

“ Building the Court-House and Jail ” *

in

A PIONEER HISTORY

OF

BECKER COUNTY
MINNESOTA

INCLUDING

A BRIEF

ACCOUNT OF ITS NATURAL HISTORY

***AS EMBRACED IN THE MINERAL. VEGETABLE AND ANIMAL
KINGDOMS, AND A HISTORY OF THE EARLY SETTLEMENT
OF THE COUNTY; ALSO, INCLUDING A LARGE AMOUNT OF
VALUABLE HISTORICAL INFORMATION COLLECTED BY***

MRS. JESSIE C. WEST.

**AND NUMEROUS ARTICLES WRITTEN BY VARIOUS EARLY
PIONEERS RELATING TO THE HISTORY OF
THE SEVERAL TOWNSHIPS OF
BECKER COUNTY**

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* This chapter appeared on pages 723-27 of this history of Becker County, Minnesota. Though reformatted, the chapter is complete. The author's spelling and punctuation are unchanged.

Chapter LVI.

BUILDING THE COURT-HOUSE AND JAIL.

After the final and permanent location of the county seat at Detroit, as decided at the general election in 1877, the township of Detroit, according to a previous agreement, paid the rent annually for a building for the use of the county officers, which was the structure now owned and occupied by G. C.. Nunn, a part of which is now occupied by him as a harness shop and store. There was a strong wish on the part of the people living north, east and south from Detroit, and more particularly on the part of the people living in that village, to clinch the location of the county seat by building a court-house and jail at that place.

Accordingly at the session of the legislature of 1883 a bill was worked through that body, and duly signed by the governor, authorizing the commissioners of Becker County to issue bonds to build a court-house and jail, subject to a vote of the people at the ensuing annual election. The measure, however, was voted down by a decisive majority, the two western tiers of townships excepting Lake Eunice voting nearly solid against it.

For sometime previous to 1884, three out of five of the county commissioners had been elected from the western townships, and were strongly opposed to expending any money at the county seat under any circumstances. The commissioner districts as then constructed were: First district, Richwood, Erie, Burlington and all territory lying east of those three townships. Second district was made up of Detroit Township.

The third district consisted of Audubon, Lake Eunice and Lake View.

Fourth district, Lake Park and Cormorant.

Fifth district, Hamden, Cuba, Atlanta and Walworth.

In 1883 the board was made up of the following members: First district, T. W. Chilton; second district, F. B. Chapin; third district, T. W. Dunlap; fourth district, Olof Bjornsted; fifth district, Hans Ebeltoft.

The last three named were unconditionally opposed to county buildings at Detroit.

At the election in November, 1883, there were two changes in the membership of the board, one of which at least was destined to have an important bearing on the near future history of Becker County in general and of Detroit in particular. In the second district E. G. Holmes was elected to succeed F. B. Chapin who was not a candidate for re-election, but who was as much in favor of county buildings as Holmes himself. In the third district the election was very close, T. W. Dunlap being defeated by S. B. Dexter by the small margin of three votes. Dunlap afterwards claimed that I was the cause of his defeat, and I incurred his everlasting displeasure for the imaginary offense, but while I was innocent of the crime the election of Dexter was a godsend to the village of Detroit, for if he had not been elected it is doubtful if there would have been any county buildings at that place for several years to come.

When the new board met in January, 1884, it had a majority that was ready and willing to do anything within the bounds of law and reason to secure the construction of county buildings.

The new board was organized by electing B. G. Holmes as chairman, and he became the leading spirit of the board, and to him more than any one else is Becker County indebted for its present county buildings. He was also loyally supported by both Dexter and Chilton.

As soon as the new board had settled down to business, Holmes began ransacking the revised statutes of Minnesota for authority to build a court-house and jail, and finally hit upon Section 815, Chapter 8 of the Revised Statutes of 1878, which reads as follows:

Each county organized for judicial purposes shall provide at the county seat a suitable court-house, and a suitable and sufficient jail, and fire-proof offices, and other necessary buildings, and keep the same in good repair.

On the strength of the authority delegated by this brief paragraph in the laws of Minnesota, the board of county commissioners, at the instigation of Mr. Holmes on the 8th day of April, 1884, passed the following preamble and resolutions:

WHEREAS; the statutes of the state provide that there shall be established, in every county, by the authority of the board of county commissioners and at the expense of the county, a jail for the safe keeping of prisoners, and Whereas; the County of Becker has no such jail building, or other safe and proper place for the keeping of prisoners, and Whereas; the time has arrived when such place should be provided:

Now, therefore be it Resolved; and it is hereby resolved. That we proceed to construct a building in the village of Detroit to be used for the purpose aforesaid; said building to cost a sum not to exceed \$6,000, to be erected and placed upon a spot of ground to be designated by the board.

And be it further Resolved; That for the purpose of raising the money required for the payment of the cost of said building, there shall be issued the bonds of the county, not to exceed the sum of \$6,000; that such bonds shall bear interest at the rate of seven per cent per annum, payable semi-annually, in the City of New York, until paid.”

Holmes, Dexter and Chilton voted for the resolution and Ebeltoft and Bjornsted voted against them. The two latter gentlemen, however, were only carrying out the wishes of their constituents, as both the fourth and fifth commissioner districts were solidly opposed to the construction of county buildings.

Soon after the passage of the above resolution the \$6,000 jail bonds were signed by E. G. Holmes the chairman of the board, and by myself, the then county auditor, the bonds were placed on the market and sold, and the money placed in the county treasury. Before work on the jail was begun, however, the following resolution was adopted June 3rd, 1884:

WHEREAS; the statutes of the state provide that each county organized for judicial purposes, shall provide at the county seat, a suitable courthouse and: Whereas; the time has now arrived when such court-house should be provided: Now, therefore, be it resolved; that we proceed to construct a building in the village of Detroit, to be used for the purpose aforesaid, said building to cost a sum not to exceed \$18,000, and if built in connection with the jail, then the combined cost of said courthouse and jail shall not exceed the sum of \$24,000, said court-house to be erected and placed upon a spot of ground selected for that purpose by the said board.

There was not much outspoken opposition to the jail proposition, but when the resolution was passed to build the court-house a storm of protests came from Lake Park, and an injunction suit to enjoin the chairman of the board and the county auditor from signing the \$18,000 court-house bonds was commenced at the instigation of Knute Stakke and others of Lake Park, while from Audubon, the place that had been the rival of Detroit for the county seat seven years before, there was but little opposition so far as I ever heard. A hearing in the matter of the injunction suit was had before Judge Brown at Little Falls, and the injunction was set aside, the judge deciding that the county

commissioners had legal authority under the section and chapter quoted above, to construct county buildings as set forth in the resolutions by the board.

The opposition from Lake Park came largely from the circumstance that there had been an election held the year before, and that a majority of the voters of the county had voted against the proposition to erect county buildings, and they could not believe there was any law whereby the board could take action contrary to the expressed wishes of a majority of the voters of the county.

After the injunction was set aside, and the action of the county commissioners sustained by the courts, all opposition came to an end, and commissioners Bjornsted and Ebeltoft worked in harmony with the other members of the board.

The foundation of the court-house and jail was built by T. J. Martin and Marcus Shaw in July, 1884, and the building was constructed by A. A. Whittemore, the father of Drew and John Whittemore and Mrs. G. C. Nunn.

Owing to delay caused by the injunction suit and other matters the building was not finished that year, but work was resumed early in the spring of 1885 and the building completed in May following and formally dedicated on the 30th day of that month.

This was Decoration Day, and the *Detroit Record* of June 6, 1885, says:

“But the day is not yet over. Another event, and perhaps the most important ever known in Becker County is yet to take place—the dedication of our new court-house.” It is not known in whose fertile brain was first originated the plan to have the court-house dedicated on Memorial Day, but the day was fixed and the following well-known gentlemen were appointed a committee, and the

matter placed in their hands: John K. West, Ai Brooks, J. B. Carman, A. B. Bowling, M. V. B. Davis, W. J. Wood and C. W. Dix.

The selection of Henry Way to deliver the principal address was especially fitting, he being one of the earliest pioneers of the Northwest, and one of the first white settlers in Becker County, and a continuous resident ever since.

Paul Beaulieu of White Earth spoke with pride of the red man's blood that coursed through his veins and gave an early picture of our county, claiming to be the first resident living here as early as 1854.

The steel cage and cells of the jail were made in Milwaukee and were included in the \$24,000, the total cost of the court-house and jail.

The furniture, desks, etc., were bought of Luger Brothers, of Fargo, at a cost of \$2,600, and in addition to this amount the further sum of \$800 was paid for heating apparatus, making the total cost, including the ground on which it was built, less than \$28,000; as good a building as there is in the state of Minnesota for the money it cost.

The bonds issued for building the court-house and jail are now all paid off, and everybody, even at Audubon and Lake Park, is not only reconciled but well pleased with the final outcome, and the people generally all over the county are proud of their courthouse and jail.

Judge L. L. Baxter of Fergus Falls held the first term of court in the new court-house. ■

