased to exist, save with now and then an occasional interruption, just sufficient to give variety to what would otherwise seem a rather wearisome monotony. The city authorities have increased the police force, which has, no doubt, had a good effect, and all fears in regard to their competency (if any had been entertained) to preserve the peace and tranquility within the city limits, have been dissipated by their prompt and effective action.

Notwithstanding this apparent calm, St. Paul's force was expanded by six men before the following summer. Then, in June 1857 a cost-conscious alderman proposed a dramatic reduction—from eighteen to ten men. Marshal Miller, backed by Goodrich, stated that the bustling levee alone required six officers, not three. Nevertheless, the next day the newspaper reported that the city council had reduced the force to one captain, one lieutenant, and eight "privates." The new captain stated that he intended to keep the officers moving about the city, rather than having regular stations as had been done in the past.

Two weeks after this reorganization, a disgruntled Miller went before the city council to complain that as marshal, chief of police, and jailor, he was overworked and underpaid, earning only $300 a year in comparison to the police captains' $250 and his constables' $200. Calling his a twenty-four-hours-a-day job, Miller asked for additional compensation.

In September 1857 the city council again tinkered with the ordinance by allowing the mayor to appoint as many officers as he deemed necessary. Circumstances during the previous months had convinced the council that flexibility was essential; the force reduction in June, made just before the city's busiest season, had proven a mistake. Among other crimes, there had been the murder of a German tailor, Henry Schroeder, with a blunt instrument and the shooting of Peter W. Protter by Mike Smith, "who made a good getaway, never being apprehended." City leaders had hastily increased the police force and then, as winter drew near, reduced it by one-fourth, a decision criticized by some and praised by others who thought the police had nothing to do. By November there were eleven policemen in the city, three or four of whom patrolled during the day, while the remainder worked the night shift.

Newspaper accounts from the final years of the territorial period demonstrate that police officers increasingly encountered resistance and violence while attempting to make arrests, seize evidence, or quell disturbances. In many situations they relied upon citizens to help. If aid was not forthcoming, they often faced daunting odds when confronting a hostile crowd or a violent suspect. Policemen did...
not normally carry firearms or other weapons, although the law did not forbid them from doing so. (The members of a volunteer night watch were equipped with clubs, according to one newspaper account.)

Even if an officer armed himself in anticipation of a difficult arrest, the weapon did not ensure success, particularly if he lacked training in its use. This was made evident in the circumstances surrounding the attempted arrest in July 1856 of a suspect named Dillon who, according to a newspaper account, hit and wounded another man with a heavy stone. Two officers, Powers and Fish, set out to arrest Dillon, one having armed himself with a Colt revolver “because Dillon had declared he would resist arrest.” The suspect defied the policemen, reportedly striking one on the head with a club. In response the other fired his pistol, missing Dillon and shooting himself in the leg while returning the gun to its holster. The lawmen went away empty handed, but the next day Marshal Miller

"Minnesotian, Dec. 20, 1851."
obtained a new arrest warrant and took Dillon into custody by himself, apparently without resistance.²⁴

The Daily Pioneer and Democrat criticized the marshal for not arresting Dillon immediately after his officers' failed attempt and denounced several others for refusing to help. The newspaper concluded that the system was "entirely useless" and further complained that the police never seemed to be around when needed.

²⁴Here and below, see Daily Pioneer and Democrat, July 28, 1856.
Two days later the Democratic party-aligned *Daily Pioneer and Democrat* reported that an eyewitness said that Dillon had not struck the policeman until after an officer had tried to shoot him. Editor Goodrich believed that "if the officers had pursued the right course to execute the writ . . . the arrest could have been made without any difficulty." A rival St. Paul newspaper, the Republican *Minnesotian*, however, refuted the eyewitness's account and reported that Dillon started the aggression.²

The press printed numerous other stories describing the physical hazards St. Paul lawmen faced in the line of duty. In April a suspect beat an officer who only succeeded in making an arrest after two bystanders came to his aid. The next month, when fighting broke out at a polling place, the crowd "maltreated" a policeman after he tried to stop the skirmish. Again in June, when a mob on a steamboat assaulted its first mate, lawmen met resistance in stopping the attack. This incident led Goodrich to exhort "all good citizens" to support the police in fighting lawlessness.³

One week later, when policemen attempted to break up another fight, a crowd of men stoned and assaulted the officers. A brawl ensued, which eventually ended with one arrest. After this affray, Editor Goodrich praised the officers who had been involved:

> So far as we can learn, the officers performed their duty with admirable coolness, and we only wonder they did not resort to more energetic means to quell the resistance to their authority. We never want to hear of our police officers being overcome or overawed by any set of rowdies, whether of our own people or those running on the river."

The year 1857 continued to be a difficult and dangerous one for St. Paul's law officers. On June 30 and July 8, the press reported two more occasions of violent defiance.

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³ *Daily Pioneer and Democrat*, June 10, 1857.
of the already beleaguered police. In the first, a group of deckhands and "Irishmen" fighting at an "Irish shantee" near the corner of Fourth and Minnesota streets threw stones at police officers who tried to arrest them. In the second incident, "Irish rowdies" reportedly broke an officer's jawbone and fractured his skull when he attempted to settle a disturbance among them. In October, as policemen conducted a raid on a house of ill fame, a crowd of men stood across the street and pelted the officers with stones. Several weeks later, when a policeman chased a suspect onto a steamboat, the boat's captain ordered the vessel to leave the levee. Finally, early in November, the Daily Pioneer and Democrat reported that five women arrested for prostitution had fought the police "desperately." In contrast, only two acts of violence against law officers were reported in the St. Paul newspapers in the six years between 1849 and 1855. The city council's decision to reduce the police force in the midst of a crime wave roused Goodrich's ire: "Considerable feeling has been manifested by citizens against the ill-timed reduction of the police force, by the City Fathers. The discharge of Capt. Gooding, one of the most efficient officers in the city, has caused a feeling of indignation, that is not likely to be quelled until some other action is taken, looking more towards the desires of the people." New Mayor John B. Brisbin responded to the crisis by increasing the police force and creating a regular police night patrol. Throughout the summer of 1857, Goodrich maintained his self-appointed watch over the St. Paul police. In July he charged that a man had walked the streets yelling and creating a disturbance for hours before the police reluctantly took action. Moreover, at the man's trial before Justice Orlando Simons, only one policeman was on hand to give evidence against the accused. The policeman's testimony, according to Goodrich, was so "doubtful that Justice Simons was not satisfied from the evidence given that the man should have been arrested." Perhaps seeking to sell more papers, the editor then publicly wondered why the lawman gave such meager evidence and suggested that officers might be taking bribes to suppress evidence. In August the Daily Pioneer and Democrat asked publicly why a large number of "desperate villains" still infested the city, even though they were "without doubt known to the police." Were the police too "timid" to carry out their duties, Goodrich wondered. Concerned that St. Paul not gain a bad reputation, he suggested finally that the public was asking the same questions: "Whose fault is it? Does it come from the inefficiency of the police? Is it because there are men in the police force notoriously unfit for the discharge of their duties? Is it because the police are blinded to the crimes of these men?" The next day he noted, "It is daily asserted that a portion of the police are in the habit of visiting houses of ill fame, and use all the means in their power to screen [people from being caught or prosecuted]. . . . But we again warn the police force that the public are dissatisfied with them, and are looking anxiously for a demonstration on their part to do their duty, in the unfortunate state of affairs prevailing in this city." Goodrich further warned of a rumor that a "vigilance committee" was being organized to take the law into its own hands. This "vigilantism," he turned out, consisted of groups independently assisting the police force on night patrol. At one point an officer and a vigilante
skirmished in a dark alley before making themselves known to each other."

Within only a few days of these editorials, Goodrich reported that "changes for the better" had been made in the police force. The shake-up of officers must have had good results because during the remainder of 1857 the newspaper had no further criticism of the police. By September 25, as the river navigation season neared its end, the editor could claim that "the city is now pretty free of imported scoundrels" and that there were too many men on the police force with nothing to do. Representing itself as "the general voice of the citizens," the paper suggested to the mayor that "the time has arrived for the Mayor's sound discretion to authorize a reduction of the police force.""

In October the press reported that the city was again "dull," and Minnesotans approved a new constitution, despite a summer of wrangling and melodrama over which city would be the state capital. By November there was reportedly little "police business," and on the twenty-first the mayor reduced the police force from eighteen to eleven men in anticipation of winter."

In contrast to the popular image of the solitary frontier law officer or the uncontrolled vigilante posse, St. Paul's early law officers did not work alone. Deputies, constables, and, later, policemen assisted the city marshal and county sheriff in their duties. Political and civic leaders and newspaper editors commented freely and critically on their activities. Moreover, St. Paul's law officers were not gunfighters, much less gun carriers, and their jobs generally did not require them to be. This helps explain why there is no recorded incident from the territorial period of a law officer shooting anyone in the streets. The fiasco surrounding the Dillon arrest renders the image of the lawman gunfighter almost comical. Law officers in early St. Paul were far from the only authority in town. Instead, they were part of a larger criminal-justice system regulated by the law, public scrutiny, and the politicians who hired them.

"Daily Pioneer and Democrat, Aug. 13, 14, 1857.
"Daily Pioneer and Democrat, Aug. 12, 19, Sept. 25, 1857.
"Daily Pioneer and Democrat, Oct. 29, 31, Nov. 6, 21, 1857.

The pencil drawing of St. Paul is by Seth Eastman. The jail engraving and quotation in the caption are from Williams, History of the City of Saint Paul, 281. All items are in the MHS collections.