

# The BIRTH of MINNESOTA

WILLIAM E. LASS

*A. L. Doubsman*

*I remain sincerely your friend  
J. D. Doty*

*H. Sibley*

*Your friend & Oct. Secy.  
David Lambert*

*Yours Respectfully,  
Henry M. Rice.*

Stillwater is known as the birthplace of Minnesota, primarily because on August 26, 1848, invited delegates to the Stillwater Convention chose veteran fur trader Henry Hastings Sibley to press Minnesota's case for territorial status in Congress. About a week and a half after the convention, however, many of its members were converted to the novel premise that their area was not really Minnesota but was instead still Wisconsin Territory, existing in residual form after the State of Wisconsin had been admitted to the union in May. In a classic case of desperate times provoking bizarre ideas, they concluded that John Catlin of Madison, the last secretary of the territory, had succeeded to the vacant territorial governorship and had the authority to call for the

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election of a delegate to Congress. As a willing, if not eager, participant in the scheme, Catlin journeyed to Stillwater and issued an election proclamation. Then, on October 30, the so-called Wisconsin Territory voters, who really thought of themselves as Minnesotans, duly selected Sibley as their delegate.

It might seem that this intriguing incident in the history of Minnesota's political birth would be well researched and documented. Such is not the case, however. Historical writing on the subject has been fraught with errors, assumptions, inadequate research, and faulty conclusions. New evidence clarifies events and provides a fresh perspective on Minnesota's political origin.<sup>1</sup>

The birth of Minnesota proved to be a preview of territorial politics. Sibley's nonpartisan stance and rivalry with Henry Mower Rice were important themes throughout the 1850s. Likewise, the strong competition between St. Paul and Stillwater presaged continued squabbling and the siting of two major territorial prizes: the capital and the penitentiary. Furthermore, even though Minnesota seemed remote from Washington, D.C., national politics cast a long shadow. Catlin, Rice, and Sibley all understood the patronage benefits they would reap, pending the outcome of the presidential election of 1848. This linkage of national and regional developments later assured that much in Minnesota would be determined by politics as usual.

The Stillwater Convention was not the first event to coalesce political activity in the

Stillwater–St. Paul area. The politics of 1848–49 related to the earlier dispute over Wisconsin's northwestern boundary. Minnesota had sought an identity distinct from Wisconsin beginning with the formation of St. Croix County in 1840. That vast entity, which originally encompassed all of present-day Minnesota east of the Mississippi River and south of the Canadian boundary, provided St. Croixans an opportunity to pursue their own brand of popular sovereignty. From August 1846 to May 1848, when Wisconsin was going through its statehood-admission process, residents of the Stillwater–St. Paul area clearly showed that, despite residing in Wisconsin Territory, they did not want to be

<sup>1</sup> Standard histories that cover the Stillwater Convention and related events include Theodore C. Blegen, *Minnesota: A History of the State* (Minneapolis: University of Minnesota Press, 1963); William W. Folwell, *A History of Minnesota* (rev. ed., St. Paul: Minnesota Historical Society, 1956), vol. 1; Edward D. Neill, *The History of Minnesota: From the Earliest French Explorations to the Present Time* (rev. ed., Minneapolis: Minnesota Historical Co., 1882).

Holcombe's Proposed Boundary

First Constitutional Convention Boundary

Second Constitutional Convention Boundary



included in the state. During both of Wisconsin's constitutional conventions Stillwater was the hotbed of St. Croix separatism. William Holcombe, a lumber-company agent and St. Croix County's lone delegate to the first constitutional convention, initially attempted to have the northwestern one-sixth of present-day Wisconsin excluded from the state. He obviously wanted that area to become part of another state, which would extend westward to the Mississippi and be centered in the St. Croix Valley with Stillwater as its likely capital.<sup>2</sup>

The delegates overwhelmingly rejected Holcombe's extreme position, but they agreed with his premise that the St. Croix Valley should be united rather than divided. They stipulated that Wisconsin's northwestern boundary should run southward from the rapids of the St. Louis River near Lake Superior to the head of Lake Pepin by way of a point 15 miles east of the easternmost position of Lake St. Croix. The rejection of the constitution by Wisconsin's voters, however, barred the establishment of this boundary.

Holcombe never gave a name to the area he wanted excluded from Wisconsin, but on December 23, 1846, only a week after the constitutional convention adjourned, Morgan Martin, Wisconsin's territorial delegate to Congress, proposed the creation of Minnesota Territory. Martin, closely associated with Wisconsin fur traders including the influential Hercules L. Dousman of Prairie du Chien, apparently believed that a new territory on Wisconsin's western flank would hasten a major land cession by the Dakota Indians, who consequently would be able to pay off their debts to traders such as Dousman. Although sparse population in the Minnesota area doomed Martin's bill—the legal minimum for territorial states was 5,000 residents—it nonetheless caused further political stirrings.

Holcombe's grandest boundary proposal was vigorously revived in the second constitutional convention by his successor George W. Brownell. To his dismay, the convention was dominated by expansionists who wanted Wisconsin to be extended northwestward to a line running from the mouth of the Rum River to a point near present-day Duluth. Such a boundary, which was duly approved as the preference of the convention, would have placed Stillwater,

St. Paul, and the prized Falls of St. Anthony within the State of Wisconsin. Its acceptance by the convention in January 1848 unleashed a storm of resentment from settlers living west of the St. Croix River.

The two-to-three thousand nascent Minnesotans generally agreed that they wanted to be excluded from Wisconsin, but the precise nature of the exclusion caused political infighting between the two main communities—Stillwater and St. Paul.

The Holcombe-Brownell adherents, whose greatest strength was in Stillwater and nearby settlements on the west side of the St. Croix, wanted a new state centered on the river, which would enhance Stillwater's capital prospects. St. Paulites generally preferred the river as Wisconsin's northwestern boundary, which would make their city, because of its more interior position, a more logical capital. This rivalry showed clearly in the election of delegates to Wisconsin's constitutional conventions. On both occasions the candidates of St. Croix separatists were Stillwater men opposed by Joseph Bowron of St. Croix Falls on the east side of the river, who favored a state boundary following the river. St. Paulites supported Bowron.<sup>3</sup>

Despite their disagreement on the eastern boundary of the future Minnesota, residents of Stillwater and St. Paul united to face the seemingly terrible fate of being swallowed up by Wisconsin. After the second Wisconsin constitutional convention asked Congress to approve the Rum River line, Minnesotans petitioned to organize Minnesota Territory in order to curtail Wisconsin's ambitions. Partly because of their protest, Wisconsin was limited by a boundary following the St. Croix River, but the effort to organize Minnesota Territory in 1848 failed for lack of population. Thus, with the admission of



*William  
Holcombe,  
about  
1859*

<sup>2</sup> Here and three paragraphs below, William E. Lass, "Minnesota's Separation from Wisconsin: Boundary Making on the Upper Mississippi Frontier," *Minnesota History* 50 (Winter 1987): 309–20.

<sup>3</sup> On Bowron, see W. H. C. Folsom, *Fifty Years in the Northwest* ([St. Paul]: Pioneer Press Co., 1888), 163.



Henry  
Hastings  
Sibley, from  
an 1849  
portrait

Wisconsin as a state on May 29, 1848, the residents west of the St. Croix, who the day before had lived in Wisconsin Territory but who preferred to be called Minnesotans, were left in a political no-man's land. Because their legal status was unclear, they feared that local officers, including justices of the peace, lacked authority and, therefore, that all civil transactions, such as contracts requiring notarization, could not proceed.<sup>4</sup>

The threat of being included within Wisconsin followed by the crisis precipitated by being excluded from it without Minnesota territorial status created political turmoil and offered opportunities for the politically ambitious. During the circulation of petitions denouncing the Rum River line, Henry Hastings Sibley became more active in his quest to be elected congressional delegate from the future Minnesota Territory. As the factor of the area's largest fur-trading company since 1834, he was widely recognized as one of the leading businessmen in the Upper Mississippi region.<sup>5</sup>

Sibley had expressed an interest in politics soon after the first call for the organization of Minnesota Territory. In early 1847 he attempted to gauge his acceptability as a territorial delegate by soliciting opinions from likely backers. John McKusick, a prominent Stillwater lumberman, responded that he would support Sibley but cautioned, "Since the thing is a little way off, I believe it good policy, to not agitate such a question too long before the time." Daniel G. Fenton, a Prairie du Chien lawyer and Sibley

confidant, assured him that if there was a convention to select a delegate, he would be chosen. Sibley's and Fenton's scheming included an assessment of the likely opposition. Regarding William Holcombe, popular because of his role in Wisconsin's first constitutional convention, Fenton judged, "Capt. Holcombe will not run against you. He is too *innocent* a man, but if he should run he is a used up man."<sup>6</sup>

Apparently following McKusick's advice, Sibley did not move prematurely. He was, however, one of the leaders in protesting the Rum River line. Sibley seized on this popular issue with the apparent aim of closely identifying himself with those who opposed inclusion within Wisconsin. In this, he contradicted both Fenton, who as a member of the second constitutional convention had championed the Rum River line, and Sibley's longtime fur-trade partner Hercules Dousman, a zealous Wisconsin expansionist. In a blunt letter, Dousman accused Sibley of being short-sighted and acting detrimentally to fur-trade interests. Dousman also wondered if Sibley was thinking clearly. A Rum River line would actually be to Sibley's advantage, he reasoned, because it would assure that the capital of the new territory would be placed west of the Mississippi, where Sibley's Mendota home was located in what had been Iowa Territory.<sup>7</sup> Despite Dousman's condemnation, Sibley obviously thought he had to support the goal of his potential constituents.

Concern for their legal status after Wisconsin entered the Union led some St. Croixans to question whether they could be arbitrarily stripped of their status as Wisconsin Territory residents. The origin of what historian William Watts Folwell called the "benign fiction" that there could be both a state and a territory of Wisconsin has been a mystery. Edward D. Neill, author of the first general history of Minnesota, credited John Catlin, the territorial secretary, with the idea, and Folwell, too, stated that the

<sup>4</sup> Lass, "Minnesota's Separation from Wisconsin," 319–20.

<sup>5</sup> John McKusick to Sibley, Feb. 2, 1848, Henry H. Sibley Papers, microfilm edition, Minnesota Historical Society, R[oll] 4, F[rame] 694. For details of Sibley's business career, see Rhoda R. Gilman, "Last Days of the Upper Mississippi Fur Trade," *Minnesota History* 42 (Winter 1970):122–40; Erling T. Jorstad, "The Life of Henry Hastings Sibley," (Ph. D. diss., University of Wisconsin, 1957), 1–203.

<sup>6</sup> Fenton to Sibley, Mar. 17, 1847, and McKusick to Sibley, Apr. 22, 1847, both Sibley Papers, R4, F502, 523; Lass, "Minnesota's Separation from Wisconsin," 317–19.

<sup>7</sup> Lass, "Minnesota's Separation from Wisconsin," 317–19; Dousman to Sibley, Jan. 28, 1848, Sibley Papers, R4, F685.

scheme was “fathered by Catlin.” As to the very first person to have the idea, Folwell speculated, “The fertile intellect of Joseph R. Brown was quite capable of the feat,” but “no record of his initiative has been discovered.”<sup>8</sup>

There is, however, absolutely no proof that Brown and Catlin conceived the notion. New-found evidence indicates that Holcombe was the first person to write about the possible continuing existence of Wisconsin Territory. More than a month before Wisconsin’s statehood, Holcombe wrote to John Hubbard Tweedy, Wisconsin’s territorial delegate, “The question has been seriously considered here, whether we do not still remain under the Territorial Government of Wisconsin after the State [of] Wisconsin shall be admitted into the union.”<sup>9</sup> Holcombe’s wording suggests that the idea of a coexisting state and territory originated in the St. Croix Valley and was a common topic.

Tweedy, a Milwaukee Whig, never endorsed Holcombe’s notion, but Catlin, a Democrat, was instrumental in attempting to resolve Holcombe’s concern about the apparently governmentless area west of the St. Croix. Holcombe, as clerk of the St. Croix County Board of Commissioners, was openly worried about the legal status of county officials and pending court cases. In June, Catlin, perhaps inspired by sentiment from St. Croix County, informed the state’s new Democratic U.S. Senator, Henry Dodge, that Madison’s legal profession as well as legislators and people from various parts of the state believed Wisconsin Territory still existed. Catlin asked Dodge to obtain an opinion from the U.S. State Department. When Dodge approached Secretary of State James Buchanan, he also presented a letter on the same subject from David Irvin, who had been a Wisconsin territorial judge and who, like Catlin, was a friend and Democratic Party cohort.<sup>10</sup>

Buchanan responded that the territorial laws were “still in force over the territory not embraced within the limits of the State,”

because Congress had certainly not “intended to deprive the citizens of the United States, beyond its limits, of the protection of existing laws.” Local officials outside of the state, Buchanan wrote, obviously retained their positions, but on the vital question of the general territorial officers such as governor and secretary, he offered only “no opinion.” Finding this answer unacceptable, Catlin merely ignored it and assumed the position of acting governor of Wisconsin Territory. Irvin, however, was so offended by Buchanan’s reasoning that he upbraided him. “It is equally clear,” he contended, “that the general offices remain in official existence with the government, and go with it where ever it may be formed.”<sup>11</sup>

Meanwhile, some leading residents of St. Paul and Stillwater were considering the grave effects of the recent divorce from Wisconsin. Sibley recalled that merchant Henry Jackson hosted a meeting in his St. Paul store to consider some political action. The St. Paulites evidently turned to Sibley to represent their views. During their conversations Sibley and his supporters recognized the need to act in unison with Stillwater. Subsequently, St. Paulites and Sibley initiated an August 4 meeting in Stillwater. Despite Holcombe’s considerable interest, Stillwater was politically comatose. The community grandly celebrated Independence Day with a parade, patriotic oratory, and a picnic—with-

*The  
influential  
Hercules L.  
Dousman*



<sup>8</sup> Folwell, *Minnesota*, 1:238; Neill, *Minnesota*, 491–92.

<sup>9</sup> Holcombe to Tweedy, Apr. 28, 1848, John Hubbard Tweedy Papers, State Historical Society of Wisconsin, Madison.

<sup>10</sup> Holcombe to Tweedy, Mar. 4, 1848, Tweedy Papers; Catlin to Dodge, June 28, 1848, in John Porter Bloom, comp. and ed., *The Territorial Papers of the United States*, vol. 28, *The Territory of Wisconsin 1839–1848* (Washington: National Archives and Records Service, 1975), 1168; Dodge to Catlin, July 20, 1848, John Catlin Papers, State Historical Society of Wisconsin.

<sup>11</sup> Buchanan to Dodge, July 18, 1848, quoted in Dodge to Catlin, July 20, 1848, Catlin Papers, also published in *The Works of James Buchanan*, ed. John B. Moore (1908; reprint, New York: Antiquarian Press, 1960), 8:126; draft of Irvin to Buchanan, Aug. 24, 1848, Catlin Papers, also published in Bloom, *Territory of Wisconsin*, 1169–72.

<sup>12</sup> H. H. Sibley, “Reminiscences: Historical and Personal,” *Collections of the Minnesota Historical Society*, vol. 1 (St. Paul, 1902), 395; *Prairie du Chien Patriot*, July 16, 1848.

out any consideration of current politics.<sup>12</sup>

The only surviving record of the August 4 conference is its call for a convention to be held at Stillwater on August 26 for the purpose of considering “an early territorial organization.” Perhaps those at the first meeting intended to take some more definitive action but decided against it because of the small turnout. Only 18 men, including Sibley, his brother-in-law Franklin Steele, Holcombe, and Joseph R. Brown, a close friend of Sibley’s and the early political leader of St. Croix County, signed the notice calling for the Stillwater Convention.<sup>13</sup>

Traditionally, historians have claimed that 61 men participated by invitation in the Stillwater Convention. Indeed, the minutes stated that the memorial sent to President James K. Polk was signed on August 26 “by all the delegates to the convention, amounting to sixty-one signatures.” While 61 men signed the memorial, that does not prove there were 61 delegates. The petition and proceedings were not written until after the convention, providing ample opportunity to garner post-adjournment signatures. On August 28 David Lambert, one of the convention secretaries, sent Sibley the Polk memorial “with the original signatures” and promised to send “a copy of the proceedings of the Convention as soon as I can procure the signatures of all the officers.” Furthermore, three of the convention’s committee members—Levi Hurtzell, Franklin Steele, and Orange Walker—did not sign the petition, which clearly indicates that the convention participants and the petitioners were not entirely the same. Lambert’s letter also casts doubt on the delegates’ statement that the memorial was signed the day of the convention. Shortly after the meeting, Henry Mower Rice, who was monitoring it *in absentia*, claimed that only 38 men attended, and years later Henry L. Moss, a member of the convention, estimated that more than 100 had participated.<sup>14</sup>

Whatever their number, the members of the Stillwater Convention styled themselves “delegates,” leaving the impression that they had

been elected. Samuel Burkleo of Stillwater was chosen convention president and, probably to avoid friction between St. Paul and Stillwater delegates, two secretaries—William Holcombe and David Lambert—were chosen. Lambert, a lawyer in his late twenties, had moved to St. Paul from Madison about two months earlier. In Madison he had been a newspaper editor and a friend of major Democratic politicians including Henry Dodge and John Catlin. In requesting that Sibley, as a personal favor, introduce Lambert to Minnesotans, Dodge described him as “a gentleman of talents.”<sup>15</sup> Lambert struck up an immediate and close friendship with Sibley and by the time of the Stillwater Convention was one of the aspiring delegate’s most trusted aides.

Joseph R. Brown dominated the convention with a flurry of motions and chaired the committee that drafted the memorial to Polk. He had a hand in all of the convention’s major actions including the unanimous election of Sibley as delegate. Describing themselves as “citizens of the territory north of the north-western boundary of Wisconsin, and of the northern boundary of Iowa,” the delegates urged President Polk to recommend to Congress “the early organization of the Territory of Minnesota.”<sup>16</sup>

The Stillwater Convention was conducted on the premise that the delegates were from the area of Minnesota and were choosing Sibley as their spokesman. If, as Holcombe had written to Tweedy in April, St. Croix Valley residents were discussing the coexistence of Wisconsin as a state and a territory, then some of the Stillwater Convention delegates must have been aware of that contention. They did not necessarily know that Holcombe had solicited an opinion from outside the valley.

While Holcombe was obviously intrigued about the possibility of a continuing Wisconsin Territory, he was not in a position to suggest it at the August meeting because he lacked credible authority. His degree of awareness of Catlin’s scheming is not known. There are no

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<sup>13</sup> Copy of notice in Sibley Papers, R5, F74. It was later published in “Organization of Minnesota Territory,” *Collections of the Minnesota Historical Society*, 1:35.

<sup>14</sup> Lambert to Sibley, Aug. 28, 1848, and manuscript copy of petition and convention minutes, both Sibley Papers, R5, F72, 74–80; Rice to Hercules Dousman, Sept. [?], 1848, Green Bay and Prairie du Chien Papers, State Historical Society of Wisconsin; Henry L. Moss, “Last Days of Wisconsin Territory and Early Days of Minnesota Territory,” *Collections of the Minnesota Historical Society*, vol. 8 (St. Paul, 1898), 76. The minutes were published in the *Prairie du Chien Patriot*, Sept. 13, 1848, and the *Annals of the Minnesota Historical Society* in 1851. They were reprinted and the petition was published, with punctuation changes and rearrangement of names of signers, in “Organization of Minnesota Territory,” 35–40.

<sup>15</sup> Dodge to Sibley, June 8, 1848, Sibley Papers, R5, F7.

<sup>16</sup> “Organization of Minnesota Territory,” 39–40.

extant communications between the two before the August meeting, but it is noteworthy that when Catlin reached his conclusion that Wisconsin Territory still existed, it was Holcombe that he notified.

Holcombe never declared himself a candidate for the delegacy, but his actions suggest he had such ambitions. He was clearly anti-Sibley and was quite bitter about the convention, which he saw as a Sibley power play. About a week and a half later he wrote to Catlin:

Mr. Sibley seems to have been anxious for some time to procure Ter[ritorial] organization and is willing to undertake his office at his own expense & to procure his appointment, got up the convention without intimating in the notice that a Delegate was to be elected or appointed. . . . It is very evident the whole plan was concocted before he crossed the Mississippi river as he brought about 30 Frenchmen who are entirely under his controul [*sic*] . . . by which means got himself appointed.<sup>17</sup>

Holcombe certainly recognized that Sibley had outmaneuvered him. Living in Mendota at the junction of the Mississippi and Minnesota Rivers, Sibley was not a resident of the old Wisconsin Territory and consequently was regarded by some in the St. Croix region as an outsider.<sup>18</sup> Sibley evidently felt this estrangement when he first aspired to the delegacy, which probably accounts for his effort to enlist the aid of Stillwater's John McKusick. To further his political career, Sibley needed support in both St. Paul and Stillwater. Holding the convention in Stillwater indicated his determination to assert his political ascendancy on enemy ground.

**T**he Stillwater Convention strategy was derailed when Holcombe received Catlin's letter proclaiming the existence of Wisconsin Territory. This letter, first published by the Minnesota Historical Society in 1851, has long been a source of confusion because the publisher erroneously stated that it had been read at a Stillwater meeting on August 5, which by convoluted reckoning had somehow occurred before

the August 4 assembly. Historian Neill also concluded that the Stillwater Convention delegates were aware of Catlin's pronouncement. Newly found correspondence in the Catlin papers at the State Historical Society of Wisconsin proves that Holcombe did not receive the letter, written in Madison on August 22 and hand carried by Joseph Bowron, until September 5—well after the convention had adjourned.<sup>19</sup>

In this missive, accompanied by a copy of Buchanan's opinion, Catlin informed Holcombe that since Wisconsin Territory still existed west of the St. Croix, all general territorial officers had retained their positions. He, as acting governor, was prepared to issue a proclamation calling for an election to choose a territorial delegate. Before he could do this, Catlin wrote, the citizens of Wisconsin Territory would have to request his assistance and ask for the resignation of Tweedy, the old Wisconsin Territory's delegate, who still held the position. Catlin assured Holcombe that this plan would work because "if a delegate was elected by color of law, Congress never would inquire into the

*Daguerreotype of John and Clarissa Catlin,  
about 1842*



<sup>17</sup> Holcombe to Catlin, Sept. 6, 1848, Catlin Papers.

<sup>18</sup> Jacob Fisher to Sibley, Sept. 24, 1848, Sibley Papers, R5, F110–11.

<sup>19</sup> "Organization of Minnesota Territory," 33, 35; Neill, *Minnesota*, 491–92; Holcombe to Catlin, Sept. 6, 1848, Catlin Papers.

<sup>20</sup> "Organization of Minnesota Territory," 33–34.

legality of the election.”<sup>20</sup>

Although he recognized that Catlin’s and Buchanan’s opinions gave him an opportunity to challenge Sibley’s selection, Holcombe conferred with Lambert before acting. Sibley’s friend happened to be passing through Stillwater on September 5 on his way back to St. Paul. Lambert told Holcombe to convene a public meeting to consider Catlin’s proposals.<sup>21</sup>

Within a matter of hours Holcombe assembled some Stillwaterites. He read and explained the Catlin and Buchanan opinions, which the men accepted without reservations. Acting quickly, they passed a motion asserting the right of “the citizens of this Terri. thus cut off by the admission of the said state of Wis.” to be represented by “a Delegate of their choice.” Further, they resolved that Tweedy be requested to resign as delegate and that Catlin issue the proclamation for a special election “at as early a day as possible.”<sup>22</sup>

Hastening to St. Paul with copies of the Catlin and Buchanan letters, Lambert managed to convene a meeting involving Sibley on September 6. He and Sibley dominated the committee charged with drafting resolutions. While their actions were like those taken at Stillwater, the St. Paulites made one important distinction. Recognizing that Wisconsin Territory still existed, they agreed “that it is the sense of this meeting that no measures should be taken to procure the passage of an act for the separate government of Wisconsin, but that every means should be used to effect a full and complete organization of the Territory of Minnesota.”<sup>23</sup>

Did the St. Paulites fear domination by Catlin and his Wisconsin crowd? Quite possibly, yes. Lambert was undoubtedly aware that Catlin would have preferred a continuing Wisconsin Territory whose political patronage would be controlled from Madison. While Lambert had a certain loyalty to Sibley and to St. Paul, he also promoted himself. Sending Catlin the results of the St. Paul meeting, he reminded him that they had discussed the possibility of Lambert becoming Catlin’s “private secretary” in the event Catlin became acting governor of a fully

functioning Wisconsin Territory.<sup>24</sup>

Considering the slow St. Paul–Madison mail service (9 to 15 days one way, according to Holcombe), Catlin responded quickly to the people’s will. Holcombe and Lambert both sent the resolutions of their meetings to Catlin on September 6, and only 12 days later Tweedy tendered his resignation. It is possible, of course, that Catlin or some of his supporters presumed the outcome of the meetings and had previously approached Tweedy about resigning. Before the meetings, two of his supporters in Wisconsin told Sibley that Catlin as acting governor had decided to visit “the territory,” where he would proclaim a special election to choose a territorial delegate.<sup>25</sup>

While Sibley had no choice other than to become a party to Catlin’s scheming, he and his boosters were hardly delighted with this new development. For example, Sibley’s brother-in-law Thomas R. Potts wondered, “What is this election for? Have the people repudiated the proceedings of that [Stillwater] convention?” Sibley’s friends also realized that Catlin’s intervention could raise the potentially dangerous issue of Sibley’s residency at Mendota in old Iowa Territory. They believed that the House of Representatives would not carefully scrutinize Sibley’s claim to represent the Minnesota area but would look critically at his credentials as the bona fide delegate of Wisconsin Territory because he had not lived there. When former judge and Wisconsin territorial governor James Duane Doty first apprised Sibley of Catlin’s initiative, he urged Sibley to move east of the Mississippi while he still could without raising objections.<sup>26</sup>

With the delegate position now open to challengers, the Sibley camp was well aware that some Stillwaterites, who resented the “man from Iowa,” preferred a St. Croix candidate. Worse yet, by mid-September rumors were circulating that Henry Mower Rice, a fellow Mendotan, would contest the delegacy. Fear of Rice was so pervasive that Potts even suspected that Rice, whom he confided to Sibley “is acting

<sup>21</sup> Lambert to Catlin, Sept. 6, 1848, Catlin Papers.

<sup>22</sup> Minutes of Stillwater meeting, Sept. 5, 1848, Catlin Papers.

<sup>23</sup> Minutes of St. Paul meeting, Sept. 6, 1848, Catlin Papers.

<sup>24</sup> Lambert to Catlin, Sept. 6, 1848, Catlin Papers.

<sup>25</sup> Holcombe to Catlin and Lambert to Catlin, both Sept. 6, 1848, and Tweedy to Catlin, Sept. 18, 1848—all in Catlin Papers; Fenton to Sibley and Doty to Sibley, both Sept. 4, 1848, Sibley Papers, R5, F88, 93.

<sup>26</sup> Doty to Sibley, Sept. 4, 1848, and Potts to Sibley, Sept. 14, 1848, Sibley Papers, R5, F93, 97.



in a low and underhand manner to prevent your being sent to Washington,” was the ring-leader of the seeming plot to undo Sibley.<sup>27</sup>

Before announcing his candidacy, Rice had not indicated any interest in territorial politics. He was in Washington, D.C., in the spring of 1848 when St. Croixans were making their last futile effort to win boundary concessions from Wisconsin and to get Minnesota Territory formed, but he did not get involved. Likewise, he was living in Mendota at the time of the Stillwater Convention but chose to stay home and ridicule the proceedings. Writing to Dousman, he stated: “At the mass meeting held at Stillwater . . . a central and corresponding committee was appointed (God knows for what, I dont) and Mr. Sibley was appointed special Agent to go to Washington and get the Territory organized (or baptised) I dont know which, but [he] presumes some great good will be the result.”<sup>28</sup>

Rice’s entry into the race disturbed Sibley. Rice, who had sometimes worked as Sibley’s partner, was really more closely associated with Dousman, having worked with him at Prairie du Chien for about seven years. Rice was believed to have a considerable following, and Dousman was a man of great influence in trading circles. Fears of Rice’s success were heightened after Catlin arrived in Stillwater on October 9 and proclaimed election day to be Monday, October 30. Concerned Minnesotans would have preferred an earlier date so that the results could be sent out before the last steamboat left the Upper Mississippi. Catlin, however, was bound by a Wisconsin Territory law that specified at least 20 days’ notice of a special election.<sup>29</sup>

Of necessity, Catlin was in close contact with county clerk Holcombe about establishing voting precincts. Holcombe and Morton S. Wilkinson, a prominent Whig and Stillwater’s first lawyer, were known to be working against Sibley in the Stillwater area, claiming that he favored removing the federal-district land office from St. Croix Falls to St. Paul rather than to Stillwater. They also played up the notion that Sibley was not sympathetic to the people of the



*Henry M. Rice, heroically posed on this carte de visite or small, mounted photo*

St. Croix, and they questioned his possible effectiveness because he chose to run as a non-partisan. Rice and Sibley were both Democrats, and Holcombe, Wilkinson, and some others favored a candidate who would campaign as a party regular. Wilkinson, especially, was offended by Sibley’s posing as a candidate “for a benefit of all,” because he believed that was politically impossible.<sup>30</sup>

Catlin was ostensibly impartial, but some of

<sup>27</sup> Potts to Sibley, Sept. 14, 1848, Sibley Papers, R5, F97.

<sup>28</sup> Rice to Sibley, Mar. 25, 1848, Sibley Papers, R4, F742; Rice to Dousman, Sept. [?], 1848, Green Bay and Prairie du Chien Papers.

<sup>29</sup> Potts to Sibley, Sept. 14, Oct. 3, 1848, Fenton to Sibley, Oct. 4, 1848, and Moss to Sibley, Oct. 10, 20, 1848—all Sibley Papers, R5, F97–98, 118–19, 124–25, 133, 166; William R. Marshall, “Henry Mower Rice,” *Collections of the Minnesota Historical Society*, vol. 9 (St. Paul, 1901), 655–56.

<sup>30</sup> Fisher to Sibley, Sept. 24, 1848, J. B. Covey to Sibley, Oct. 5, 1848, and Jas. W. Boal to Sibley, [Oct. 20?], 1848—all Sibley Papers, R5, F110–11, 127, 161.

his actions seemed to favor Rice. In addition to his association with Holcombe, who openly opposed Sibley, Catlin favored extending voting rights to the “French” and adding precincts at Sauk Rapids and Crow Wing, two actions likely to produce substantial support for Rice. References to the “French,” made frequently during the campaign, appear to be euphemisms for unnaturalized French-Canadian traders and perhaps some *métis*. Catlin recognized the dubious qualifications of these men as voters but contended that the greatest tally possible should be garnered as a way of strengthening the position of the delegate-elect in Congress.<sup>31</sup>

To counteract Catlin, Sibley generally left the nastier side of politics to Lambert, his unofficial campaign manager. Responding to Lambert’s information about Catlin’s intentions, Sibley objected that Congress would probably not accept any delegate elected by some unqualified voters. If Sibley won, Rice could conceivably “contest the seat on the ground of the illegality of the election.” Furthermore, Sibley believed that Rice had “either in his employ or under his immediate influence, a large number of men who are not legal voters, and who would to a man cast their votes for him, and thus neutralize those of the old settlers.” Sibley cannily instructed Lambert to “suggest these objections, as emanating from yourself,” because he did not want to appear as an opponent of the French and risk losing their vote.<sup>32</sup> Evidently, a man for all the people had to be cautious.

Catlin, Holcombe, and the St. Croix County Board of Commissioners frustrated Sibley’s desire not to add to the electorate. On October 19 the commissioners established the additional precincts of Sauk Rapids and Crow Wing. This news, which reached Sibley at a time when Rice was reportedly gaining in Stillwater, forced Sibley to abandon his behind-the-scenes posture and object directly to Catlin. Arguing that the establishment of the precincts did not meet the legal requirements of timely notice, Sibley contended that any votes from Sauk Rapids and Crow Wing should not be counted. Catlin knew what everyone else in the area knew—Rice had a fur-trading post at Crow Wing and would fare

well there. Demonstrating considerable political savvy, Catlin never really answered Sibley’s objection. Instead, he noted that the commissioners had determined the precincts and the county clerk would canvass the returns, so Sibley should send his complaint to them.<sup>33</sup>

Acting Governor Catlin, accompanied by his wife, Clarissa, lived in Stillwater, apparently entirely at his own expense, from October 9 until at least November 6. What were Catlin’s motives for his seemingly generous actions? Historians have never dealt with this question, and thus the acting governor appears to be interested merely in furthering the cause of frontier democracy. A series of letters in the Catlin papers provides a new perspective.

Catlin hoped that as acting governor he would be recognized as the *ex-officio* superintendent of Indian affairs and, as such, would be paid an annual salary of \$2,500. Henry Dodge, the last territorial governor, had held this position, but the Bureau of Indian Affairs had abolished it when Wisconsin became a state. During the time Catlin claimed to be acting governor, he worked through Senator Dodge in an unsuccessful attempt to have the Indian superintendency restored. Catlin and his intimate political associates, Dodge and Judge David Irvin, also saw the continuation of Wisconsin Territory as a patronage opportunity. They assumed congressional recognition of the territory would follow the election of the Democratic candidate Lewis Cass of Michigan as president of the United States. These circumstances, they surmised, would result in Catlin being appointed a federal judge in the new territory and some of their Wisconsin associates being named to other territorial positions. While thus plotting, Dodge wrote to Catlin, “I will do every thing in my power to assist my friends.”<sup>34</sup>

Since Lambert was aware of Catlin’s desire for the Indian superintendency, it is quite likely Sibley knew about Catlin’s and Dodge’s scheming. This may account for the coolness that existed between Catlin and Sibley. Whatever the reason, Sibley never welcomed Catlin’s partici-

<sup>31</sup> Lambert to Sibley, Oct. 11, 1848; H[enry] Jackson to Sibley, Oct. 14, 1848, Sibley Papers, R5, F135, 151.

<sup>32</sup> Sibley to Lambert, Oct. 12, 1848, Sibley Papers, R5, F137–38.

<sup>33</sup> “Proceedings of the Board of Commissioners of County of St. Croix, Wisconsin Territory: Oct. 5, 1840–May 12, 1849,” 135, in Washington County Historic Courthouse, Stillwater (hereinafter cited as St. Croix County Proceedings); Sibley to Catlin, Oct. 23, 1848, and Catlin to Sibley, Oct. 27, 1848, both in Catlin Papers.

<sup>34</sup> Dodge to Catlin, Sept. 26, 1848, and Lambert to Catlin, Oct. 16, 1848, both in Catlin Papers.

pation. His seeming support for Rice only served to add to Sibley's frustration over a campaign beset with problems, including Dousman's strong support of Rice. Dousman, who was reportedly still irritated with Sibley for opposing the Rum River boundary, thought Rice would be the most effective spokesman for the old traders.<sup>35</sup>

In the nearly three weeks between Catlin's proclamation and the election, Rice was the aggressor. In Stillwater he easily gained the support of such men as Holcombe and Wilkinson, who claimed that they really wanted a St. Croix candidate. Their actions indicate, however, that they were more anti-Sibley than pro-St. Croix. Rice presented himself as an advocate of moving the land office to Stillwater from St. Croix Falls and, according to some of Sibley's informants, bought loyalty by making some timely real estate purchases in Stillwater. Despite the urging of some of his friends, Sibley never went to Stillwater and never clarified his stand on the land-office question, yet he was not greatly hurt by either that or his Mendota residency. The "man from Iowa" criticism could just as well have been applied to Rice as Sibley. Also, former governor Doty, at Sibley's request, examined the 1836 act that established Wisconsin Territory and rendered the opinion that it did not require residency of any territorial official, including the delegate.<sup>36</sup>

In the last days before the election, Sibley's supporters feared Rice was gaining in Stillwater, but their greatest concern was possible election fraud in Crow Wing. Fortunately for Sibley, Joseph R. Brown was lumbering in the area and was named by the county commissioners as one of the precinct's three election judges.<sup>37</sup>

Despite his apprehensions about Rice's possible shenanigans, Sibley easily won the delegacy with 236 votes compared to 122 for Rice and 19 write-in votes for Stillwater lumberman Socrates Nelson, who was also a county commissioner and county treasurer. As expected, Rice easily won Crow Wing, but he carried only one of the seven other precincts. Sibley prevailed in

Stillwater by slightly more than a two-to-one margin and in St. Paul by more than four to one. The election's most amazing outcome was the unanimous vote in three precincts. Nelson's votes probably came from his lumber-camp employees, but Sibley's sweep of Marine Mills and Lake St. Croix defy explanation. Yet when Holcombe canvassed and recorded the vote, no charge of election irregularities was raised.<sup>38</sup>

Although historians have portrayed this election as significant, until this time they have known only the general outcome, not the actual

## ELECTION RETURNS

### October 30, 1848

PRECINCT	SIBLEY	RICE	NELSON
Stillwater	57	26	
Marine Mills	37		
Rice River			19
Lake St. Croix	47		
St. Paul	59	14	
St. Anthony Falls	12	30	
Sauk Rapids	12	8	
Crow Wing	12	44	
Rush Lake	(no returns)		
Totals	236	122	19

SOURCE: St. Croix County Proceedings, 136

vote count. This is understandable. The lack of any newspapers in the future Minnesota precluded the contest from being publicized. As it turns out, both Holcombe and Catlin carefully noted precinct-by-precinct tallies, but their records had remained undetected.

Sibley's allies could best be described as poor winners. They charged that Rice's men

<sup>35</sup> Lambert to Catlin, Oct. 16, 1848, Catlin Papers; Fenton to Sibley, Oct. 4, 1848, Sibley Papers, R5, F124.

<sup>36</sup> Covey to Sibley, Oct. 5, 1848, and Doty to Sibley, Oct. 15, 1848, Sibley Papers, R5, F127, 155.

<sup>37</sup> St. Croix County Proceedings, 135; Christopher Carli to Sibley, Oct. 22, 1848, and William H. Forbes to Sibley, Oct. 23, 1848, both in Sibley Papers, R5, F171, 173.

<sup>38</sup> St. Croix County Proceedings, 136; an identical copy of the returns "filed in the office of the Secretary of the Territory of Wisconsin, Nov. 4, 1848" is in the Catlin Papers. On the vote of the St. Anthony Falls precinct, see Daniel S. B. Johnston, "Minnesota Journalism in the Territorial Period," *Collections of the Minnesota Historical Society*, vol. 10 (St. Paul, 1905), 296.

attempted to buy votes on election day and pressured an inebriate to switch his vote from Sibley to Rice. Lambert warned Sibley that he should not relish his victory because Rice, anticipating future contests, continued to enlist support after the election.<sup>39</sup>

Catlin issued Sibley's election certificate on November 4 and reported this action to Secretary of State Buchanan two days later, shortly before leaving Stillwater for Madison by way of Galena, Illinois. Writing to Sibley after reaching home, he effused graciousness while relating his lobbying efforts on Sibley's behalf and offering ideas to justify Sibley's seating by the House of Representatives. Catlin was obviously worried about congressional acceptance of the notion of a still-existing Wisconsin Territory. He realized that many agreed with the judgment of a Whig newspaper editor in Galena, who had concluded that "it was supposed, that the said Territory of Wisconsin, as a distinct organization, had been wholly extinguished, snuffed out, and its very ashes scattered by the winds, that claim relationship with forgetfulness." However, Catlin, Sibley, and other regional Democrats believed their case would be helped by the imminent victory of their presidential candidate, Lewis Cass. Much to their dismay, Cass, who was very popular in the Northwest, lost to his Whig opponent, Zachary Taylor.<sup>40</sup>

This result, as events transpired, did not greatly affect Sibley. He was subsequently seated in the House of Representatives as the delegate from the presumed Wisconsin Territory but refused a territorial budget. By this action the representatives clearly showed that Sibley had merely been granted a temporary position to enable him to proceed with lobbying for the creation of Minnesota Territory. During the Minnesota territorial drive in late 1848 and early 1849, Sibley was assisted by Rice, who traveled to Washington and lived there at his own expense. This action prompted historian Theodore C. Blegen to regard Rice and Sibley

as friendly rivals. Interestingly, a contemporary account offers a sharply different perspective. Lambert and Louis Robert, staunch Sibley supporters, insisted that Rice's motive for going to Washington was "to beat Mr. Sibley out of his seat and to defeat the organization of the Territory of Minnesota at the present session for purely selfish reasons."<sup>41</sup>

In the short run, their prophecy came to pass. Rice effectively seized control of Minnesota Territory's Democratic Party and in 1853 succeeded Sibley as delegate. Sibley mounted enough of a political resurgence to be chosen the first state governor in 1858, but the party was still dominated by Rice, whom the first state legislature chose for the U.S. Senate. Sibley's old foe Holcombe served as lieutenant governor during Sibley's administration. (This coincidence does not indicate any harmony between the two, since the governor and lieutenant governor did not run as a ticket.) Lambert, who seemed a rising political star in 1848, soon passed from the Minnesota scene. On November 2, 1849, while steaming up the Mississippi from Galena to St. Paul, he became intoxicated, leaped into the river, and drowned. His end was apparently not too surprising, as the new *Minnesota Pioneer* reported that he had "suffered some wounds in domestic relations, which made him misanthropic, reckless and miserable."<sup>42</sup>

Catlin's presumed governorship was his last important political position. His hope of being named a federal judge was ruined by Cass's defeat. As the Minnesota territorial bill was progressing through Congress, Catlin finally resigned himself to the end of Wisconsin Territory, writing to Sibley, "It is not probable that I shall visit the Territory again to exercise any authority. I still think however that the position taken by me & yourself has facilitated the organization of Minnesota and will be of great benefit to that frontier." Subsequently, Catlin became president of a Wisconsin railroad and through it and Texas land investments became

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<sup>39</sup> William Dugas to [William H.] Forbes, Oct. 31, 1848, and Lambert to Sibley, Nov. 15, 20, 1848—all in Sibley Papers, R5, F184, 217, 221.

<sup>40</sup> Catlin to Buchanan, Nov. 6, 1848, Catlin Papers; Catlin to Sibley, Nov. 4, 21, 1848, Sibley Papers, R5, F202, 225–27; *Weekly North-Western Gazette* (Galena), Oct. 11, 1848, and Joseph R. Brown to Sibley, Nov. 12, 1848, and Lambert to Sibley, Dec. 18, 1848, both in Sibley Papers, R5, F210, 281.

<sup>41</sup> Robert M. Brown, "Office of Delegate for Minnesota Territory, 1848–1858" (master's thesis, University of Minnesota, 1942), 23–27; Blegen, *Minnesota*, 162; Lambert and Louis Robert to Potts, Feb. 13, 1849, Sibley Papers, R5, F495.

<sup>42</sup> *Minnesota Pioneer* (St. Paul), Nov. 8, 1849.

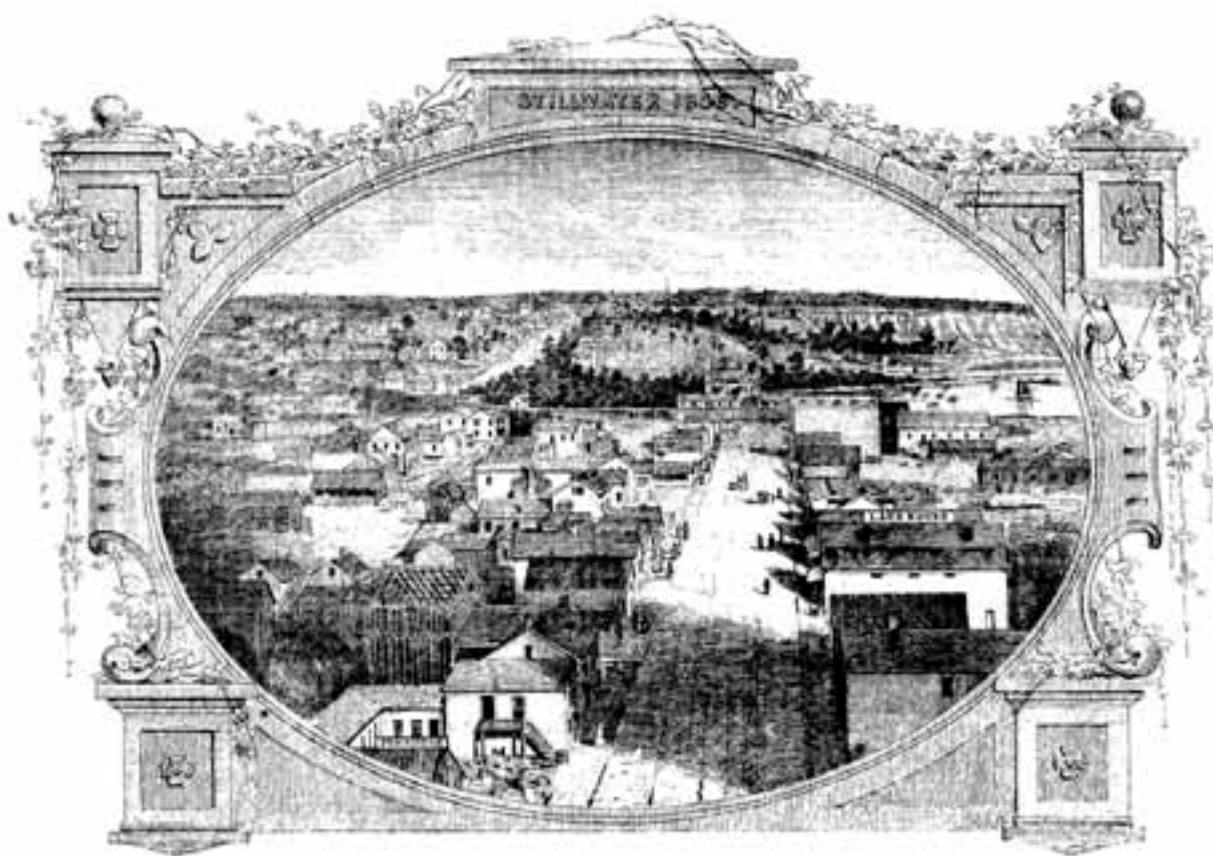
<sup>43</sup> Catlin to Sibley, Feb. 19, 1849, Sibley Papers, R5, F524; Catlin biographical sketch, in "U.S.—W.P.A.—Wisconsin, Wisconsin Biographies," State Historical Society of Wisconsin.

wealthy.<sup>43</sup>

**I**t is an odd and perhaps little-known fact of history that the election that launched the careers of Minnesota's two most famous frontier politicians was held in Wisconsin Territory. Somehow over the years key information about Minnesota's political birth lay undiscovered or was lost, and, as a result, popular images of Rice and Sibley were formed. Historians have generally portrayed Rice accurately as a smooth, gracious, manipula-

tive deal maker. Sibley, on the other hand, has been made to appear as a political innocent untouched by any taint of self-interest, whose sole motivation was to work for the political good. It is now clear that, like Rice and Catlin, Henry Hastings Sibley—one of the fathers of Minnesota's political birth—also acted for the usual, mortal economic and political reasons. This recognition does not make him a lesser man, but rather a more believable one.

*The map on p. 268 is by Alan Ominsky; the photograph on p. 273 is courtesy the State Historical Society of Wisconsin, WHi(X3)35743. All other illustrations are in the Minnesota Historical Society collections, including the signatures, taken from letters in the Henry H. Sibley Papers or signed photographs.*



*Stillwater in 1856, from the letterhead of Henry M. Nichols*



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