



*A portrait of
Gilfillan, taken
about 1880*

CHARLES D. GILFILLAN

Builder Behind the Scenes

MERRILL E. JARCHOW

AMONG MINNESOTA's early builders were a number of men whose versatility and many-sided careers seem somewhat breathtaking to a more specialized age. Ranging with equal ease through the fields of business, politics, law, journalism, education, and even in some cases medicine, they played key roles in each. Although most of

them never achieved lasting fame or pre-eminent leadership, it was these men who largely determined the course of Minnesota's development. Only a few of them, however, have been rescued from obscurity by modern historians. One of those who remains little known today is Charles Duncan Gilfillan, though any reader of early territorial and state newspapers will find his name a familiar one.

Mr. Jarchow has written widely in the field of Minnesota history. His most recent work is reviewed on page 256. During the next three years he will be preparing a history of private higher education in Minnesota under a grant from the Louis W. and Maud Hill Family Foundation.

This neglect may have resulted from the seeming loss or destruction of Gilfillan's personal papers — records, letters, diaries — without which little more than the outline of his career can be reconstructed. Nevertheless Gilfillan, impressive in physique

(measuring six feet two inches and weighing some three hundred pounds), grand in his conceptions, bluntly honest in his dealings, and public spirited to an unusual degree, deserves the effort. He played a vital part in the birth of the state's Republican party and kept a finger on its pulse for many years; he wielded wide though quiet influence in northwestern banking and real estate circles; and his stubborn pride in civic betterment gave St. Paul a vital public utility.

Born on the Fourth of July, 1831, in New Hartford, Oneida County, New York, Gilfillan was the son of a carpet weaver. James Gilfillan and his wife, Janet Agnes, had migrated in 1830 to the United States on a vessel loaded with Scottish families. For generations the ancestral home of the Gilfillans had been the historic hamlet of Bannockburn, but now like so many others they dreamed of a better life in the New World. Charles was orphaned at the age of eleven, but despite that he received a better than average education for the period—alternating summer work on farms with winter schooling at Homer Academy in New Hartford. In 1849 he entered Hamilton College in Clinton, New York, where “he took a high position in the class, and was a prize declaimer for his freshman year.” Over forty years later, in 1895, the college conferred upon him the honorary degree of Master of Arts. His continuing interest in his alma mater was evidenced a few years before his death when he gave Hamilton \$2,500 for a permanent scholarship.¹

Just why he did not complete his undergraduate education—whether he lacked finances or was simply restless—is not clear, but in 1850 he joined the trek westward, stopping in Washington County, Missouri. There, at Potosi, in the iron region some sixty miles southwest of St. Louis, he taught school during the ensuing fall and winter. In the spring of 1851, excited by reading the *Minnesota Pioneer*, Gilfillan was on the move again, heading north to another Washington County in the young territory of Minnesota. There he settled in the burgeoning lumber town of Stillwater, and

for the next eighteen months he taught school and utilized his spare time reading law under Michael E. Ames. By 1853 Gilfillan gained admission to the bar. He practiced his profession for a little more than a year in partnership with Gold T. Curtis, a fellow alumnus of Hamilton College who took over the office of Ames when the latter moved to St. Paul. During the spring of 1854, at the first municipal election, Gilfillan became town recorder of Stillwater, but the succeeding fall he resigned his position and followed the example of his mentor, Ames, by leaving for St. Paul. There in 1857 he entered into a law partnership with his brother, James, later destined to be elected chief justice of the Minnesota Supreme Court. For his part, Charles left the practice of law in 1863.²

During these years he had assumed family responsibilities and energetically engaged in a broadening scope of business and financial affairs. His first marriage in 1859—to Emma G. Waage—terminated with his wife's death only four years later. In 1865 he married her sister, Fannie S. Waage, by whom he had four children.³

¹Franklyn Curtiss-Wedge, *History of Redwood County, Minnesota*, 2:625 (Chicago, 1916); Juan R. Freudenthal to Merrill E. Jarchow, July 12, 1966; *Hamilton Literary Magazine*, 33:221 (January, 1899); 37:234 (January, 1903). Gilfillan's schedule at Hamilton is unavailable, as the academic records of the college do not go back that far.

²*Memorial Record of Southwestern Minnesota*, 9 (Chicago, 1897); *Redwood Gazette* (Redwood Falls), December 24, 1902; *Fairfax Standard*, June 1, 1939; *St. Paul Globe*, December 19, 1902; *St. Paul Pioneer Press*, December 19, 1902; C[hristopher] C. Andrews, *History of St. Paul, Minnesota*, part 2, p. 143 (New York, 1890); Curtiss-Wedge, *Redwood County*, 2:625-627; James Taylor Dunn, *The St. Croix: Midwest Border River*, 226 (New York, 1965). Curtiss-Wedge states that the basis of Gilfillan's fortune “was secured from his commissions as attorney for the sufferers by the massacre [*the Sioux Uprising of 1862*] who had claims against the government for property destroyed.”

³The family spent considerable time in Europe, and the children, Emma C., Fannie W., Frederick J., and Charles O., received much of their schooling in France and Germany. Andrews, *History of St. Paul*, part 2, p. 144; *Hamilton Literary Magazine*, 23:394 (June, 1888).

DEEPLY INTERESTED in politics throughout most of his life, Gilfillan was one of the "small and very select body of Whigs" in Stillwater and cast his first ballot as a member of that group. Like the others, however, he was soon caught up in a current of national events which was to sweep away and rearrange old party lines and loyalties. The passage of the Kansas-Nebraska Act in 1854, with its repeal of the Missouri Compromise of 1820, shocked antislavery sentiment throughout the country. In Minnesota, as elsewhere in the North, many Democrats threw off allegiance to their party and joined with members of the Whig minority to oppose the further spread of slavery. Within the year, state Republican parties had been formed in Michigan and in Wisconsin; the Territory of Minnesota was not far behind.⁴

As Gilfillan himself recalled it: "In March, 1855, a few people, strongly anti-slavery, most of them former Democrats, met at St. Anthony, passed strong resolutions upon the slavery question, and provided for a general Territorial convention, to be held at St. Paul on the 25th of the following July. At the meeting . . . the name Republican was first applied to a party within the Territory. This name was adopted by the July convention, and the party was finally launched under that name." Whether he attended the St. Anthony meeting, Gilfillan did not say, but he was present at the convention in July where he was elected first chairman of the Republican Central Committee of fifteen members. This position he held for four

⁴Charles D. Gilfillan, "The Early Political History of Minnesota," in *Minnesota Historical Collections*, 9:168-171 (St. Paul, 1901); Theodore C. Blegen, *Minnesota: A History of the State*, 213-217 (Minneapolis, 1963).

⁵Gilfillan, in *Minnesota Historical Collections*, 9:171, 173.

⁶William W. Folwell, *A History of Minnesota*, 2:343, 343n. (St. Paul, 1961); Curtiss-Wedge, *Redwood County*, 2:626; Andrews, *History of St. Paul*, part 1, p. 124; Minnesota, *Legislative Manual*, 1865, p. 39, 46; 1876, p. 142, 151; 1878, p. 171, 180; 1879, p. 352, 358; 1880, p. 447, 451; 1883, p. 478, 486; 1884, p. 528, 532, 536; 1886, p. 286.

⁷*St. Paul Daily Dispatch*, November 5, 1881; March 29, November 3, 5, 1882; *Memorial Record*, 10.

years, during which time he was influential in bringing Republican speakers of national reputation to Minnesota "to do missionary work."⁵

For the remainder of his life, he gave unswerving devotion to the party he had helped found, but it never rewarded him with high office. As the first regular Republican candidate for mayor of St. Paul in 1860, he was narrowly defeated by Democrat John S. Prince — 1,148 votes to 1,133. Six years later, Gilfillan aspired to the party's nomination for governor, but after a lengthy three-cornered struggle in the convention, he ended the impasse by withdrawing in favor of William R. Marshall. Thereafter Gilfillan's political ambitions were limited to the state legislature, where he served from Ramsey County as a representative in 1865 and 1876, and as a senator from 1878 through 1885. He was a member of the senate judiciary committee, chairman of the committee on railroads — an important assignment in those decades — and a member of the joint committee on taxes and tax laws.⁶

The *St. Paul Daily Dispatch* of November 6, 1882, declared him to be "a man of enterprise and public spirit in his financial relations, one who is prominently identified with every large interest of the city, and one who has done his full share toward building it up to its present grand proportions. . . . As a legislator he has been a lion in the path of those who have sought to organize legal raids on the public treasury." Although a watchdog of public funds, Gilfillan could also be judicious in their use. After the State Capitol burned on March 1, 1881, he was largely instrumental, at an extra session of the legislature held later in the year, in securing the passage of a bill which added \$100,000 to the \$75,000 already appropriated for a replacement. Costing finally \$275,000, the new capitol was ready for the legislative session of 1883.⁷

FOR MORE THAN two decades following the war, the problem of providing St. Paul with an adequate supply of good water con-

sumed much of Gilfillan's thought, time, and energy, and it was in the attainment of this goal that he left what is perhaps his most enduring legacy. The water question dated back almost to the infancy of the city. On Christmas Day, 1851, editor James M. Goodhue took note in the *Pioneer* of the considerable trouble and expense involved during cold weather in securing water in many parts of St. Paul. Wells were few, and water, when available, cost ten cents a barrel hauled to one's door. This unhappy condition, wrote the progress-minded Goodhue, obtained "for want of water-works, such as might be made at a small expense, to supply every house in town with good running water, in abundance." As was so often the case, the fiery editor proclaimed a truth and proposed a needed development, but the time was not then ripe. On New Year's Day, 1857, the *Daily Pioneer and Democrat* recorded an increase in the price of water, still sold by the barrel. The writer, with tongue in cheek, declared: "We believe this advance in the price of good old Adam's ale, has been caused by the determination on the part of many gentlemen about town, to abstain from the practice of taking liquor as a beverage, on and after this day."

But by 1857 some men had been giving extensive consideration to St. Paul's water problem and had taken steps looking toward the implementation of Goodhue's suggestion. As early as March 1, 1856, the territorial legislature chartered a water company, but no organization seems to have been effected until May 28, 1857. The group eventually employed an engineer, Arnold Syberg, to survey the lands lying between Lakes Como and Phalen and the city. According to the survey, the level of Lake Phalen was found to be 60 feet higher than the foot of the Capitol steps and 167 feet above the surface of the Mississippi River. Lake Como was listed as 29 feet higher than Phalen and 196 feet higher than the river. Although Phalen was the larger of the two lakes, Syberg recommended that St. Paul obtain its supply of water from Como. The latter,

though small, received "subterranean supplies from other lakes, has a bed of gravel, and the water is pure and limpid." Estimated cost of water works large enough for a city of fifty thousand inhabitants, from either lake, was about \$140,000, while the cost of distribution throughout the city was placed at \$55,000.⁸

In spite of the work done by Syberg and others, no results ensued, and, sometime in August, 1857, a second company which had been chartered on May 23 concluded an agreement with the earlier corporation, by which the latter consented to surrender its charter and to turn over all its surveys and papers.⁹ On September 2, 1857, the incorporators in the new Saint Paul Water Company met and elected a slate of officers and a board of directors. Nathan Myrick, C. B. Gallagher, and William H. Leonard assumed the posts of president, treasurer, and secretary, respectively, and Henry M. Rice, James M. Winslow, George L. Becker, and William Devier constituted the board. Plans were laid to open the books for subscription on September 7, and hopes were expressed that contracts for all pipes necessary could be let immediately thereafter in order that such equipment "may be received in St. Paul by the opening of navigation next spring." The terms of the charter required that the work be contracted within six months and that a mile of pipe be laid inside the city by the end of a year. After reporting these details and lauding the character of the men composing the board, the editor of the *Pioneer and Democrat* on September 5, 1857, exulted, "we think there can be no doubt of the rapid progress of the work, and by this time next year, we may be able to announce that the Water Works approach completion, as nearly as do the Gas Works at the present time."

Unfortunately, such optimism was des-

⁸ Minnesota Territory, *Laws*, 1856, p. 271; *Daily Pioneer and Democrat* (St. Paul), September 5, 1857; *St. Paul Financial, Real Estate and Railroad Advertiser*, August 1, 1857; *Daily Minnesotian* (St. Paul), June 23, 1859.

⁹ Minnesota Territory, *Laws*, 1857, p. 48.

tined to be short-lived. One week later — on September 12 — the *St. Paul Financial, Real Estate and Railroad Advertiser* carried the simple statement: “The books were opened at the office of J. & C. D. Gilfillan, on Monday last, but on Wednesday there was not a dollar subscribed.” This news probably did not surprise St. Paul citizens, who were at the time experiencing a period of desperate financial crisis. The failure of the Ohio Life Insurance and Trust Company on August 24 had precipitated the nationwide panic of 1857, and St. Paul’s water company was not the only grand scheme to be still-born as a result.¹⁰

THE IDEA did not die, however, and periodically the incorporators applied to the state legislature for amendments to and extensions of the 1857 franchise. These were granted in 1858 and in 1861, though not without opposition. Some critics suggested that the company was playing for time and selfishly preventing other parties from entering the field. Attorney for the incorporators was Charles Gilfillan, who finally promised — perhaps in desperation — that he would personally guarantee that the water works would be built if an act to revive, amend, and continue the franchise was passed. On March 2, 1865, the act was approved. Under its terms the company’s charter was revived with a new slate of incorporators which included Gilfillan, Rice, Myrick, George L. Otis, Peter Berkeley, William Lee, and Robert A. Smith.¹¹

At a meeting of the incorporators on

December 14, 1865, in the office of Gilfillan, who was chosen president pro tempore, a committee composed of Gilfillan, Myrick, and Lee was appointed “to open books of subscription to the Capital Stock of the Company and to regulate the same.” Five months later, at a meeting in May, 1866, the committee was able to announce that \$200,000 had been subscribed. At the same time a dozen bylaws were approved and seven men — Otis, Lee, Myrick, Greenleaf Clark, Oscar Stephenson, and the two Gilfillans — were elected directors. The members of the new board who were present — Otis, Lee, Myrick, and Charles Gilfillan — met later to choose a slate of permanent officers, which was headed by Gilfillan as president.¹²

By this time many citizens were becoming critical of the company and impatient over the long delay in securing water. For example, John W. McClung wrote in his city directory: “The Saint Paul Water Company at present consists of several gentlemen who have a charter which, getting out of order occasionally for want of employment and exercise, has to be taken to the Legislature every now and then to be ‘amended,’ and still another set of more practical gentlemen who carry on the ‘works’ by the aid of water carts.”¹³ (One-horse carts, holding about three barrels, continued to supply citizens with water until about 1890.)

Even Otis, when elected mayor of St. Paul in 1867, seemed to have little faith in the company of which he was a director. “I regret to learn,” he said in his inaugural address, “that the St. Paul Water Company have not yet consummated any arrangement for the supply of water to our city. The terms of a contract for such supply had been settled, but the contract fell through before it was fully executed. The President of that company is still East, endeavoring to interest capitalists in this enterprise, but there is no certainty that he will meet with success. . . . I respectfully recommend that the condition of our cisterns be looked to without delay, and that a supply of water to feed

¹⁰ Folwell, *Minnesota*, 1:363.

¹¹ *Minnesota, Laws*, 1858, p. 173; 1861, p. 330; 1865, p. 214–217; *Pioneer Press*, August 26, 1900, p. 20; memorandum by John Caulfield, 1, attached to the minutes of the Saint Paul Water Company, St. Paul Water Department files, Ramsey County Courthouse, St. Paul. The heat generated by the water company controversy in the late 1850s is suggested by Mayor Daniel A. Robertson’s statement to the city council, June 21, 1859. See *Daily Minnesotian*, June 23, 1859.

¹² Minutes of the Saint Paul Water Company, December 14, 1865; May 23, 1866.

¹³ *McClung’s St. Paul Directory and Statistical Record*, 1866, p. 179.

them, which seems now to be wholly inadequate, be secured, if possible, from other sources." A year and a half later, Otis — perhaps disenchanted — left the company.¹⁴

IN SPITE of the formidable task facing him and the criticisms current, Gilfillan forged ahead, not only in his quest for funds but also to complete such arduous chores as securing appraisal of lands required by the company. At a meeting of the board of directors on February 7, 1868, the issuance of \$200,000 in twenty-year 8 per cent bonds was authorized, and at the same time Gilfillan, who had resigned as director and president of the company in favor of his brother, James, submitted a proposal to construct water works comprising thirteen miles of mains, with air cocks, stop gates, waste and blowoff pipes, and a hundred hydrants. The completion date was to be November 1, 1870, in accordance with an extension granted by the legislature in February, 1868. Needless to say, the Gilfillan proposition was approved.¹⁵

Not all aspects of the company's financing appear in the records, but two or three items suggest that difficulties were encountered. Apparently little St. Paul money, except for that of Charles Gilfillan, went into the venture. On November 17, 1868, an assessment of \$20 a share on the capital stock was levied, to be paid to the company's treasurer. Failure to comply within thirty days resulted in forfeiture of the stock. Finally, when Gilfillan, on December 15, 1868, presented his bill for services rendered and money spent to that time, he was reimbursed not in cash but in \$21,000 worth of the company's stock. Less than a month thereafter, the board of directors promised him an additional \$229,000 in fully paid up stock upon completion of the water works.¹⁶

Not until the fall of 1868 — more than three years after the company received its charter — was actual construction commenced. No doubt the delay had seemed longer to Gilfillan, as well as to his critics. But once under way, the work was pushed

forward rapidly. Favoring the enterprise was the happy location of numerous lakes bordering St. Paul on the north, from which water, as Syberg had shown, flowed easily into the city.¹⁷ Not only was the supply accessible, it was remarkably pure and untainted. An analysis by a Professor Silliman, for example, indicated that the waters of Lake Phalen contained only 6.2 grains of solid matter to the gallon, whereas St. Paul well water possessed 23 grains. Moreover the supply of lake water seemed to contemporary commentators virtually inexhaustible. The lakes adjacent to St. Paul were part of a watershed which occupied 60,000 acres, making it "the largest space used for the purposes of a reservoir within the United States."¹⁸

The original source of supply to be tapped by the water company was the stream commonly known as Phalen Creek which flowed from Lake Phalen into the Mississippi River. Here the company encountered the problem of water power and mill privileges. Naturally the persons owning or leasing these rights were apprehensive over the effects of drawing water from the creek and later from the lake. The company therefore applied to the legislature for authorization to extend its works so as to connect with other Ramsey County lakes and draw water from them into Lake Phalen. The legislature complied on February 8, 1869, and un-

¹⁴Minutes, November 17, 1868. The city cisterns were maintained for fighting fires. Otis' statement is in the *St. Paul Pioneer*, April 10, 1867.

¹⁵Minutes, February 7, 1868; Minnesota, *Laws*, 1868, p. 414.

¹⁶Minutes, November 17, December 15, 1868; January 7, 1869. According to Caulfield, in his memorandum, when funds were not available to pay interest on the company's indebtedness in the early days of operation, Gilfillan advanced the money, receiving in return a note from the company.

¹⁷These lakes, connected with each other, together with their acreage as given in 1881, were: Phalen (237), Gervais (210), Vadnais (560), Lambert (750), Pleasant (730), White Bear (3,600), Bald Eagle (1,280), Bass (400), Otter (400), and others (560). See George E. Warner and Charles M. Foote, *History of Ramsey County and the City of St. Paul*, 434 (Minneapolis, 1881).

¹⁸*Dispatch*, December 14, 1869.

der the act the company was able to satisfy the owners of power rights. It guaranteed the maintenance of the water level in Lake Phalen and Phalen Creek by agreeing to build canals or aqueducts to connect the lakes, controlling the flow of water among them by means of gates and dams. At the end of the document appeared the following statement: "I hereby guarantee to each of the within named parties of the second part [*the owners of water powers and mill privileges*], that the party of the first part [*the water company*] will construct the works mentioned in said contract in the manner and within the time therein specified." The statement was signed by Gilfillan.¹⁹

With this matter taken care of, the company was in a position to get on with its real business—to lay mains, install hydrants, prepare application forms for potential customers, draw up rules and regulations concerning the use of water, and frame directives for plumbers. On September 10, 1869, with pride characteristic of the booster spirit of the period, the *Dispatch* was able to announce that "Over ten miles of pipe for the Water Works here have been laid, seven of which are in the city, and about three miles more are yet to be laid. Besides the gang now operating on Seventh street, there is a force of thirty at Lake Phalen, which will be strengthened by the addition of two more gangs next week."

Problems were by no means nonexistent. For instance, the fall of 1869 witnessed a rainy season, "almost unexampled in this section," which retarded progress; while the sand rock of Third Street and the limestone plateau on and above Wabasha Street demanded the introduction of special equipment—a large steam drill, manufactured at Fitchburg, Massachusetts, and costing

about \$1,300. Nevertheless, in December, 1869, a writer in the *Dispatch* rhapsodized: "The main portion of the city of St. Paul is now in possession of water privileges, which cannot be excelled by any city in the Union, in the purity and softness of the water, the perfection of the pipes, the unfailing natural reservoir, and the abundant pressure afforded."²⁰

In the same month, another *Dispatch* item, while admitting that the water was "a little impregnated with cement, which hardens it somewhat," rejoiced because "The city water-works are doing splendidly, and the water has an excellent taste." Tests of pressure were run with satisfaction to all concerned. At the corner of Jackson and Third streets, for example, using a hose and a 1½-inch nozzle, a stream of water was thrown 116 feet. "These testings," noted one writer, "have demonstrated beyond doubt that St. Paul is abundantly supplied with water for fire purposes." Though amusing by standards of the 1960s, the water pressure achieved in St. Paul nearly a century earlier did provide a sense of security from the constant threat of fire as well as a reason for pardonable pride. In contrast to modern water systems, that of 1869 found pumps, storage reservoirs, and purification plants conspicuously absent, although the water was filtered or, more accurately, screened, as it entered the pipe.²¹

Despite this very real and impressive achievement, there were, of course, critics and "sidewalk superintendents," all of whom gave freely of their comments and suggestions. As a result, Gilfillan felt constrained early in 1870 to release to the press a public accounting of his performance, together with some clarifications. "The Water Company," he wrote in the *Dispatch* of February 26, "have laid the past season of the pipe known as iron and cement pipe upwards of ten miles, having nearly 8,000 joints. Upon being tested by the pressure of water, only one leak occurred in this quantity. I doubt if the same number of miles of cast iron pipe, or of any other kind was ever laid with such

¹⁹ *Dispatch*, September 10, 1869; *St. Paul Daily Pioneer*, August 19, 1870; Minnesota, *Laws*, 1869, p. 346–350. The terms of the agreement, dated January 25, 1869, are given in Caulfield's memorandum, 14.

²⁰ *Dispatch*, December 14, 1869.

²¹ *Dispatch*, December 7, 15, 1869; *Pioneer Press*, March 24, 1935, sec. 2, p. 3.

a favorable result." The difficulties which did arise were in the hydrants, Gilfillan indicated, yet the kind installed had been "pronounced by competent hydraulic engineers to be the best in use for a cold climate."²¹ Of sixty-six hydrants it was admitted that ten had been out of order, but the remedy for some of the imperfections could be found, thought Gilfillan. Other hydrant leaks would be corrected only after "the city is sewerred." He assured the citizenry that "During this winter, averaging at least once a week, all the hydrants have been tested by the Water Company, to see if they were in working order, and with the ten exceptions they have been found to be. When one has been discovered not to be, the difficulty has been removed at once."

Whether the grumbling continued, there is no way of knowing, but by the end of August, 1870, according to a St. Paul newspaper, the water works "inaugurated by the company of which Mr. Gilfillan is the head . . . may be said to be fairly in operation . . . for which all concerned deserve not only the lasting gratitude of our people, but a rich pecuniary reward." By then, the main body of water in Lake Phalen had been tapped and a canal had been excavated and a bulkhead built which provided the company with "the control of the waters of Pleasant Lake . . . giving a supply of water if needed of some twelve hundred million gallons." A little over a month thereafter, at a meeting of the directors attended only by the two Gilfillans and Charles F. Leonard, the work done under contract by Gilfillan was accepted and certain bills presented by him were paid. The next day Leonard resigned as secretary of the company, and Charles Gilfillan was elected both treasurer and secretary.²²

FOR SLIGHTLY over a decade thereafter, the St. Paul Water Company, while operating under conditions laid down in ordinances enacted by the city council, remained a private enterprise. In November, 1871, Myrick was elected a director to fill the

vacancy created by Leonard's resignation, and the following June, John Caulfield, who had joined the company in 1870, was placed on the board. Throughout the entire period, however, it was obvious that the prime mover in the organization was Gilfillan. Finally, on September 5, 1874, at a special board meeting attended only by the Gilfillan brothers and Caulfield, the former resigned their respective positions of president and secretary, whereupon Charles Gilfillan was elected president and treasurer, at a salary of \$2,500 a year, and Caulfield was made secretary at \$1,000. For the rest of the company's life as a private venture, these two men and James Gilfillan appear to have been the sole determiners of policy.²³

With one exception, the activities of the company seem to have progressed peacefully and satisfactorily throughout the 1870s and early 1880s. The only setback occurred in the late summer of 1873 when Thomas W. Wilson, the owner of some 480 acres of land on the shores of White Bear Lake, embracing a frontage of nearly two miles, sought, in the district court of Washington County, a writ enjoining the water company from tapping or draining the lake. Gilfillan, named as codefendant, was identified in the complaint as "acting managing agent of the said company."²⁴

Wilson's contention, supported by affidavits of two civil engineers, was that White Bear Lake, possessed of "remarkably attractive characteristics," and favorably situated nearly equidistant from St. Paul, Minneapolis, and Stillwater, would be irreparably damaged if it were tapped and drained, for it had no inlet and largely depended for its supply of water on melting snow and rain, which were barely sufficient to offset natural evaporation. The lands "lying upon and

²¹ *Daily Pioneer*, August 19, 1870; Minutes, October 3, 1870.

²² Minutes, November 21, 1871; June 10, 1872.

²³ The quotations here and in the following paragraph are from complaint in *Thomas W. Wilson v. St. Paul Water Company*, File No. A2266, in the office of the clerk of district court, Washington County Courthouse, Stillwater.

within²⁵ the lake were of little value for agriculture but were said to be worth more than \$2,000,000; those of Wilson alone were valued at over \$150,000. These figures reflected the promotion of White Bear Lake by Wilson and others as a popular tourist attraction and haven for invalids. Wilson had purchased his acreage "for the purpose of erecting hotels and other buildings thereon and making improvements of a durable and permanent character." This development was in direct conflict with the plans of the water company.

At the time the complaint was filed, August 30, 1873, the company had dug canals and ditches from Lake Phalen to within a few hundred yards of White Bear Lake. Impressed by the arguments of the plaintiff's attorneys, the court issued a temporary writ of injunction which was served on Gilfillan by the sheriff of Washington County. The fact that part of the lake lay in that county excepted it from the act of 1869. In the spring of 1874 the legislature amended this act to remove White Bear Lake and Lake Como from the operation of the law, and the court made its temporary injunction perpetual. Though hampered, the water company was not seriously damaged, and an attractive vacation and residential area was thus preserved.²⁵

BY 1881 St. Paul was supplied from Ramsey County's lakes with water flowing through two mains — the original 16-inch one made of cement, and a supplementary 24-inch vitrified pipe dating from 1878. The original sixty hydrants had increased to 185 and the total number of water valves was 160. The company served 1,800 consumers and gave employment to thirty men; 115 meters were in use to measure water for large consumers.

²⁵ Minnesota, *Special Laws*, 1874, p. 361; *Dispatch*, March 6, 1874.

²⁶ Warner and Foote, *Ramsey County and St. Paul*, 434; *Pioneer Press*, August 26, 1900; Caulfield memorandum, 36.

²⁷ Folwell, *Minnesota*, 3:139 (St. Paul, 1926); Minnesota, *Laws*, 1881, p. 743-753; Caulfield memorandum, 39.

The value of the whole enterprise was placed at \$500,000.²⁶

St. Paul's population in 1880 was 41,473, and it was evident that increased water facilities would soon be needed. Some citizens felt that a water company should be a publicly owned enterprise, and there was considerable discussion as to what the city's best course of action would be. Should it purchase the plant of the existing water company or should it construct new works? Gilfillan, feeling an understandable parental affection for the company, offered to sell the plant to the city only if it would operate the works under a law which he, as a member of the state senate, would prepare, and if the citizens by referendum favored the proposition. Under Gilfillan's act, which was approved February 10, 1881, the judges of the second judicial district, when requested by the common council of St. Paul, were authorized to appoint a commission of five members to look into the matter of purchase. Should the purchase be recommended, the council was empowered to negotiate terms with the water company. Thereafter, to keep the business out of politics, the district judges, when asked, were to appoint a Board of Water Commissioners. The council was also authorized to issue thirty-year bonds bearing not over 5 per cent interest to the amount of \$350,000 for the purchase of the company and another \$250,000 in bonds to pay for repairing and enlarging the water works. Issuance of the bonds was to be decided upon by the voters in a city election.²⁷

Pursuant to this legislation, the judges appointed an investigative commission composed of Henry H. Sibley, Patrick H. Kelly, George L. Otis, John D. Ludden, and Joseph P. Frizell, the last being an engineer. On February 21, 1882, this body submitted to the council a lengthy report favoring purchase, though the commissioners were not all of one mind regarding the source of water to be used. Some members advocated adopting the lake supply; others wished to take water from the Mississippi River. Among the

citizens of St. Paul generally, there was also some agitation in support of the river as a source. When the question of purchase was put to a popular vote in November, 1881, however, in spite of some political maneuvering, "it was decided," according to the *Pioneer Press*, "almost unanimously to purchase the system, and St. Paul was saved forever from a supply of tainted river water."²⁸ (From a supply of such water, not tainted, it was actually "saved" only until 1925.)

When negotiations between the water company and St. Paul began, all the stock of the former—2,500 shares—was in the hands of the Gilfillan brothers, 2,400 shares held by Charles and the remaining hundred by James. The transfer took place on August 10, 1882, the city paying \$37,000 in cash and \$313,000 in 4 per cent bonds and assuming the company's bonded indebtedness. Included in the purchase were "certain rights of flowage and drainage upon the private lands of C. D. Gilfillan in White Bear and Mounds View Towns." Thereafter, control was vested in the Board of Water Commissioners, appointed by the judges of the district court. Elected first president of the new board was Gilfillan, who served as a commissioner until December, 1887.²⁹

In the interval between November, 1881, and the taking over of the company by the city, Gilfillan spent between \$15,000 and \$17,000 to put the water system in first-class condition. When Caulfield remarked on this act of unnecessary effort and expense, Gilfillan replied that "the Water Works was his pride and hobby and he did not propose that any one in the future could say that he did not play fair with the City." In the opinion of Caulfield: "There was never a cleaner and more honest transaction between a City and a Company, than that in the sale and purchase of the St. Paul Water Works, and the City was ahead in the transaction."³⁰

Somewhat ancillary to his main task of constructing a water system for St. Paul was the purchase by Gilfillan, between late 1876 and December, 1880, of some 3,000 acres of

land to the north of the city in Townships 30 North, Ranges 22 and 23 West. His purpose, according to his friend Caulfield, was to control and protect the future water supply of the city, as well as to protect the company "from claims for damages for alleged flooding of meadows, principally by parties who did not own the land." Practically all of this land was purchased from nonresidents, some of them no doubt speculators awaiting a rise in values. Included within the limits of Gilfillan's acquisition were Pleasant, Wilkinson, Deep, and Charles lakes.³¹

Although farmers had been cutting hay on the land without payment or permit, some were apparently not backward about claiming damages from the water company. In one instance a farmer who had cut hay but not removed it was most insistent that damages be paid him because of flooding. Gilfillan, who was at the very time negotiating with the owner of the land for its purchase, sent the latter a blank bill of sale for all hay on the property along with the deed, both of which were executed and returned. When the farmer called upon Gilfillan to secure final adjustment of the damage claim, he was faced instead with the bill of sale for the hay. His consternation, if not his embarrassment, was immediately apparent. As the story goes, Gilfillan had a bit of fun with the fellow, then allowed him, free of charge, to have the hay.³²

After acquiring the land, Gilfillan, without compensation, gave the water company "the

²⁸ *Pioneer Press*, August 26, 1900.

²⁹ Minutes, May 24, August 3, 1882; Board of Water Commissioners of the City of St. Paul, *First Annual Report*, 1882. Of the \$200,000 worth of bonds issued in 1868, \$40,000 had been paid and cancelled by 1882. When the remaining \$160,000 fell due in 1889, the city issued new bonds drawing 4½ per cent interest payable semiannually. See Caulfield memorandum, addendum to page 10, 44.

³⁰ Caulfield memorandum, 40

³¹ Caulfield memorandum, 38; Deed Book 80, p. 438; 81, p. 194, 227, 235; 82, p. 136; 83, p. 57, 375, 377; 95, p. 365; 101, p. 326, 327, in office of the Register of Deeds, Ramsey County Courthouse, St. Paul.

³² Caulfield memorandum, 38.

right to control the water in the lake and also the right to enter upon any of the lands for the purpose of constructing conduits, etc." These rights, which have since proved of great value to the city of St. Paul, remained inviolate when the area passed out of his hands.³³

HAD GILFILLAN done little besides create the St. Paul water works, he would have deserved a place in Minnesota history, but he was a man of "unbounded energy, unwearied indefatigability," and though his role in the economic development of the Northwest was largely free of publicity, it was a broad and solid one. In 1865, no doubt with money from eastern friends, he provided 60 per cent of a \$100,000 increase in the capital of the First National Bank of St. Paul. At the same time, he replaced Charles Scheffer on that institution's board of directors, where he served for thirty-seven years. From 1880 to 1897, he was the First National's vice-president, but, "although a loyal and devoted servant," even he found his schedule overloaded, and "much of his work . . . had to be deputed." He was also one of the founders of the First Trust Company of St. Paul.³⁴

As he was preparing to relinquish ownership of the water company, another project captured his imagination. This was the erec-

tion of a large downtown office block. The site chosen was the corner of Fourth and Jackson streets, a "historical corner," in the words of the *St. Paul Daily Dispatch* of December 29, 1881. "There are a few people now living in St. Paul," declared the *Dispatch* writer, "who remember the time when a bridge spanned what is now the junction of Jackson and Fourth streets. Beneath it surged and roared a torrent, which drained all upper town. Where this stream of water found its way to the river now stands one of the finest business blocks in the city of St. Paul. It was left for Hon. C. D. Gilfillan to reclaim this portion of the city, and at an expense of nearly \$200,000 erect thereon the finest business block in St. Paul."

Because of the problems posed by the contour and nature of the site, the erection of the structure was watched by the local citizenry with more than ordinary interest. Weeks were spent in the tasks of excavation and pile driving. Finally, "the foundations were laid broad and deep and the majestic six-story building approached completion." By the end of 1881, the block's skeleton was enclosed, and, during the early months of 1882, the interior was finished. To make the edifice fireproof, "every modern appliance of art and science [was] brought into requisition." All in all, the building was constructed "for time, if not eternity, and nothing but an earthquake or a Chicago cyclone" would be able to destroy it. The *Dispatch* reporter did not reckon with the even more powerful forces of urban change and economic obsolescence. Nevertheless, the Gilfillan Block, reflecting "the solid and sturdy character of its owner," did endure for nearly sixty years.³⁵

During the last two decades of his life, 1882-1902, Gilfillan focused his interests on the development of 10,000 acres of rich farm land which he purchased in northern Redwood County. There he erected many fine buildings — a beautiful home and nearby office, a grain elevator, barns, stockyards, tenant houses — and settled down seriously to the task of applying "business methods

³³ Caulfield memorandum, 38. Prologue to another Minnesota story of interest and significance is the following item printed in the *Daily Minnesota Tribune* (Minneapolis), August 7, 1883: "President J. J. Hill of the Manitoba road has purchased C. D. Gilfillan's 3070 acre farm near Pleasant Lake for \$50,000, and will turn it into a fine stock farm." It was this land which formed the major portion of Hill's famous North Oaks farm and the present village and golf course of the same name. See Deed Book 120, p. 13, Ramsey County.

³⁴ Thomas M. Newson, *Pen Pictures of St. Paul, Minnesota, and Biographical Sketches of Old Settlers*, 443 (St. Paul, 1886); Frank P. Donovan, Jr., and Cushing F. Wright, *The First through a Century, 1853-1953: A History of the First National Bank of Saint Paul*, 34, 126 (St. Paul, 1954); Curtiss Wedge, *Redwood County*, 2:627.

³⁵ *Dispatch*, December 29, 1881. The Gilfillan Block was razed in 1940; in 1967 the site is occupied by a parking area.

in agriculture." A railroad spur was run to his elevator situated opposite his home, and from this location, known as Gilfillan Siding, many carloads of livestock were shipped annually to Chicago. One lot of sixty Gilfillan steers in the fall of 1891, each weighing some 1,450 pounds, brought \$5.95 a hundredweight live, the highest price by ten cents a hundred pounds of any of the ten thousand steers sold in Chicago on that particular day.³⁶

Two years later, in 1893, the editor of the Morgan newspaper toured the farm and concluded: "It is a place worth visiting and is supplied with everything that money can buy." Not surprisingly, there was a system of underground water works leading to the stock buildings—five stock barns which held nine hundred tons of hay and 750 head of stock, three cattle sheds, and a horse barn large enough for forty animals.³⁷

In the office at the end of the house, where he spent much time, Gilfillan delighted in sharing his knowledge with his neighbors and in urging them to try experiments which he had successfully made on his farm. "Every pound of feed that was raised or purchased he weighed, and every pound of beef that left the farm was kept count of," wrote one observer. "No man so much as he, helped to develop the idea of mixed farming." In many ways his efforts to raise the level of agriculture in southwestern Minnesota are reminiscent of similar efforts elsewhere made by his friend, banking associate, and fellow Scot, James J. Hill. To both of these men Minnesota farming owes a sizable debt.³⁸

Another contribution of his later years was the role he played in the activities of the Minnesota Valley Historical Society, which he helped organize at Morton on February 2, 1895. The most striking achievement of this group was the erection of stone monuments throughout the Minnesota Valley to commemorate the major events of the Sioux Uprising. Although this form of commemoration has since gone out of fashion, the program of the society and the interest thus

aroused resulted in the preservation of many historic sites which would otherwise have been forever lost to the people of the state. In accomplishing this, many thousands of Gilfillan dollars were spent.³⁹

In 1901 Gilfillan was "badly shaken by a runaway team" and had to leave the farm in order to receive medical attention in St. Paul. Thereafter, while he was able to receive visitors and to go out of doors in good weather, his health failed steadily, and on December 18, 1902, he died suddenly.⁴⁰

The public had understandably assumed that Gilfillan's money ran into the millions. He had obviously had both the opportunity and ability to amass a fortune. Surprise was expressed, therefore, when his estate was filed for probate and the amount proved to be less than \$370,000. Those who knew him best may have suspected this, for his quiet charities, especially in his last years, had been substantial. Obituaries in the state's newspapers resounded with flowery praise, but perhaps the best comment was made by an editor in the farming community that had grown to know him well: "He was a man who put no fence about himself."⁴¹

³⁶ Wayne E. Webb and J. I. Swedberg, *Redwood: The Story of a County*, 139 (St. Paul, 1964); *Fairfax Standard*, June 1, 1939; *The Messenger* (Morgan), May 9, 1891; *Redwood Gazette*, September 10, 1891.

³⁷ *Morgan Messenger*, October 19, 1893.

³⁸ *Morgan Messenger*, December 25, 1902. Long before the days of the New Deal's shelter belts in the 1930s, Gilfillan had thousands of trees planted on his prairie land. See *Redwood Gazette*, May 8, 1890.

³⁹ *Lamberton Star*, December 19, 1902; Folwell, *Minnesota*, 2:390. See also, *Sketches Historical and Descriptive of the Monuments and Tablets Erected by the Minnesota Valley Historical Society in Renville and Redwood Counties, Minnesota* (Morton, 1902). For a comment on the present-day importance of this early effort at preservation, see Russell W. Fridley, "Preserving and Interpreting Minnesota's Historic Sites," in *Minnesota History*, 37:59, 60 (June, 1960).

⁴⁰ *Morgan Messenger*, December 25, 1902; *Lamberton Star*, December 19, 1902.

⁴¹ *Morgan Messenger*, December 25, 1902. For speculation on Gilfillan's wealth, see Newson, *Pen Pictures*, 443.

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