

“THE MEEKER DAM”

by

HENRY TITUS WELLES

FOREWORD

by

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For lawyers who practiced during the territorial period, the law was not a jealous mistress. In those years and for several decades after statehood, many members of the bar pursued business ventures outside the law. Foremost among those activities was land speculation. Many obituaries and biographies of financially successful lawyers in the nineteenth century refer to their investments in land as the source of their wealth. Bradley B. Meeker is a case in point.¹

¹ In 1912, the Minnesota Historical Society published biographies of important figures in the state's history. Here is its entry on Meeker:

MEEKER, BRADLEY B., judge, b. in Fairfield, Ohio, March 13, 1813; d. in Milwaukee, Wis., Feb., 1873. He was educated at Yale College; was admitted to the bar in Kentucky in 1838; was appointed judge in the new territory of Minnesota in 1849, and filled that position four years; presided at the first term of court in Minneapolis, which was held in the old government grist mill at St. Anthony Falls. After leaving the bench, he engaged in real estate business, and was a member of the constitutional convention, 1857. Meeker county is named for him.

14 *Collections of the Minnesota Historical Society (Minnesota Biographies: 1655-1912)* 501 (St. Paul: Minnesota Historical Society, 1912)

Meeker served as an Associate Justice of the Minnesota Territorial Court from 1849 to 1853. He was not a distinguished jurist. Few complements have been written about his performance on the bench.² It appears, however, that he excelled in real estate speculation.

The following description of Meeker appeared in Isaac Atwater's article on "The Territorial Bench of Minnesota," published in the *Magazine of Western History* in December, 1887:

Honorable B. B. Meeker was a native of Connecticut, and the family name in that state runs back to an early date. He was a man of very decided convictions and had the courage to maintain the same, whether popular or otherwise. He was a bachelor, and his residence was Minneapolis. He was averse to engaging in the practice of his profession, and after his retirement from the bench, which occurred in the year 1853, in consequence of the advent of a Democratic administration, under President Pierce, he never resumed the practice of law. He firmly believed that the new administration had no power to remove territorial judges, and proposed to carry the question to the United States supreme court, but finally abandoned the idea. He subsequently invested to some extent in real estate, and acquired property in Ramsey county, now adjoining the city limits of Minneapolis, and which has become very valuable. He was always most enthusiastic in regard to the future of Minneapolis, and since his prophecies of its future have been far more than realized, it has always been a regret to his friends that he could not have been spared to see their fulfillment. He died February 20, 1873, and his remains were taken to Connecticut for burial.³

² The late Kermit Hall dismissed Meeker and David Cooper, his colleague on the court, as "legal mediocrities at best." Kermit Hall, *The Politics of Justice: Lower Federal Judicial Selection and the Second Party System, 1829-61* 85 (Lincoln: University of Nebraska Press, 1979).

³ Isaac Atwater, "The Territorial Bench of Minnesota," *7 Magazine of Western History* 208-209 (1887).

Five years later, in his *History of Minneapolis, Minnesota*, Atwater condensed this profile of Meeker, but still emphasized his real estate holdings:

Judge Meeker was a resident of St. Anthony and Minneapolis from the time of his arrival in the territory, and from a very early day was an enthusiastic believer in and proclaimer of the future greatness of Minneapolis. He acquired quite a large tract of land on the high ground east of the city (now lying partly in Minneapolis and partly in St. Paul), at a small price per acre, which has since become extremely valuable. Judge Meeker was a bachelor, and inherited some of the peculiarities of that persuasion. Unfortunately he did not live to enjoy the full fruits of his foresight, having died in Milwaukee Feb. 20th, 1873.⁴

It was on this “large tract of land” that ex-Justice Meeker proposed to erect a dam across the Mississippi River and to reap a greater reward of 200,000 acres of choice Minnesota land. He formed a corporation to carry out his plan. Had the dam been constructed, Meeker and his fellow investors would have become immensely wealthy—both from the dam and the land. But the project was not built, and the story of how it was derailed was told by Henry Titus Welles in a short chapter in his autobiography. Welles was a successful businessman, who was fiercely protective of the interests of both the City of Minneapolis and the State of Minnesota.⁵ Welles took great satisfaction in defeating “a few selfish plunderers,” as he called the dam proponents.

⁴ Isaac Atwater, 1 *History of Minneapolis, Minnesota* 427 (New York: Munsell & Co., 1893).

⁵ The following is the entry on Welles in the Minnesota Historical Society’s book of biographical sketches of important figures in the state’s history:

WELLES, HENRY TITUS, lumberman, b. in Glastonbury, Conn., April 3, 1821; d. in Minneapolis, March 4, 1898. He came to Minnesota in 1853, settling at St. Anthony Falls, and engaged in the manufacture of lumber; was afterward president of the Northwestern National Bank, held important positions in the city government, and was influential in the development of

“The Meeker Dam” appeared as Chapter XIX in Welles’s *Autobiography and Reminiscences*, published in 1899. The chapter that follows is complete. Welles’s punctuation and spelling have not been altered.

For other articles on Meeker, see Douglas A. Hedin, “Documents regarding the terms of the justices of the Supreme Court of Minnesota Territory, 1849-1858: PART ONE (Introduction)” 17-18, 26-28 (2009-2010), “Documents regarding the terms of the justices of the Supreme Court of Minnesota Territory, 1849-1858: PART TWO-B (Justice Meeker)” (2009-2010), and “Documents regarding the terms of the justices of the Supreme Court of Minnesota Territory, 1849-1858: PART THREE” 24-33 (2009-2010); see also John Fletcher Williams, “Memoir of Judge B. B. Meeker” (MLHP, 2009).

Minneapolis; author of several privately printed books, including “A Miscellany” (addresses and essays, 560 pages, 1896), and “Autobiography and Reminiscences” (two volumes, 1899).

14 *Collections of the Minnesota Historical Society (Minnesota Biographies: 1655-1912)* 836 (St. Paul: Minnesota Historical Society, 1912).

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in

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AND

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BY

H. T. WELLES.

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XIX.

THE MEEKER DAM

The late Hon. B. B. Meeker was the owner of several hundred acres of land bounded by the Ramsey county line and the river. He had endeavored to dispose of it for many years, and really made a contract of sale of it to Col. Adams of Syracuse, who never paid a dollar of the purchase money, but removed all of the wood and timber worth three or four thousand dollars. The land was forfeited to Judge Meeker. He then organized a corporation for the purpose of building a dam, and conveyed to it a liberal portion of the land along the river. Parties in St. Paul took the largest part of the stock. The Judge procured the passage of an act of Congress granting to the corporation two hundred thousand acres of land in aid of the construction of the dam, with a promise that only one section should be selected from a township. The grant was next to worthless. In 1870 Minneapolis parties, hav-

ing acquired one-half of the stock, undertook to have the granting act amended so as to allow the selection to be made *ad libitum* throughout the state. As soon as known it was regarded as a movement fraught with peril to the best interests of Minneapolis. We were straining every nerve to get appropriations from the government for the preservation of the falls, and it was justly apprehended that if the Meeker dam corporation should succeed in their scheme a rival interest would be developed which, not content with its land grant, would seek a money appropriation also, and that, in the contest that would ensue, a disgusted Congress would listen to the appeals of neither. The St. Paul stockholders were indifferent to the interests of Minneapolis, and the Minneapolis stockholders thought of nothing but filling their own pockets. They had no regard for the thousands of their fellow-citizens whose fortunes, great or small, depended on the preservation of our water power. The lumbermen were also indignant at the attempt of a few selfish plunderers to seize upon two hundred thousand acres of the best pine

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lands of the state and hold them for speculation for an indefinite period.

I happened to be in Philadelphia about the first of March of that year, and received a telegram from Washington requesting me to come thither on some business matter. On arriving there I discovered that the bill had passed the house and was with the land committee of the senate, ready to be reported at any moment, when it would certainly become a law. I took immediate measures to defeat it, and succeeded, much to the disappointment of its friends. The next session it was introduced again, and energetic efforts were made in its behalf. A remonstrance signed by fifteen of our leading men was sent to every member of the house and senate. This was, however, unnecessary. The scheme fell by its own weight.

It was charged by some of the interested parties that persons who had located pine lands with Chippewa half-breed land scrip were the chief opponents of their pet measure. The scrip had been located, and the locations repudiated by the government. But those who had located the scrip

were hoping for recognition and confirmation, they having acted in good faith. In fact, the scrip cut no figure. It was not thought of nor alluded to in all the contest between the Meeker dam company and the citizens. Their plans were unwise, selfish and dishonorable, and came to naught. The federal government has now, after a lapse of twenty-five years, assumed the enterprise at a time when it is really needed, and has begun the construction of a dam and lock at the same location. It is not believed that the company intended to go on with the work. They had no money. The water power they would have made was not in demand. They could only hope, after securing the two hundred thousand acres of the best land in the state, to sell out their whole property at a handsome profit.



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