

MINNESOTA'S SEPARATION FROM WISCONSIN

Boundary Making on the Upper Mississippi Frontier

William E. Lass

LIKE many other pioneers in American history, early Minnesotans wanted to manage their own affairs. Their quest for self-determination between 1846 and 1848 caused them to attempt to withdraw from the jurisdiction of Wisconsin and establish their own political entity.

Wisconsin Territory, in its original form, stretched from Lake Michigan westward to the Missouri River, but in 1838, two years after its establishment, the western boundary was shifted far to the east. As redrawn it was to follow the western boundary of the old Northwest Territory—the Mississippi River to its source and from that point a line due north to the Canadian boundary. Many Wisconsinites assumed that the future state would have the same dimensions as the redefined territory, because the Northwest Ordinance of 1787 had specified that not more than five states could be formed out of the old Northwest and four states had already been created. Anticipating frontier expansion, the federal government in 1837 negotiated Indian treaties by

which the natives ceded their claims to a vast tract from the Mississippi eastward across the St. Croix and Wisconsin rivers.¹

With the approval of the treaties in 1838, claimants moved to the ceded lands. Squatters expelled from the Fort Snelling reservation started the community of Pig's Eye, which became known as St. Paul within two years. The head of navigation on the Mississippi, it developed as a transportation and mercantile center. Franklin Steele, sutler at Fort Snelling, staked out claims to land adjoining St. Anthony Falls, augmenting his earlier claim to St. Croix Falls, and Joseph R. Brown, who had lived in the isolated area for almost two decades as a drummer boy, dragoon, and fur trader, platted a townsite near the head of Lake St. Croix. These old-timers were soon joined by New England lumbermen attracted by the St. Croix pineries.²

The assemblage of squatters, fur traders, speculators, and lumberjacks in the Lake St. Croix-St. Paul area had little, if any, feeling for Wisconsin. They had nothing in common with the farmers and lead miners of the southern counties. Even those who had come from the East had not necessarily passed through the settled portions of the territory. It is understandable that they felt alienated from Wisconsin with its political center at distant Madison.

The straggling outposts on the upper Mississippi

¹ United States, *Statutes at Large* 5:11, 235; Alice E. Smith, *The History of Wisconsin*, vol. 1, *From Exploration to Statehood* (Madison: State Historical Society of Wisconsin [SHSW], 1973), 147; Charles J. Kappler, ed., *Indian Affairs: Laws and Treaties* (Washington, D.C.: GPO, 1904), 2:491-494.

² James Taylor Dunn, *The St. Croix: Midwest Border River* (Reprint ed., St. Paul: Minnesota Historical Society [MHS], 1979), 50; William Watts Folwell, *A History of Minnesota* (Reprint ed., St. Paul: MHS, 1956), 1:217-225; Lucile M. Kane, *The Falls of St. Anthony: The Waterfall That Built Minneapolis* (Revised ed., St. Paul: MHS Press, 1987), 14; William E. Lass, *Minnesota: A Bicentennial History* (New York: Norton, 1977), 73-76.

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gained a certain sense of unity and identity from the formation of St. Croix County in 1840. Brown led the way in giving St. Croixans more control over their own affairs. While trading and farming on Gray Cloud Island in the Mississippi below St. Paul, he was named as a justice of peace for Crawford County in the fall of 1839. Through this position Brown gained status and became acquainted with the political leaders in Prairie du Chien, the county seat. When he proposed the creation of St. Croix County out of the northern portion of Crawford County, the political powers in Prairie du Chien supported him. Brown lobbied in Madison for the new county with its seat at Dacotah, his claim on Lake St. Croix. He correctly reasoned that county structure would not only provide political opportunities for himself and others, but would also give the area a certain degree of independence in local matters.¹

The leading Jacksonian in a predominantly Democratic area, Brown was the first representative of the massive county which encompassed all of the St. Croix Valley and the land between it and the Mississippi. As a member of the territorial House of Representatives in Madison, he learned much about the workings of frontier politics and cultivated the friendship of men who might help him in promoting the upper Mississippi.

From the beginning, Brown and other St. Croixans probably wanted their area excluded from the future state of Wisconsin. They knew that a state could have only one capital, one penitentiary, and one major university and that Madison had those secured. Inclusion within Wisconsin thus offered no opportunities for im-

portant public institutions on the upper Mississippi. Lingering separatist yearnings of St. Croixans were stimulated in 1846 after Congress approved the Wisconsin Enabling Act, the first step in the statehood process.

Wisconsin's statehood bid was prompted by a booming population of 155,000, more than triple that of four years earlier. This growth assured Wisconsin of favorable congressional action. There was some difficulty, however, over the boundary stipulations of the enabling act. Morgan L. Martin, Wisconsin's territorial delegate to Congress, adhering to the strongly expressed desires of the Wisconsin legislature, insisted that the proposed state should encompass all that remained of the old Northwest Territory. Throughout debates in the House of Representatives he argued that Congress should not alter the Northwest Ordinance. Martin and others who claimed the ordinance was inviolable eventually came to be known as the "Fifth State" advocates.²

There was some sentiment in Congress to permit the Wisconsin constitutional convention to set the state's boundaries, which probably would have resulted in the acceptance of Martin's plan, but most congressmen believed such a state would be too large and irregularly shaped, with a long, uninhabited, and potentially vulnerable western frontier. Finally, they accepted the recommendation of the House Committee on Territories, whose chairman, Stephen A. Douglas of Illinois, insisted that Congress was not bound by the Northwest Ordinance. Douglas explained that the committee preferred that Wisconsin's northwestern boundary be drawn from the westernmost point of Lake Superior due south to the Mississippi River. Such a line, he advised, would enable Congress to form a sixth state out of the old Northwest Territory.³

CONGRESSIONAL BICKERING between the fifth-state and sixth-state sponsors reflected the broader sectional antagonism between the North and South. Ever since the Missouri Compromise a quarter century before, each side had worked to deny the other any numerical advantage in the Senate. As a matter of course, Southerners wanted relatively few large Northern

JOSEPH R. BROWN



¹ W. H. C. Folsom, *Fifty Years in the Northwest* ([St. Paul]: Pioneer Press Co., 1888), 34; Folwell, *Minnesota* 1:231-234; Justice of the Peace Docket, Crawford County, of Joseph R. Brown, Oct. 31, 1839-Oct. 5, 1841, Joseph R. Brown and Samuel J. Brown Papers, MHS.

² William Francis Raney, *Wisconsin: A Story of Progress* (New York: Prentice-Hall, 1940), 92; *Congressional Globe*, 29th Cong., 1st sess., 1848, p. 953; Moses M. Strong, *History of the Territory of Wisconsin from 1836 to 1848* (Madison: Democrat Printing Co., 1885), 484.

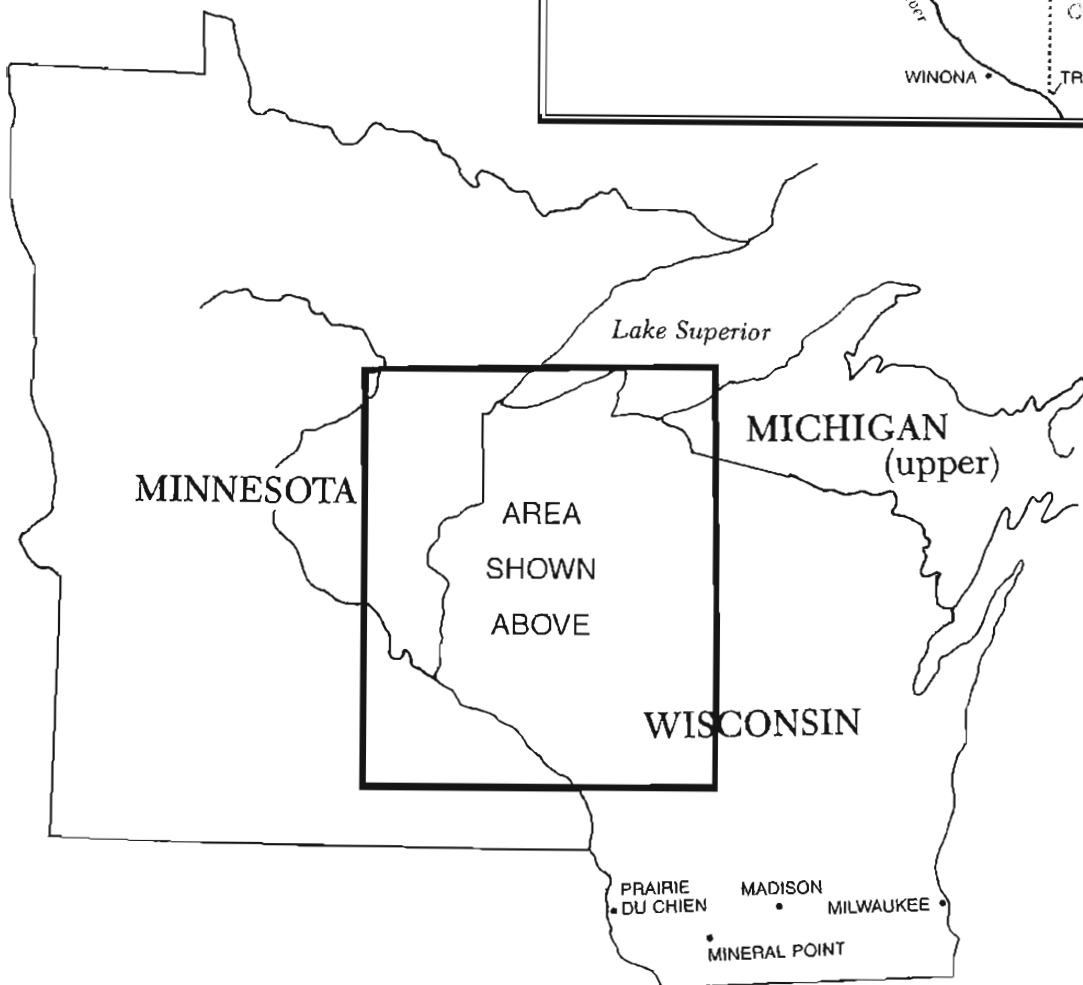
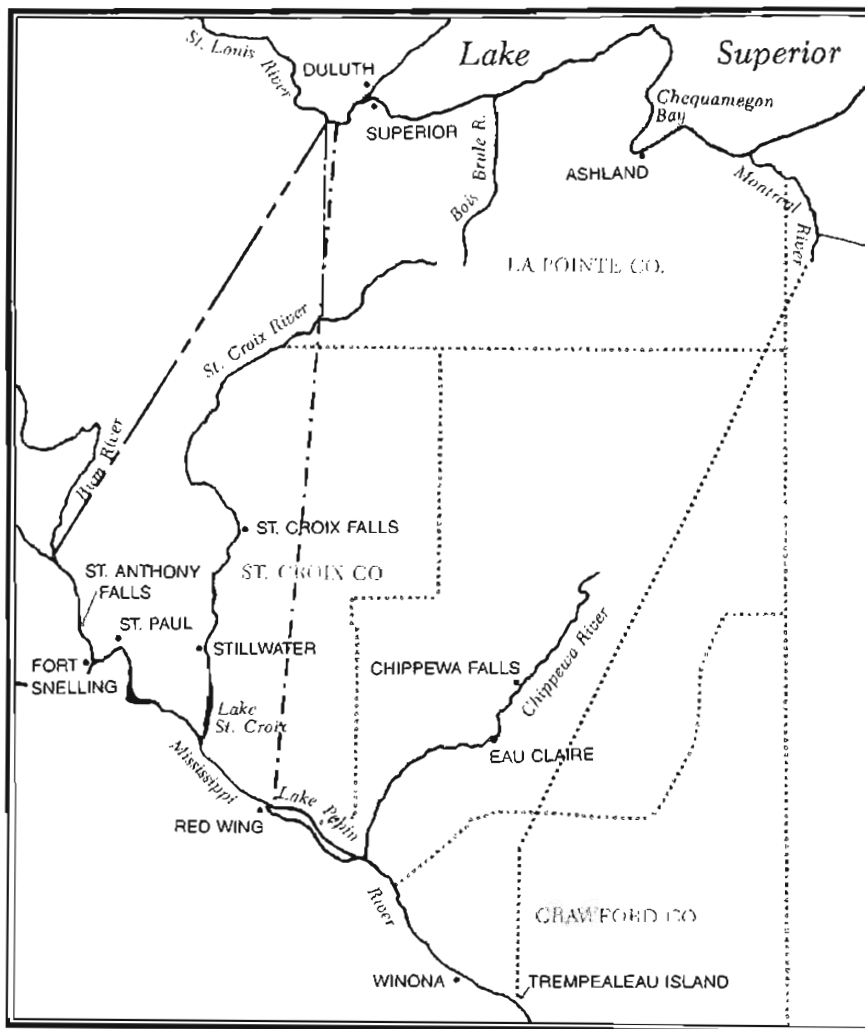
³ *Congressional Globe*, 29th Cong., 1st sess., 1848, p. 953.

Minnesota's Boundary with Wisconsin

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Holcombe's Proposed Boundary

First Constitutional Convention
Boundary

Second Constitutional Convention
Boundary





STEPHEN A.
DOUGLAS
of Illinois

states admitted to the union. Sectionally minded Northerners naturally preferred creating more states in the Great Lakes region by exceeding the limitations of the Northwest Ordinance. It is also conceivable that Douglas and other congressmen were influenced by either St. Croixans or some Boston capitalists, both of whom favored restricting Wisconsin's size.⁶

Wisconsin's fifth-state promoters garnered most of their support from the South, but this alliance of convenience did not prevail. Instead, Congress accepted the sixth-state principle, but rather than specify a line running due south from the western end of Lake Superior to the Mississippi, favored a boundary following waterways insofar as possible. Consequently, the Wisconsin Enabling Act, signed by President James Polk on August 6, 1846, provided that the northwestern boundary would run "through the centre of Lake Superior to the mouth of the St. Louis River; thence up the main channel of said river to the first rapids in the same, above the Indian village, according to Nicollet's map; thence due south to the main branch of the River St. Croix; thence down the main channel of said river to the Mississippi."⁷

The western boundary provision seemed reasonable to Congress, but it offended both fifth-state believers and St. Croixans, who wanted a boundary well east and south of the St. Croix River. In Stillwater, the hotbed of St. Croix separatism, the boundary became the main issue in the election of a delegate to the Wisconsin constitutional convention.

Although Brown had laid the foundation for St. Croix politics, he was not a factor in this controversy. When his grandiose plans for Dacotah failed, Brown left the St. Croix Valley in 1843 to trade with Dakota Indians in the Lake Traverse-Coteau des Prairies region. By the time he returned to the valley three years later, Stillwater, the principal settlement on the St.

Croix, had replaced Dacotah as the county seat, and other young men were eagerly promoting their own political ambitions.⁸

During the campaign to elect delegates to the constitutional convention, William Holcombe emerged as the chief proponent of separatism. As a candidate for the delegacy from St. Croix County, Holcombe had a good political base. After moving to Stillwater from Galena, Illinois, in 1839, he became involved in lumbering, steamboating, and land investment. By the spring of 1846, when he was serving as both clerk of the Board of County Commissioners and as county register of deeds, Holcombe had plunged into local politics.⁹

Whether or not Holcombe proposed a specific western boundary for Wisconsin during the campaign is not known, but his general views on the subject were clear.

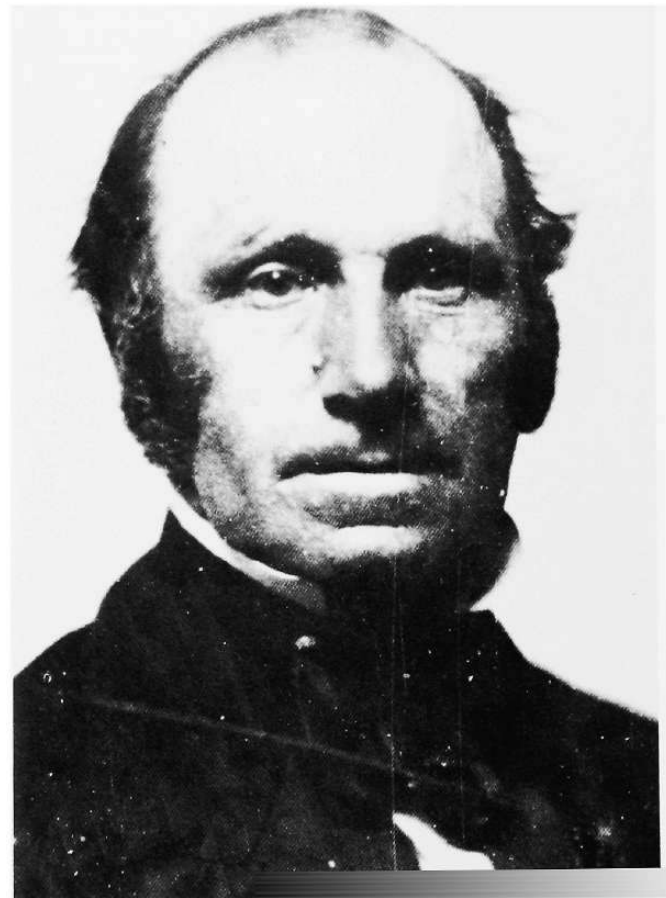
⁶ Smith, *Wisconsin*, 661.

⁷ U.S., *Statutes at Large*, 9:56.

⁸ Alan R. Woolworth, unpublished manuscript on Joseph R. Brown, in possession of Mr. Woolworth, MHS. Despite his long absence, Brown's reputation persisted. A long, rambling letter signed "St. Croix" referred to the political leadership in St. Croix County as "Brown's Organization"; *Madison* (Wis.) *Express*, Jan. 15, 1846.

⁹ Mrs. Andrew E. Kilpatrick, "William Holcombe," *Minnesota Historical Collections* (St. Paul, 1905), vol. 10, pt. 2, p. 858; MHS Scrapbook, 1:36; Folsom, *Fifty Years*, 103; Folsom, "Early Elections and Other Historical Sketches," vol. 5, W. H. C. Folsom and Family Papers, 1836-1944, MHS.

WILLIAM HOLCOMBE



He wanted a sixth state to be formed out of the Old Northwest, but he wanted it to be much larger than the one envisioned by some members of Congress. Wisconsin should be small enough, he believed, that another state of roughly equal size could be created between it and the Mississippi River. Stillwater would be the probable capital of such a state.

Not unexpectedly, Holcombe's greatest support came from Stillwater and nearby places on the west bank of the St. Croix. In the election of September 7, 1846, Holcombe easily defeated his opponent, Joseph Bowron, by a vote of 114 to 77. Bowron, a resident of St. Croix Falls on the east side of the river, thought the boundary set by the enabling act was acceptable. The vote below indicates that each candidate had hometown support and also that St. Paulites were anti-Holcombe and anti-Stillwater. Most St. Paul voters evidently preferred being left not too far out of Wisconsin to being left well out and losing a future state capital to Stillwater.¹⁰

Precinct	Bowron	Holcombe
St. Croix Falls	37	9
Marine	1	10
Stillwater	8	60
Lake	8	32
St. Paul	23	3
	77	114

At least in his public utterances, Holcombe saw the election returns as a sweeping mandate for his boundary views. While in Madison, he spoke of the people of

his county as if they were of one mind and never expressed any misgivings about his lack of support on the east side of the St. Croix and in St. Paul. Holcombe's local prestige was boosted yet more when, on October 5, 1846, he was re-elected as both clerk of the St. Croix County board of commissioners and register of deeds.¹¹

THE CONSTITUTIONAL CONVENTION was convened on October 5. Once seated in Madison, Holcombe schemed to advance his chief interest. As the lone delegate from an isolated frontier county with only 1,419 residents, Holcombe had to be enterprising, bold, and forceful. Although the large convention (124 members) had a standing committee on boundaries, Holcombe believed that a select committee would be his best platform. Therefore, he proposed and received the convention's approval to establish one, which was "to inquire into the expediency of dividing the territory of Wisconsin, and locating such line of division as shall equitably divide the same into two states."¹²

The convention took this action for various reasons. Some members approved of Holcombe's idea; others believed he should not be rejected summarily; and some perhaps saw the proposal as a way of opening other boundary questions and ultimately adding northern Illinois to Wisconsin.¹³ That attainment would have probably caused them to accept a more restrictive northwestern boundary. Then, too, in the early stages of the convention there was a natural tendency for the predominantly Democratic group to be gracious to a fellow Democrat.

Since Holcombe had a special interest in the question of equitably dividing the territory, it seemed only proper that he chair the select committee. Interestingly, the committee endorsed Holcombe's initial proposal even though it later appeared to be too rash for the convention. Holcombe wanted a northwest boundary for Wisconsin that would run from the center of the Mississippi River channel just south of Trempealeau Island (about 11 miles downstream from present-day Winona), due north for half a degree (about 34 miles). From that point it was to follow a direct line northeasterly to the headwaters of the Montreal River, then down that stream to Lake Superior.¹⁴ Such a boundary would have reduced Wisconsin by over one-sixth of the area delineated in its enabling act, would have cut it off entirely from Lake Superior, and would have left outside of the state areas where key cities such as Chippewa Falls, Eau Claire, and Superior later developed.

Since Holcombe's immediate concern was limiting Wisconsin, he never had to describe the shape of the state that he hoped to see created to its northwest. Obviously, he envisioned a state in keeping with the sixth-state principle. If its eastern boundary proved to be the Trempealeau Island-Montreal River line, then the Mis-

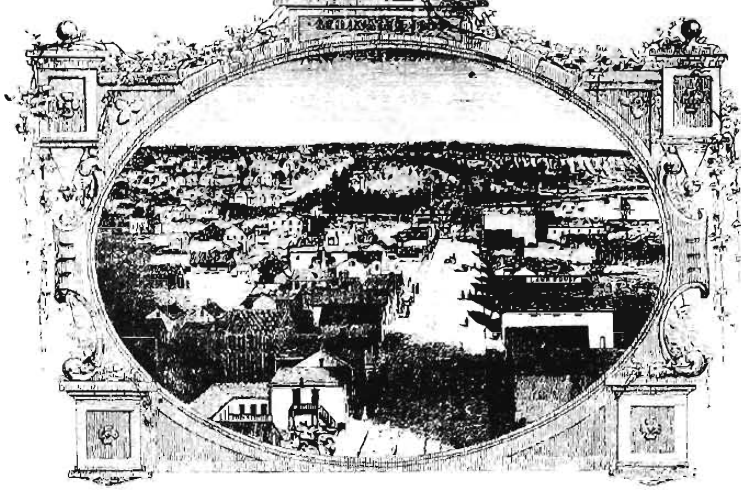
¹⁰ Here and below, see "Early Elections," 5:66, Folsom Papers; *Wisconsin Territorial Papers. County Series: St. Croix County, Proceedings of the County Board of Supervisors, October 5, 1840-April 2, 1849* (Madison: Wisconsin Historical Records Survey, March, 1941), 39.

¹¹ "Early Elections," 5:1, Folsom Papers.

¹² Folsom, *Fifty Years*, 104; of the 1,419 inhabitants of St. Croix County on the census date of June 1, 1846, there were 914 white males, 496 white females, 7 black males, and 2 black females. *Madison Express*, Aug. 11, 1846; Milo M. Quaife, ed., *The Convention of 1846* (*Wisconsin Historical Collections*, vol. 27, 1919), 320.

¹³ In December, 1838, Governor Henry Dodge of Wisconsin Territory, endorsing a petition by the territorial legislature, claimed that the northern boundary of Illinois, which had been admitted to statehood 20 years earlier, was slightly more than 61 miles too far north. According to the Northwest Ordinance, asserted the petitioners, Wisconsin's rightful southern boundary should be a line drawn due west from the southern end of Lake Michigan. Congress failed to act on Wisconsin's complaint, but the southern boundary issue subsequently aroused considerable political fervor in Wisconsin, which carried into the constitutional convention. See Reuben G. Thwaites, "The Boundaries of Wisconsin," *Collections of the State Historical Society of Wisconsin* (Madison, 1888), 11:496-501.

¹⁴ Quaife, *Convention of 1846*, 560.



STILLWATER, as it
appeared in 1856

Mississippi River would be a probable western boundary. Such a state would have provided maximum access to Lake Superior and the Mississippi and also have been appealing to lumbermen and merchants in an age dominated by water transportation. The nucleus of such a state would have been the St. Croix Valley with Stillwater or some place nearby as its capital. Some people thought Holcombe had yet grander schemes to include land west of the Mississippi and even Upper Michigan in Wisconsin's "sister state," which would be named Superior.¹⁵

Holcombe supported his proposal with reasoning that must have appeared logical to his supporters. Wisconsin was too large, he claimed, and was out of proportion to other states whose small size assured their region heavy representation in the Senate. He cautioned that Wisconsin should think of the advantages of a sister state to the northwest when its sectional needs were considered by Congress. Effective government, he asserted, should be close to the people. A "remote location" over 300 miles from Madison, Wisconsin's capital, he warned, "will continue to be as it has been a source of vexation and to a great degree destructive of the very end which a good government has in view. It would seem, therefore, to be unreasonable to include the Lake Superior country, simply to gratify a feeling of state pride, at the expense of the perpetual disadvantages and vexations that would unavoidably grow out of it." He strongly implied that not only would the people of the north be better off without Wisconsin, but Wisconsin would be better off without *them*. His one premise that proved to be convincing was that the proposed congressional line along the St. Croix was unacceptable because a divided valley tended to "alienate the interests of society, perplex the trade and business of the river, and retard the growth of the settlement."¹⁶

Holcombe insinuated that the people he represented had been maltreated. "If these things are to remain so," he debated, "what use is it to declare in our bill of rights that all government proceeds from the people? Has this proceeded from the people? No, Mr. Chairman. They of St. Croix never knew anything

about it; there was no consultation with them." The obvious redress according to Holcombe was to adjust the boundary to the preference of that distant minority, but the convention decided otherwise.

After persuading the select committee, Holcombe attempted to convince the convention to accept his boundary as an amendment to the one in the enabling act. But, when he submitted the committee's recommendation on November 12, vigorous opposition dismayed him. Several speakers thought the Trempealeau Island-Montreal River line might endanger the statehood bid in Congress, and others thought Wisconsin would simply lose too much land and too much of the Mississippi River. Only Moses M. Strong of Mineral Point spoke for Holcombe, because he thought the proposed line was "better" than the enabling act provision. Sensing a need to marshal further support, Holcombe withdrew his motion.¹⁷

When Holcombe tried again on November 27, his motion was defeated by a vote of 51 to 29. Strong, however, moved that the Holcombe boundary be submitted to Congress as the "preference of the state of Wisconsin." This tactic of accepting the enabling act boundary to avoid a clash with Congress, but offering another option as a "preference," had the immediate effect of confusing and temporarily disarming Holcombe's opponents. Consequently, Strong's motion

¹⁵ In his formal remarks to the convention, Holcombe never used the name "Superior," or, for that matter, any name for the area to be created to Wisconsin's northwest. However, there was a certain tradition that Superior was the name preferred by St. Croix separatists before and during the first constitutional convention. The name "Minnesota," originally spelled as "Minasota," was first used to describe the area northwest of Wisconsin in December, 1846. See Thwaites, "Boundaries of Wisconsin," 489; William H. C. Folsom, "History of Lumbering in the St. Croix Valley, with Biographic Sketches," *Minnesota Historical Collections* (St. Paul: MHS, 1901), 9:295; Folwell, *Minnesota* 1:234.

¹⁶ Here and two paragraphs below, see Quaife, *Convention of 1846*, 565-566.

¹⁷ Here and below, see Quaife, *Convention of 1846*, 444, 560, 581-582.

passed by a 49 to 38 vote, but the victory was short-lived, because the convention reversed itself after the question was reconsidered.

At the time of reconsideration it became evident that some delegates wholeheartedly accepted Holcombe's arguments. John H. Tweedy of Milwaukee, for example, argued that not only was the land coveted by Holcombe of no agricultural or mineral value to Wisconsin, but he also asked: "What . . . is the object of government? To cover territory, or to protect men?" Tweedy believed Wisconsin would be tyrannical if it spurned the expressed will of the people of the St. Croix.¹⁸

Even though he had some support, Holcombe must have been concerned about the general tenor of the boundary debates. An element in the convention including former territorial governor James D. Doty clamored for Wisconsin's rights to all that remained of the old Northwest Territory—rights they insisted were "fixed and established" by the Northwest Ordinance. These claimants of an utmost Wisconsin also concerned the dominant moderates who found the enabling act boundary acceptable. While the latter thought the expansionists were unreasonable, they apparently saw Holcombe as too radical in the other direction. Inclined to regard the enabling act line as a compromise, they consistently rejected both Holcombe and the fifth-state group.¹⁹

Whatever plans Holcombe had were dashed by the reconsideration of Strong's motion. Any future state northwest of Wisconsin would have to include land west of the Mississippi. But Holcombe persisted in his beliefs that the St. Croix Valley should not be divided by a state boundary following the river and that St. Croixans should be left out of Wisconsin. Therefore, only four days after his Trempealeau Island-Montreal River line was lost, he proposed as "the preference of the state of Wisconsin" a line from the international

boundary in the middle of Lake Superior opposite the mouth of the "Burnt Wood" (Bois Brule) River to the river's mouth and then on a direct course to the head of Lake Pepin in the Mississippi. Such a line, he pleaded, would not affect much territory, but would leave his constituents unified. Despite the seeming reasonableness of this proposal, the convention rejected it by a greater margin than it had the previous one. On the same day the convention also denied another fifth-state effort to claim all of the remaining Old Northwest for Wisconsin.

Holcombe evidently lobbied hard to convince delegates to leave at least the immediate St. Croix Valley outside of Wisconsin. On December 9, again relying on the "preference of Wisconsin" ploy, he moved for the approval of a line from the St. Louis River rapids to a point an unspecified number of miles east of the most easterly point of Lake St. Croix and from that spot to the head of Lake Pepin. Although the number of miles was actually left blank, the motion was approved by a 49 to 38 vote. Holcombe certainly had reached an understanding with delegates that his expectation would be modest, because the constitution as finally accepted designated the point as 15 miles east of the most easterly point of Lake St. Croix.²⁰

ALTHOUGH THIS PROVISION fell far short of Holcombe's original aspirations, he nonetheless salvaged a unified St. Croix Valley. The boundary change, however, would have to be accepted by Congress, and Wisconsin's voters would have to approve the constitution before the decision was final. The alteration proposed provoked little congressional discussion; Congress was willing to accommodate Wisconsin, since it was uncharacteristically requesting a reduction. On March 3, 1847, "An Act for the Admission of the State of Wisconsin," approving the boundary change and specifying that Wisconsin would be admitted to the union as soon as its voters approved the constitution, became law.²¹

In the meantime, Morgan Martin had proposed the organization of Minnesota Territory. He undoubtedly had a variety of motives, including the desire to see a politically organized domain and Indian land cessions to Wisconsin's west: and, he may have acted as a favor to his friend Joseph Brown—fellow fur trader and former colleague in the Wisconsin territorial legislature.²²

If Wisconsin voters had accepted the constitution as submitted to them in the April 6, 1847, election, the St. Croix Valley would have become part of the newly suggested Minnesota Territory. But the document was rejected by a vote of 20,231 to 14,116 following a long, emotional campaign. Newspapers stimulated public interest by ardently attacking or defending certain of the

¹⁸ Quaife, *Convention of 1846*, 582-583.

¹⁹ Here and below, see Quaife, *Convention of 1846*, 605-608.

²⁰ Quaife, *Convention of 1846*, 685, 732.

²¹ U.S., *Statutes at Large* 9:178. Despite the agreement on the northwestern boundary, many delegates were dissatisfied with the boundary provisions of the Wisconsin constitution. On December 10, 1846, a protest letter signed by 33 of them was sent to the president of the United States, contending that the state should encompass all the remaining area of the Northwest Territory and that all controversies concerning Wisconsin's northwestern, northeastern, and southern boundaries be referred to the Supreme Court of the United States for final settlement. Interestingly, Holcombe was one of the signatories; *Democrat* (Madison), Dec. 19, 1846.

²² Both Martin's proposal in 1847 to organize a territory and one by Senator Douglas in 1848 failed. Folwell, *Minnesota* 1:234-236.



MORGAN L.
MARTIN,
Wisconsin
territorial delegate

provisions therein, and former delegates to the constitutional convention exacerbated differences in vitriolic public debates. The storm over the constitution was caused, in particular, by two provisions: one would have granted property rights to married women, and the other would have forbidden the chartering of banks. Although the furor over these stipulations is difficult to understand today, it was in keeping with the times. Women's rights was a relatively new concept which sharply divided reformists and conservatives, and antibank sentiment was strong in frontier areas still smarting from ruinous speculation mania.²⁴

Although the northwestern boundary provision did not provoke statewide debate, it was an issue in certain areas. Principal opposition came from Crawford County. Rather than sympathizing with the separatist aims of the St. Croix people, important leaders in Prairie du Chien were distressed at the prospect of being left near the northwestern edge of Wisconsin, since the eastern and western sections were characterized by different political philosophies. The eastern part, dominated by New Englanders, was more receptive to change, while the western area still reflected the Southern conservative outlook of the old lead mining frontier. Thus, westerners saw any effort to limit them geographically and, ultimately, demographically as a step toward inevitable eastern dominance. This reasoning caused men such as Hercules L. Dousman, the famous Prairie du Chien fur trader, to champion Wisconsin expansion. He later wrote that "the People in this part of the Country voted against the *old* Constitution, mostly on account of the Northern boundary."²⁵

St. Croix County voters narrowly approved the constitution, 65 to 61, a turnout considerably smaller than that of the Holcombe-Bowron election.²⁶ Obviously, St. Croix County voters did not regard the election as solely a plebiscite on the boundary provision. They

were also concerned about the other controversial provisions that caused the rejection of the document. There is also the possibility that some voted against the constitution with the hope of winning an even larger share of Wisconsin in a subsequent constitutional convention. Actually, any acceptance margin was a significant accomplishment in a statewide perspective; St. Croix was only one of five counties out of a total of 25 whose voters favored the constitution. In all likelihood the voters of St. Croix County would have rejected the constitution had it not contained a somewhat favorable boundary provision. There was a pronounced strain of conservatism in the county, clearly indicated by the vote on the question of granting the suffrage to blacks, which was included on the ballot. This proposition was defeated by a vote of 126 to 1, the most decisive margin of all 25 counties.²⁶

AFTER THE ELECTION SETBACK, advocates of statehood took several months to reassess their position and win new converts. Not until October did a special session of the territorial legislature authorize a new election for delegates to a second constitutional convention. Striving to make the second convention more efficient than the first, legislators reduced the number of delegates to only 69, with St. Croix and neighboring La Pointe County named as a single district with one seat.²⁷

Holcombe may have wanted to serve again, but his political fortunes declined during 1847. By the time the first convention adjourned on December 16, 1846, Holcombe was one of the best-known men in the St. Croix Valley. During the campaign for constitutional

²⁴ Smith, *Wisconsin*, 664; for detailed particulars, see Milo M. Quaife, ed., *The Struggle over Ratification 1846-1847* (Wisconsin Historical Collections, vol. 28, 1920).

²⁵ William R. Marshall, "Reminiscences of Wisconsin—1842 to 1848," *Magazine of Western History* 7 (Jan., 1888): 249; Hercules Dousman to Henry Hastings Sibley, Jan. 28, 1848, Henry H. Sibley Papers, 1815-1891, MHS, microfilm copy in Memorial Library, Mankato State University, Mankato; Dousman to John H. Tweedy, Feb. 15, 1848, John Hubbard Tweedy Papers, SHSW.

²⁶ According to *Wisconsin Territorial Papers*. *Proceedings of the St. Croix County Commissioners*, 59, the returns for the five St. Croix County precincts were:

Precinct	No	Yes
St. Croix Falls	7	14
Marine Mills	10	8
Saint Paul	12	10
Lake St. Croix	9	8
Stillwater	23	25
	61	65

²⁷ Quaife, *Struggle over Ratification*, 698; Milo M. Quaife, ed., *The Attainment of Statehood* (Wisconsin Historical Collections, vol. 29, 1928), 191.

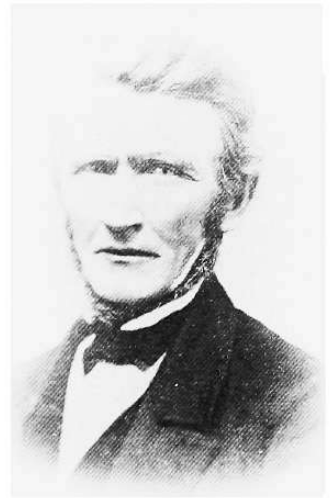
²⁸ Quaife, *Attainment of Statehood*, 1-5.

approval he was considered a possible rival of Henry H. Sibley, the area's leading fur trader, for the delegacy of the future Minnesota Territory. But St. Croix County voters decisively rejected Holcombe on September 6, 1847, when he stood for re-election as clerk of the county commissioners and register of deeds. William E. Watson won both positions by votes of 92 to 66 and 93 to 63, respectively. On the same ballot Holcombe was barely elected as one of Stillwater's justices of peace.²⁸

Most St. Croixans accepted Holcombe's boundary views, but they no longer thought he was the man to represent them, so they turned to George W. Brownell, who also stood for St. Croix separatism. Opposing Brownell was Holcombe's old foe Joseph Bowron. Brownell, who in 1846 had moved to the St. Croix Valley from Galena, where he had edited a newspaper and discovered some lead deposits, was a native of Florida, in Montgomery County of New York State. He was a wagonmaker in Syracuse before moving to Missouri about 1834 where he worked as a lead miner, geologist, and mineralogist. His achievements as a geologist brought him to the notice of some prominent Bostonians, including Caleb Cushing, Rufus Choate, and Robert Rantoul, Jr. Cushing, who was best known for negotiating the first commercial treaty between the United States and China in 1842, and his associates had organized the St. Croix and Lake Superior Mining Company in 1845. Their grand strategy included opening copper mines on the upper St. Croix and developing water power and timber resources at both St. Croix Falls and the Falls of St. Anthony. When Brownell arrived in the St. Croix Valley he was already associated with these Eastern capitalists. As company geologist, Brownell prospected for copper on the upper tributaries of the St. Croix River and also headed the firm's mining and land departments.²⁹

For reasons of their own, the Bostonians promoted St. Croix separatism. Like many residents of the St. Croix Valley, they did not share professions or outlooks with the people of southern Wisconsin. Thus, they naturally feared political domination by farmers, merchants, and lead miners. Eastern capitalists were

GEORGE W.
BROWNELL



hardly popular in a region so critical of the moneyed element that its constitutional convention delegates agreed to prohibit bank chartering. As developers, Cushing and his associates wanted a state government that would facilitate their claiming of copper, timber, and water-power sites. Then, too, there was the vital matter of state taxation. A government in Madison controlled by probable opponents would not be nearly so likely to grant tax concessions as one located in the St. Croix Valley. To what degree the Bostonians hoped to dominate a new St. Croix Valley-centered state is not clear, but there was a persistent belief in the valley that Cushing himself wanted to become governor of such a state. Since a new state held the promise of major financial gains, the Bostonians easily accepted the valley rhetoric about people controlling their own destiny. Such talk suggested the very essence of American democracy and disguised less lofty motives.

Until Brownell's election the aims of Cushing and his associates were not well known. There was no significant distrust or even suspicion of the Bostonians during the first constitutional convention, despite the possibility that Cushing and his partners had influenced the sixth-state movement in Congress during its consideration of the Wisconsin Enabling Act. Cushing had toured the Lake Superior-St. Croix Valley region in 1846 to examine company progress and prospects. He returned home by way of Madison, which he visited when the first constitutional convention was in session. It is quite likely that the purpose of his visit was to meet with Holcombe and lobby for St. Croix separatism.³⁰

Brownell defeated Bowron in the election of November 29, 1847, more decisively than had Holcombe. But, despite his victory of 137 to 90, Brownell, like Holcombe before him, was rejected by the majority of St. Paulites, who obviously did not want a capital in

²⁸ D[aniel] G. Fenton to Sibley, Mar. 17, 1847, Sibley Papers; *Wisconsin Territorial Papers . . . Proceedings of the St. Croix County Commissioners*, 67; Marshall, "Reminiscences of Wisconsin," 248; Quaife, *Attainment of Statehood*, 923; H[orace] A. Tenney and David Atwood, *Memorial Record of the Fathers of Wisconsin* (Madison: D. Atwood, 1880), 188.

²⁹ Alice E. Smith, "Caleb Cushing's Investments in the St. Croix Valley," *Wisconsin Magazine of History* 28 (Sept., 1944): 7-10; Alice Elizabeth Smith, *James Duane Doty: Frontier Promoter* (Madison: SHSW, 1954), 308; Marshall, "Reminiscences," 248; Folsom, *Fifty Years*, 104. On Cushing's interest in St. Anthony Falls, see Kane, *Falls of St. Anthony*, 16.

³⁰ Smith, "Caleb Cushing's Investments," 10.

the St. Croix Valley. Brownell's greatest margins were in the Stillwater area, but Bowron narrowly won St. Paul and the two precincts on the east side of the St. Croix River.³¹

HOPING to accomplish more than Holcombe, Brownell prepared to argue his case. His dramatic gesture of walking to Madison on snowshoes to emphasize the remoteness of the St. Croix Valley brought him some attention, but little else. When the convention opened on December 15, Brownell, probably at his own request, was named to the 15-member committee on general provisions, which included boundary matters.³²

But the nature of the northwestern boundary became an issue before the committee could act. On December 21, Daniel G. Fenton, a Prairie du Chien lawyer and court clerk representing Crawford and Chippewa counties, proposed the expansion of Wisconsin to the west of the enabling act boundary. Fenton resolved that Wisconsin would accept the enabling act line, but preferred one running from the foot of the rapids of the St. Louis River directly southwest to the mouth of the Rum River on the Mississippi (about 20 miles upstream from St. Paul) and then down the main channel to the Illinois state line.³³

Brownell never recovered from Fenton's bold initiative. When the general provisions committee endorsed the Rum River line only two days after it had been first suggested, Brownell's only recourse was to file a minority report. In the report, which he read on December 27, he reiterated all of Holcombe's familiar arguments about St. Croix isolation, the rights of people to govern themselves, and the advantages to Wisconsin of a sister state. He graciously acknowledged his predecessor by referring to his premises as the Holcombe Amendment.

Brownell was given another opportunity to defend his views when he offered the Trempealeau Island-Montreal River line as an amendment to the Rum River line. His assertion that the voters of St. Croix County favored the Trempealeau Island line was vigorously challenged. Fenton pointed out that the first constitution, which he insisted was a referendum on the boundary, was accepted in St. Croix County, although only narrowly.³⁴

Sensing the expansionist mood of the delegates, Fenton extolled the advantages of the Rum River line. It would, he contended, gain for Wisconsin an immense pine forest, which he pronounced to be "the best probably in the world." Wisconsin would also secure one side of the "splendid water power" at the Falls of St. Anthony as well as control of the ground through which a railroad connecting the heads of navigation of the Mississippi and the Great Lakes would be built.

Fenton's public utterances were attuned to the "best

interests of Wisconsin" theme, but he also had an ulterior motive. As an ally of the powerful Hercules Dousman, Fenton wanted to force the cession of Dakota Indian lands west of the Mississippi. As Fenton and Dousman reasoned, a Wisconsin boundary on the Rum River would create agitation for the new territory of Minnesota west of that line, which, in turn, would cause the negotiation of a major Dakota Indian cession. Such an Indian treaty would benefit Dousman, who was a major creditor of the Dakota, because the Indians would have capital after selling their lands.³⁵

The Brownell-Fenton debate on January 7 unleashed a wave of expansionist sentiment. Many speakers agreed with Fenton that Wisconsin should include the promising timber and copper-ore lands and the abundant water power of the upper country. As a group they were obviously more aware of the potential worth of the St. Croix Valley than the delegates to the first convention had been, and they were much more inclined to be acquisitive. Perhaps, because of the activities of Cushing's company and the direct link between Cushing and Brownell, the delegates had no patience with the latter's claim that the St. Croix Valley was "worthless" to Wisconsin.³⁶

During the polemics the Rum River line advocates came to look like moderates. The vocal fifth-state faction attempted to revive Wisconsin's "ancient rights" to all that remained of the old Northwest Territory. Some of their number even denounced the Webster-Ashburton Treaty of 1842 as an ill-advised relinquishment of American claims north of the present northern boundary of Minnesota. In their militancy they not only demanded a Wisconsin boundary to the international demarcation east of the Mississippi, but they wanted that international line adjusted northward. In response, Rum River supporters argued that there was a hazard

³¹ According to *Wisconsin Territorial Papers . . . Proceedings of the St. Croix County Commissioners*, 76, the complete returns for St. Croix County were:

Precinct	Bowron	Brownell
Willow River	7	4
Lake St. Croix	7	14
Stillwater	9	39
Saint Paul	41	40
Marine Mills	0	22
St. Croix Falls	26	18
	90	137

³² Smith, *Wisconsin*, 673; Quaife, *Attainment of Statehood*, 206.

³³ Here and below, see Quaife, *Attainment of Statehood*, 225, 241, 261, 902.

³⁴ Here and below, see Quaife, *Attainment of Statehood*, 455, 458.

³⁵ Fenton to Sibley, Dec. 24, 1847, Feb. 14, 1848, and Dousman to Sibley, Jan. 28, 1848, Sibley Papers.

³⁶ Here and two paragraphs below, see Quaife, *Attainment of Statehood*, 455-468, 475.

in asking for too much, because such a course of action would cause Congress to approve the enabling act line and nothing else.

After listening to the delegates Brownell certainly realized his amendment would fail. Nonetheless, he moved its acceptance on January 10. As soon as it was rejected by a 52 to 5 vote, Brownell proposed the Bois Brule River-Lake Pepin line as an amendment. Only Brownell and one other delegate voted for it; 53 opposed it. Later in the day, Brownell voted against the Fenton resolution, but it was included in the constitution by an overwhelming margin of 53 to 3.

The expansionists must have prided themselves on their masterful ploy. Not only would the Rum River line gain Wisconsin valuable resources, but it would, ironically, fulfill the St. Croix contention that the valley should not be divided. Wisconsin would have all of it and yet more. The delegates realized that Congress would determine the final boundary, so when the constitution and accompanying documents were sent to Washington it was clearly stated that Wisconsin accepted the boundaries prescribed in the Enabling Act of 1846, but was proposing the Rum River line as the "preference of the State of Wisconsin."³⁷

After St. Croixans were spurned in Madison they appealed to Congress. Brownell and Holcombe both wrote to John Tweedy, who had succeeded Martin as Wisconsin's territorial delegate, urging him to assist their cause. As they well knew, Tweedy, as delegate to the first constitutional convention, had been sympathetic to Holcombe's pleas. Brownell insisted that "the interests of the people of the St. Croix should be regarded as well as a mere feeling of pride of territory on the part of the new state," and he warned Tweedy: "You will doubtless receive a petition from our people setting forth their remonstrance" to the boundary proposal. Holcombe believed that Tweedy should make a full explanation to Congress "as an act of Justice to this county."³⁸

Even as Brownell and Holcombe wrote, the promised petition, which had been drafted by William R. Marshall and made public at a meeting held in St. Paul

on January 24, 1848, was being circulated. Henry Sibley, a likely candidate for the delegacy of a new territory to be formed northwest of Wisconsin, actively solicited signatures despite efforts by Dousman and Fenton to persuade him that the Rum River line would benefit all traders—including himself.³⁹

THE PETITION was signed by about 350 men, described as residents within the limits of Minnesota Territory, who objected to the Rum River line and offered a substitute, running from Chequamegon Bay on Lake Superior due south to the Chippewa River and then down it to the Mississippi River. The "Chippewa River boundary," as it came to be called, would have run from present-day Ashland to just east of Chippewa Falls. They pointed out the geographic and economic identity of the upper Mississippi, St. Croix, and Chippewa River areas, and argued that the proposed Rum River line would make Minnesota's outlook "forlorn indeed." Appealing to the sympathies of Congress, the signers stated they had "full confidence that your honorable bodies will consult the wishes of those who are most interested in the solution of this question, and will not do so much violence to the feelings of the people of this region as to place them within the limits of Wisconsin, in utter disregard of their prayers and remonstrances."⁴⁰

The extent of Tweedy's assistance was to present the Minnesota petition to the House of Representatives. Despite his earlier support for St. Croix separatism, Tweedy was squarely caught between the proponents and critics of the Rum River line. Dousman assured Tweedy that the "only objection to this boundary, comes from the Speculators & office seekers on the immediate bank of Mississippi River above the Mouth of the St. Croix;—they want & expect the seat of Government of the contemplated new Territory to go there, & almost every other man has a Town plat laid out & ready prepared for the Capitol." He also noted that many of the petitioners were "Half Breeds & Canadians," and stressed the importance of St. Anthony Falls to Wisconsin, the acquisition of which would curtail the plans of the Boston company which was said to "have laid out a large City," intended to be the capital of the Northwest.⁴¹

The circulation of the Minnesota petition created some excitement in the St. Croix country before the March 13, 1848, vote on the second Wisconsin constitution. In Wisconsin as a whole the document was not nearly as controversial as the first one had been. It did not include any reference to married women's property rights and remanded the matter of chartering banks to a special election. Wisconsinites approved the constitution by the overwhelming margin of 16,759 to 6,384. The estrangement and bitterness in St. Croix County

³⁷ Quaife, *Attainment of Statehood*, 475, 888; 30th Cong., 1st sess., *House Executive Documents*, no. 55, p. 5-6 (serial 518).

³⁸ Here and below, see Brownell to Tweedy, Jan. 31, 1848, and Holcombe to Tweedy, Feb. 10, 1848, Tweedy Papers.

³⁹ *Wisconsin Herald* (Lancaster), Feb. 26, 1848; Dousman to Sibley, Jan. 28, 1848, John McKusick to Sibley, Feb. 2, 1848, Fenton to Sibley, Feb. 14, 1848, Sibley Papers; Return I. Holcombe, *Early History—Minnesota as a Territory*, 347, vol. 2 of Lucius F. Hubbard et al., *Minnesota in Three Centuries* (New York: Publishing Society of Minn., 1908).

⁴⁰ 30th Cong., 1st sess., *Senate Miscellaneous Documents*, no. 98, p. 1-2 (serial 511).

⁴¹ Dousman to Tweedy, Feb. 15, 1848, Tweedy Papers.

were shown by its vote, 277 to 17, against acceptance.⁴²

The St. Croix County vote reflected none of the ambivalence of the first constitutional election. It was clearly a mandate on the boundary question and was the largest vote recorded in the county to that time. The unprecedented returns were caused by the agitation of the petitioners and by the creation of new precincts at Snake River and Rice River to augment the previous ones of Stillwater, St. Croix Falls, Marine Mills, St. Paul, Lake St. Croix, and Willow River. While the vote was no factor in the outcome, it did bolster St. Croix unity and the determination of its leaders to fight for their cause in Washington.

Brownell and ostensibly Cushing tried a direct appeal to Congress. Brownell evidently went to the nation's capital where he prepared an elaboration of Minnesota's boundary grievance. The seven-page document, which was printed at the office of the *Congressional Globe*, included the verbatim text of Brownell's and Holcombe's minority reports to the Wisconsin constitutional conventions in addition to a preface by Brownell. Its title, "Boundaries of Wisconsin," belied its contents, which were in keeping with the subtitle, "Reasons Why the Boundaries of Wisconsin, as Reported by the Committee for the Admission of that Territory into the Union as a State, Should Not Be Adopted."⁴³

The Minnesota protest provoked a long, sometimes acerbic debate in the House over Wisconsin's northwestern boundary. Minnesota's chief spokesman was Representative Robert Smith of Alton, Illinois. He proposed a boundary yet more restrictive on Wisconsin than that requested by the petitioners and quite close to Holcombe's original motion. Smith, with support from several colleagues, manfully argued for minority rights and local self-determination. He knew some of the men in the St. Croix area and found them to be energetic, intelligent, and resourceful, he reported, and a desirable nucleus for a new state. Smith's concern for frontier democracy was inspired perhaps by his own self-interest; soon thereafter he was reported to be a part owner of the St. Paul steamboat landing.⁴⁴

Rather than reject the constitution because of the boundary question and again refer the matter to Wisconsin, most congressmen accepted Tweedy's reasoning that a compact had been concluded between Congress and the state of Wisconsin, because Congress had made a specific boundary offer in the enabling act and Wisconsin had accepted it. So, ignoring the preference for the Rum River line, Congress admitted Wisconsin on May 29, 1848, with the boundaries specified in the en-

abling act.⁴⁵ Thus, in less than two years the question of Wisconsin's northwestern boundary had come full circle. But the short-lived, contentious drive to form a Minnesota-Wisconsin boundary that in any of its extreme forms would have drastically altered the future history of both states affected not only St. Croixans, but St. Paulites, Wisconsin expansionists, New England capitalists, and congressional sentiments as well.

Although St. Croixans of the Holcombe-Brownell persuasion seethed about the "injustice" done to them by the admission of Wisconsin with a St. Croix boundary, they recognized that they had to become primarily concerned with organizing Minnesota. This was accomplished quickly, and as of March 3, 1849, there was a Minnesota Territory with an eastern boundary on the St. Croix.⁴⁶

And what of those who had long wanted an undivided valley? About a year after the formation of the territory, at a time when the boundary should have been regarded as settled, James Madison Goodhue, the fiery editor of the *Minnesota Pioneer*, railed "What may not tyrannical majorities do, if they will? Here now, is the whole valley of the Saint Croix, without an interest or an affinity for Wisconsin . . . yoked to Wisconsin by the potent will of the Convention. All this was done, against the consent and eloquent remonstrances of the delegates from St. Croix." Perhaps there was a legal solution, thought Goodhue, but "As for us, in Minnesota, who have been carried up into Father Abraham's bosom, we can only look down with compassion upon our neighbors across the great gulf of the Saint Croix and pray for their safe deliverance."⁴⁷

⁴² Smith, *Wisconsin*, 669, 676; *Wisconsin Territorial Papers*. *Proceedings of the St. Croix County Commissioners*, 88.

⁴³ A copy of the pamphlet, printed April 20, 1848, is in the MHS library.

⁴⁴ *Congressional Globe*, 30th Cong., 1st sess., 1850, p. 505, 742, 752, 763; 30th Cong., 1st sess., *House Journal*, 594 (serial 513); *Minnesota Pioneer* (St. Paul), Feb. 13, 1850.

⁴⁵ Tweedy to Sibley, Mar. 3, 1848, Sibley Papers; U.S., *Statutes at Large* 9:233.

⁴⁶ On the formation of Minnesota Territory, see Folwell, *Minnesota* 1:241-246 and Robert M. Brown, "Office of Delegate for Minnesota Territory 1848-1858," 21-24, Master's thesis, University of Minnesota, 1942.

⁴⁷ *Minnesota Pioneer*, Mar. 6, 1850.

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