

Keeping the Peace *CRIME, VICE, and* in St. Paul *POLICE WORK,* 1869–74

Joel Best

IN THE MID-19th century, the social order of American cities could not be taken for granted. Dramatic changes in urban settings put new pressures on city dwellers. The very concentration of people marked an important shift of the population to urban communities. Industrialization redefined the relationship between people and their work, while immigration brought ethnic groups with different values and customs into close contact with one another. As a consequence, the same cities that promised a better life also became the scenes of poverty, despair, and conflict.

Social movements of the 19th century promoted solutions such as temperance and human rights, but urban conflicts sometimes flared into violent disruptions. Major eastern cities such as Boston, New York, and Philadelphia experienced frequent rioting. Such disorder had to be quelled. State and municipal governments of the period developed a variety of social control programs, ranging from compulsory schooling and stricter sanitary regulations to the expansion of the criminal justice system. One of the most important steps was the creation of full-time professional police to enforce the laws and maintain urban order.¹

St. Paul's settlers from eastern cities were familiar with the idea of a professional police force, but they waited several years to form one. In 1849 "the town was not policed." Part-time constables, hired in the early 1850s, and the town's first police force of 1854 were both judged inadequate. A hierarchical system implemented in 1856 was more effective against growing problems. "St. Paul was assuredly the fastest town on the upper Mississippi and the policemen had no sinecure,"

observed one historian, but after the financial crash of 1857 their job eased; apparently "gamblers and thieves had no use for the town that was essentially if not actually broke." With the start of the Civil War, many policemen resigned to join the army. The mayor then disbanded the force and replaced it with a "vigilance committee" of 200 citizen volunteers. By 1863, as economic strains eased, the city began to recover and a new police force was organized.²

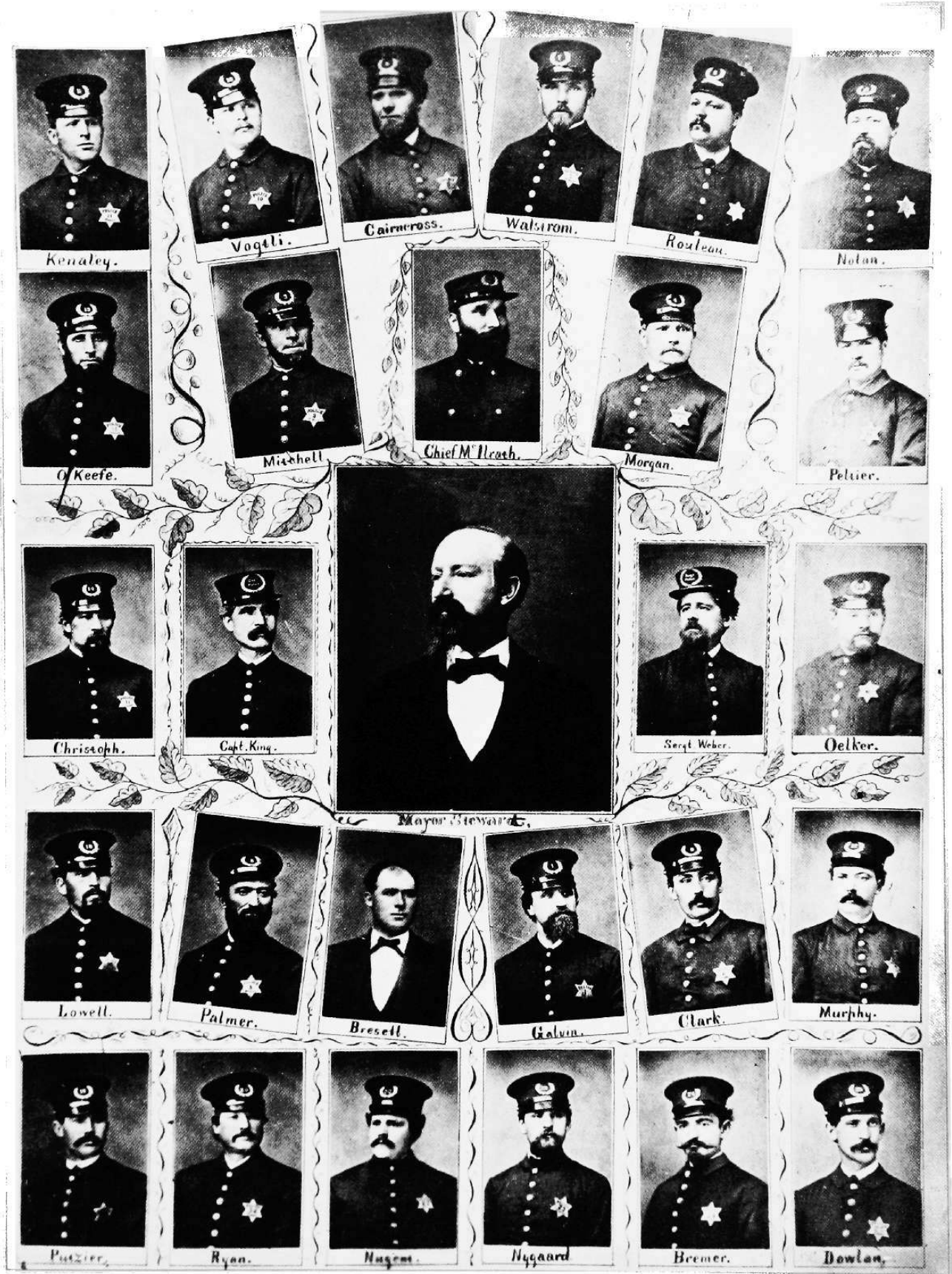
The great changes affecting St. Paul during the years following the Civil War posed special problems for its police. The city's extraordinary growth resumed, with the population doubling in the 1860s (from 10,401 to 20,030), then redoubling during the 1870s (to 41,473 in 1880). It was a commercial center for people in Minnesota's smaller communities and a way station for settlers moving to the Northwest. "Our city entered on a career

¹Roger Lane, *Policing the City* (Cambridge, Mass., 1967); Robert Liebman and Michael Polen, "Perspectives on Policing in Nineteenth-Century America," in *Social Science History*, 2:346–360 (Spring, 1978); John C. Schneider, "Public Order and the Geography of the City: Crime, Violence, and the Police in Detroit, 1845–1875," in *Journal of Urban History*, 4:183–208 (February, 1978); Samuel Walker, *A Critical History of Police Reform* (Lexington, Mass., 1977).

²Maurice E. Doran, *History of the St. Paul Police Department*, 9–18 ([St. Paul, 1912]); W. B. Hennessy, *Past and Present of St. Paul, Minnesota*, 71, 129–131 (Chicago, 1906).

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THE MAYOR and police of St. Paul, 1874

of unusual prosperity” in the mid-1860s, recalled one chronicler. “Money was abundant, capital came in from abroad; business never was more flourishing; real estate buoyant; immigration increasing; employment plenty for all classes; every branch of trade and manufacture brisk, and everything presented a vivid contrast to the despondent days from 1857 to 1862.” In 1866 a chamber of commerce was revived, and during the next six years the town gained a waterworks, new railroad connections, a large park (Como), a street railway, a board of public works, and hundreds of new buildings. The real estate market in 1871 was “all ablaze,” featuring a “rapid advance in prices — sometimes almost doubling in a few weeks — [which] almost reminded one of the kiting days before the memorable [1857] collapse.”³

As a river town, St. Paul served a large transient population. The early settlement had a regional reputation for toughness, for being a center of vice. During the 1870s, a historian recalled:

Second [street], then Bench st., was most popular with such masses as daily sifted into the city; low river dives and dance halls, and groggeries, flourishing there, and no respectable man, much less a woman, dared enter the neighborhood after dark. Not a house on the Second Ward front but had its record of crime and vice; in one the gang of sharpers lying in wait for the approach of a “tenderfoot,” in the other the relay of frail and tawdry women, ready to murder the souls of men, and in yet another the vender of distilled poison, destined to kill its victims, old men, young men, fair young girls and hideous hags — as fast as they could be led to slaughter.⁴

ARRIVING GOODS and passengers kept St. Paul's levee bustling in the 1870s. Bench or Second Street climbs the bluff beyond to the Wabasha Street bridge.



Official statistics supported this impression. St. Paul's police reported in 1880 that the city had seven brothels and 242 saloons, while Minneapolis, which had 5,000 more residents, claimed only four houses of prostitution and 176 saloons.⁵

How did St. Paul's police manage the day-to-day tasks of fighting crime and keeping public order? A ledger kept by the police to record arrests offered some clues. It covered the periods from April 17, 1869, to April 15, 1870, and April 10, 1872, to October 26, 1874, when Jacob H. Stewart, a Republican, was mayor and J. H. McIlrath served as chief of police. (From 1870 to 1872, Luther H. Eddy ran the police force under Mayor William Lee, a Democrat.) The ledger revealed the kinds of incidents St. Paul's police were called upon to control and some of the measures they took to correct them.⁶

THE MEN who kept the peace in this era worked under several restrictions. The department was of modest size, numbering only 16 men in 1869 and 28 men five years later — roughly one officer for every 1,200 citizens. The hierarchy was simple, consisting of the chief, a captain, and, after 1872, a sergeant; the remaining officers were patrolmen. There was considerable turnover, with at least 55 men serving in the department between 1869 and 1874. Only six continued on the roster throughout the period. In part, this reflected the practice of hiring an extra man or two to work during the busy summer months, but politics also played a role in police appointments. After Stewart's 1872 election, a newspaper joked that 500 men — all named Ole — claimed they had been promised jobs on the force. In fact, Stewart reappointed former Chief McIlrath and placed eleven new men on the force, just as Lee, his predecessor, had added nine new men, including the chief and captain.⁷

The officers were split into two patrols, a day shift

³United States, *Census, 1860, Population*, 259, and 1880, p. 420; J. Fletcher Williams, *A History of the City of Saint Paul and of the County of Ramsey, Minnesota*, 420–454 (*Minnesota Historical Collections*, vol. 4 — St. Paul, 1912).

⁴Alix J. Muller and Frank J. Mead, *History of the Police and Fire Departments of the Twin Cities*, 55 (St. Paul and Minneapolis, 1899). See also Philip D. Jordan, *Frontier Law and Order*, 23–38 (Lincoln, Neb., 1970).

⁵U.S., *Census, 1880, Report on the Defective, Dependent, and Delinquent Classes*, 566.

⁶The arrest ledger is located in the offices of the St. Paul police department. Former Chief Richard H. Rowan and Deputy Chief James S. Griffin made the ledger available for examination. For a more detailed analysis of the ledger's contents, see Joel Best, “Police Work in the Nineteenth Century City,” master's thesis, University of Minnesota, 1979.

⁷For police rosters, see St. Paul city directories for 1869–74; Doran, *History of the St. Paul Police*, 21; Muller and Mead, *Police and Fire*, 53; *St. Paul Pioneer*, April 11, 12, 1872.



THE NEW St. Paul Water Company at Jackson and Third streets in 1869; in the left foreground, the wall of the St. Paul Fire and Marine Insurance Company, is under construction.

and a night shift. In 1871, Chief Eddy complained that "there are really but two men to do the entire patrol duty of the city, as it is essential to keep three men constantly on the levee, and at the arrival of trains during the season of navigation." Patrolmen covered their beats — some nearly a mile long — on foot. Since there was no patrol wagon for carrying prisoners, an arresting officer had to walk his prisoner to the jail. A sympathetic newspaper noted, "When a policeman in lower town makes an arrest he must leave his beat for nearly two hours to conduct his prisoner to the Hall. This is a very dangerous course at night especially." Un-co-operative prisoners posed serious problems for the officers, who often resorted to "rough and tumble methods" to bring them to the jail.⁸

The city's inadequate jail facilities were the target of frequent police complaints. In 1875, Chief of Police James King, describing the wooden lockup's "dilapidated" condition, fulminated: "The cells are insecure. I

⁸Chief of Police, "Annual Report," in *Proceedings of the Common Council of the City of St. Paul, 1871*, 140 (St. Paul, 1871); *St. Paul Pioneer*, July 14, 1874; Doran, *St. Paul Police*, 18.

⁹Chief of Police, "Annual Report," in *Proceedings of the Common Council, 1875*, 209; Doran, *St. Paul Police*, 18; Willis A. Gorman, comp., *City Charter of the City of St. Paul*, 305 (St. Paul, 1869).

¹⁰See, for examples, *St. Paul Pioneer*, June 5, 25, 1872; *Proceedings of the Common Council, 1871*, 43, 54, 93, and 1872-1874, 16. On prostitutes, below, see Joel Best, "Long Kate, Dutch Henriette and Mother Robinson: Three Madams in Post-Civil War St. Paul," in *Ramsey County History*, vol. 15, no. 1, pp. 3-10 (1980), and "Careers in Brothel Prostitution, St. Paul, 1865-83," in *Journal of Interdisciplinary History*, to be published in 1982.

¹¹A blackleg was a dishonest gambler.

would suggest that at least two of the cells be made of iron. Often a half dozen of the most desperate characters are confined here, and under the circumstances the very strictest watch is necessary to prevent their escape." Because the jail lacked separate cells for female prisoners, women were held at the Home of the Good Shepherd, a local refuge on Wilkin Street run by Catholic nuns.⁹

The police had broad responsibilities, despite their limited resources. Principally, they were expected to keep the city's peace. Officers patrolled the streets, watching for trouble and trying to assist citizens with their problems. While public drunkenness, vagrancy, or vandalism might lead to arrest, maintaining order usually involved more routine tasks such as collecting license fees, enforcing ordinances affecting businesses and public health, and generally providing a watchful presence. In the summer, officers sometimes had orders to shoot the city's stray dogs or to tear down illegally constructed shanties. If something needed to be done and no other city officer were charged with doing it, the police usually were called upon to act.¹⁰

More narrowly, the police were expected to control crime and vice. Crimes of violence or theft occurred sporadically, as motive or opportunity arose, and were the special responsibility of the police. In contrast, vice was routine; brothels and gambling "hells" operated as established, if illicit, businesses. The proprietors of these firms — notorious madams such as Henrietta Charles, Kate Hutton, and Mary E. Robinson and professional gamblers such as Seth Baldwin and George Crummey — had frequent contacts with the police. The St. Paul force distinguished between crime and vice by adopting different strategies to control them.

CRIME during the 19th century is difficult to measure because police did not keep records of all reported offenses. Newspaper accounts would suggest that citizens saw it as an important threat, particularly during the summer months when professional criminals moved up the river. On April 29, 1871, the *St. Paul Pioneer* remarked: "It seems as though every spring the city is doomed to be the common resort for a large number of the loose and disorderly spirits of the land. Soon after the opening of navigation, each year, the blacklegs, pimps, thieves and bruisers seem to swarm up the river, and, for a short time, to stop here."¹¹ Summer also brought circuses, which were notorious for the grifters who accompanied their trains, and the state fair. The same paper warned on August 29:

The city is full of thieves. . . . They are coming in continually, by rail and by boat, and it will be necessary for our citizens to be a little more careful than usual about locking up and protecting their houses, until after the State Fair has closed.

1873.

Police Record of Arrests.

City of Saint Paul, Minn.

12 th	NAME	Offense	Arrested by	Witnesses	Nationality	Occupation	Married	Age	Height	Complexion	Eyes	Hair	REMARKS
8	Eltha Steck	intoxication	off		Irish	Apple	S	27					10, or 14 days Court
	Tipper Aueby	"	"	"	"	"	S	27					10, or 14 days Court
	Peter Burch	"	"	"	"	Bob	S	23					10 P.M. 12 ⁵⁰
6	Tom McCaus	"	"	"	"	"	S	27					14 P.M. 7 ⁵⁰
	Thomas Campbell	Public House	off		"	Prostitute	S	31					15 P.M. 17 ⁵⁰
	Willy Cook	intoxication	"	"	U.S.	"	S	22					10 P.M. 12 ⁵⁰
7	Willy Adams	"	"	"	U.S.	"	S	22					6 ⁵⁰ change.
	Sam Charles	Public House	"	"	German	"	M	42					20 P.M. 22 ⁵⁰
	Mary Blair	intoxication	"	"	Irish	"	S	27					10 P.M. 12 ⁵⁰
	Paul Young	"	"	"	U.S.	"	S	25					10 P.M. 12 ⁵⁰
	Alvin Clark	"	"	"	U.S.	"	S	24					10 P.M. 12 ⁵⁰
	Leola St. Paul	"	"	"	U.S.	"	S	22					10 P.M. 12 ⁵⁰
	Anna Peterson	"	"	"	U.S.	"	S	22					10 P.M. 12 ⁵⁰
	Anna Jir	"	"	"	U.S.	"	S	22					10 P.M. 12 ⁵⁰
	Kate Kuttler	Public House	"	"	U.S.	"	S	38					20 P.M. 22 ¹⁰
	Conie McCarty	intoxication	"	"	Irish	"	S	26					10 P.M. 12 ⁵⁰
	Blanch Fuller	"	"	"	U.S.	Prostitute	S	27					10 P.M. 12 ⁵⁰
	Rogers Swane	"	"	"	U.S.	"	S	27					10 P.M. 12 ⁵⁰
9	Walter Whiting	"	"	"	U.S.	"	S	26					10 P.M. 12 ⁵⁰
	Eva Stewart	"	"	"	U.S.	"	S	20					10 P.M. 12 ⁵⁰
	Grace Clark	"	"	"	U.S.	"	S	17					10 P.M. 12 ⁵⁰
	Henry Robinson	Public House	off		U.S.	"	M	44					25 P.M. 27 ²⁰
11	Fannie Maxson	intoxication	"	"	U.S.	"	S	25					10 P.M. 12 ⁵⁰
	Walter Foster	"	"	"	U.S.	"	S	22					10 P.M. 12 ⁵⁰
	Alva Moss	"	"	"	U.S.	"	S	17					10 P.M. 12 ⁵⁰
	Lilla Melman	"	"	"	U.S.	"	S	27					10 P.M. 12 ⁵⁰
	Mattie Despain	"	"	"	U.S.	"	S	27					10 P.M. 12 ⁵⁰
	Lilla Austin	Public House	"	"	U.S.	"	S	20					15 P.M. 17 ⁵⁰
	Minnie Braune	intoxication	"	"	U.S.	"	S	20					10 P.M. 12 ⁵⁰
	Georgia Austin	"	"	"	U.S.	"	S	20					10 P.M. 12 ⁵⁰
	Arvilla Johnson	"	"	"	U.S.	"	S	27					10 P.M. 12 ⁵⁰
	Frank Mason	Public House	"	"	U.S.	"	S	26					20 P.M. 22 ⁵⁰
	Frank Fox	intoxication	"	"	U.S.	"	S	21					10 P.M. 12 ⁵⁰
	Walter Thompson	"	"	"	U.S.	"	S	23					10 P.M. 12 ⁵⁰
	Walter Thompson	"	"	"	U.S.	"	S	23					10 P.M. 12 ⁵⁰
	Walter Thompson	"	"	"	U.S.	"	S	23					10 P.M. 12 ⁵⁰

ST. PAUL POLICE arrest ledger, June, 1873

Such warnings offer clues about the way crime was perceived, but they appeared sporadically, whenever the threat captured the attention of newspaper editors.

The arrest ledger kept by the police provides a more systematic portrait of day-to-day law enforcement in St. Paul. An examination of 643 arrests made during 208 randomly chosen dates offers a rough measure of criminal activity. Of course, not all crimes led to arrest. Some went unreported, some were unsolved, and still others were handled informally, with the officer administering a warning or perhaps a beating, rather than taking his prisoner to jail. Even when the police made an arrest, they sometimes disposed of the case outside of court by ordering the offender to leave town. Thus the ledger included only that portion of incidents which the police chose to handle formally. The number of arrests varied from day to day, according to the circumstances. About a quarter of the dates had none, while 33 occurred on one exceptional day when several of the city's prostitutes

were brought into court. Arrests averaged just over three per day, but a large proportion happened over the weekend, when citizens were off work and free to drink, fight, and otherwise get into trouble. The police court's Monday morning session tended to be busy as the city justice disposed of the weekend's cases.¹²

Most of the offenses were not serious. The ledger sample contained no arrests for murder, rape, or robbery. Three minor charges — drunkenness, disorderly conduct, and assault and battery — accounted for three-fifths of the arrests. When these were grouped by the type of offense, the largest category (56 per cent) was crimes against public order, including such common offenses as drunkenness, disorderly conduct, drunk and disorderly, and vagrancy. These threatened citizens'

¹²See, for example, *St. Paul Pioneer*, May 1, 1869, June 21, 1870.

sense of the city as a safe, predictable place, but they were lesser crimes. Arrests for more serious offenses were much less frequent. Acts of violence — crimes against persons — accounted for 13 per cent of all arrests, with assault and battery the most common charge. Acts of theft — crimes against property — accounted for another 8 per cent, with the most usual charge being larceny. Vice arrests for prostitution and gambling constituted 11 per cent, reflecting the police policies discussed below. Finally, 12 per cent of the arrests were for miscellaneous offenses: merchants who failed to purchase city licenses; homeowners with unsanitary nuisances; incorrigible children; and other misdemeanors which were not seen as criminal acts. The penalties assessed by the police court were light in most cases. Roughly a third of those arrested were discharged without further punishment (including those who were ordered to leave St. Paul); another third paid fines of less than \$10. Only about one arrest in ten led to a jail sentence or a trial in the district court on felony charges.

The predominance of minor offenses can be confirmed in other ways. In the 30 months covered by the ledger, the police force of St. Paul made fewer than 100 arrests for major crimes, such as murder, rape, robbery, aggravated assault, grand larceny, burglary, embezzlement, and other theft by trickery. These averaged out to about one arrest for a major crime every ten days.

Of course, an offender might commit a serious crime but avoid arrest and, thereby, appearance in the arrest ledger. But while the police did not keep records of unsolved crimes, the newspapers reported such offenses, whether or not they led to arrest. Yet St. Paul's papers ran relatively few stories about serious local crimes. From mid-May to mid-October, 1873, for example, the *Pioneer* reported two stabbings, two pickpocketing incidents (both during the state fair), and single instances of horse theft, aggravated assault, a confidence game, card cheating, dishonest pool swindle, and burglary — a total of ten serious incidents over a five-month period. The newspaper might have ignored some similar events, but it would have been certain to publish the details of murders, armed robberies, or other major crimes. The absence of such stories supported the conclusion drawn from the arrest ledger that St. Paul had relatively little serious crime.

The ledger also revealed some of the characteristics of the persons arrested by the police. By 1870, St. Paul's population was split nearly evenly between males and females, but females accounted for only one-sixth of the 643 arrests examined. The bulk of these were for prostitution; women accounted for four-fifths of the vice arrests but less than one-tenth of those in the other

categories. The arrested persons were also young; 64 per cent were under 31, and 14 per cent under 21. Nearly two-thirds were single, and most came from the lower ranks of the city's social structure. Individuals in middle-class occupations (such as professionals, merchants, and clerks) accounted for only 14 per cent while common laborers, members of the underworld (such as prostitutes and professional thieves), and the unemployed made up 58 per cent of the arrests. Thus, the typical arrest involved a young, unmarried, working-class male who was charged with drunkenness or some other crime against the public order.

One additional characteristic of those arrested deserves special attention. Their pattern of nativity differed from that of the population at large (see Table 1). Native-born whites composed more than half of Ramsey County's population but fewer than a third of those arrested. In contrast, Irish and Scandinavian immigrants and native-born blacks were over-represented. The offenses of the first two groups tended to involve violations of public order; Irish and Scandinavians accounted for 45 per cent of the arrests, but 56 per cent of the charges of crimes against public order. This probably reflects their disproportionate number in the city's lowest occupational levels. According to an 1880 census survey of 17,809 St. Paul residents in selected occupations, less than one-tenth of the native-born Americans were common laborers, while 38 per cent of the Irish and 34 per cent of the Scandinavians surveyed held such jobs. Common laborers frequented taverns for their recreation and, as a consequence, became caught up in drunken disruptions of public order.¹³

Arrests of blacks involved another pattern. They constituted over 13 per cent of those charged with theft — almost four times their proportion in the sample and nearly 17 times their numbers in the population as a whole. Moreover, black defendants received markedly

Table 1.
NATIVITY COMPARISONS

<i>Birthplace</i>	<i>Per Cent of Arrested Persons*</i>	<i>Per Cent of 1870 Ramsey County Population</i>
U.S. (White)	30.4	56.6
U.S. (Black)	3.5	.9
Ireland	34.3	9.9
Germany	16.0	15.8
Sweden and Norway	10.4	6.5
Other	5.4	10.3
Total	100.0 (626)	100.0 (23,085)

*Includes all the ledger sample but 17 for whom no birthplace was listed.

Source: U.S., Census, 1870, Population, 41, 360.

¹³U.S., Census, 1880, Population, 901.

harsher sentences than whites. While only one out of ten arrests led to jail sentences or felony trials, three out of five cases involving blacks led to jail or the district court. There, too, black defendants generally received harsher sentences than whites charged with similar crimes. Such discrimination occurred within an atmosphere of racial prejudice. Newspaper columns were filled with ethnic epithets, and blacks were portrayed as constant criminal offenders: "The police court room was filled yesterday with the nicest, blackest, most savoriest, cluster of colored niggers ever gathered together in that room." This atmosphere must have made police officers quick to arrest blacks whenever they came under suspicion.¹⁴

When they arrested criminals, St. Paul's police had the support of the great majority of the community. Crime was an undesirable feature of city life and the police were praised for making arrests. Newspaper columns rarely revealed any sympathy for criminal defendants. The papers treated even those charged with drunkenness and other minor offenses against public order with disgust or humor. If the police roughed up prisoners or discriminated against Irish, Scandinavian, or black suspects, no one stood to attack the questionable practices.

THERE WAS no widespread consensus about police policy toward vice. Prostitutes and gamblers posed critical problems for St. Paul's police because they provided services that were in demand. While citizens agreed that the police should rid their community of criminal parasites, vice evoked a very different response. The brothel customer had no desire to see the prostitute arrested, nor did he want to be arrested himself.

THIRD STREET, looking west from Minnesota Street to Wabasha, in 1873



Moreover, members of the wider community disagreed about the appropriate policy toward vice. Some wanted it eradicated; others, believing vice to be harmless or inevitable, advocated legalization or regulation. During the years after the Civil War, St. Paul's city officials, as well as ordinary citizens, frequently debated vice policy without reaching a consensus. As a consequence, police were frequently criticized for their enforcement of vice laws.

The city's method of controlling brothel prostitution reflected these conflicting pressures. Both state law and city ordinance prohibited prostitution, but St. Paul's government, with the approval of many citizens, sought to regulate brothels through periodic arrests. The system's proponents argued that prostitution was inevitable and that attempts to eradicate it were doomed to failure. They believed that prostitution, if it could not be eliminated, should be kept under supervision.

Beginning in 1863, the madams of St. Paul's brothels were "arrested" — that is, ordered to appear before the police court — and fined once a month. Ordinance No. 10 provided for fines of up to \$100 or jail terms of up to 30 days for each violation, but the madams normally paid \$25 plus \$10 for each inmate in their houses. Madams never went to jail on vice charges. Technically, the women were being punished; in fact, they were paying a tax to operate their businesses. The city profited in several ways. In the year ending March 31, 1870, prostitution accounted for only 6 per cent of all arrests, but the \$2,350 in fines for prostitution-linked offenses accounted for nearly half of the money collected by the police court (although this total was an insignificant portion of the city's income). After the madams paid over \$500 in fines during their September, 1871, courtroom appearance, one newspaper calculated, "Assuming that there will be no diminution in the number of tax payers, or the extent of the tax, the city treasury may consider itself as safe next year for over \$6,000 from this source alone." The authorities, sworn to enforce the laws, carefully avoided using words such as "license" or "tax," but most citizens understood that the brothels held a quasi-legitimate position in St. Paul.¹⁵

More important than its financial benefits, regulation let the police keep an eye on the brothels. Madams whose brothels became scenes of violence, theft, or uproar could have their houses closed; most chose to cooperate in controlling vice. The system was openly acknowledged in the newspapers. The *Pioneer* noted, with a touch of civic pride, that "St. Paul was the first city to

¹⁴ *St. Paul Pioneer*, June 7, 1870.

¹⁵ Gorman, comp., *City Charter*, 210; Chief of Police, "Annual Report," in *Proceedings of Common Council, 1870*, 216; *St. Paul Press*, September 2, 1871. Fines for 1870 were totaled from the arrest ledger.



ST. PAUL'S City Hall, built in 1856, housed the police department (1891 photo).

adopt the license system. It is an evil that must be looked in the face, and not handled with kid gloves.”¹⁶

Not everyone found regulation an acceptable solution. The policy came under periodic attacks by reformers who argued that the *de facto* licenses were both illegal and immoral. In April, 1870, Judge Thomas Howard, presiding over the police court, tried to change the system. Addressing the madams, who were in court to hear the monthly charges against them, Howard complained that regulation

has merely resulted in obtaining a revenue for the city, and has not tended to suppress these offensive and flagrant violations of the law. This must be stopped, and I have therefore determined to use all the power the law gives me to either entirely suppress this great evil, or to so far abate and regulate it, that it be driven from the public streets.¹⁷

Howard ordered each madam to pay \$100 plus \$25 per inmate — well above the customary charges — and threatened to imprison offenders who reappeared in his courtroom. The press was enthusiastic; the *Pioneer* spoke of Howard's “very laudible [*sic*] attempt” to control vice, and the *Dispatch* said, “Too much credit cannot be given to Judge Howard.”¹⁸

The police, however, responded by arresting the madams only on alternate months, reducing the impact

¹⁶ *St. Paul Pioneer*, February 16, 1867.

¹⁷ *St. Paul Pioneer*, April 22, 1870.

¹⁸ *St. Paul Pioneer*, April 22, 1870; *St. Paul Dispatch*, April 22, 1870.

¹⁹ *St. Paul Pioneer*, July 28, 1870.

²⁰ *St. Paul Pioneer*, February 4, 8, 10, March 11, 12, 13, 14, 20, 1874.

²¹ One man's occupation was illegible.

of Howard's higher fines. In a July court session, Howard argued openly with Mayor Lee, Chief Eddy, and Police Captain King. He charged that they were interfering with his crusade and demanded that they adopt a more aggressive policy, making vice arrests every day, if necessary. Supported by his ranking officers, the mayor refused to change the city's policy. He “opposed the heavy fines inflicted upon those poor women. . . . To depart from [the] established course and bring up these women oftener than once a month would be too often and amount to a persecution of them. It was impossible to remove the evil. For six thousand years the attempt had been made to eradicate it but the attempt was useless.” Without the support of the other city officials, Howard's crusade was doomed.¹⁹

The next serious attack on regulation came in 1874, when the St. Paul Common Council declared that the city should suppress the brothels. The new policy received favorable publicity, but when it was tested in court, it failed. Madam Lou Adams and her employees were charged with prostitution three times in one week, but they claimed to be dressmakers and the prosecution failed to win any of its cases. A few days later, the city council met again. One member declared, “the only result of the trials of the women arrested had been that they made the City Council the laughing stock of the city.” Shortly thereafter, St. Paul resumed its policy of regulating the brothels through arrests.²⁰

THE AUTHORITIES adopted a very different strategy for dealing with St. Paul's gamblers. The police kept track of the professionals, listing 35 men in a register headed “Gambling Sports &c,” kept at the back of the arrest ledger. Occasional newspaper stories described well-appointed gaming rooms, often located in downtown hotels. But while the ledger recorded several hundred arrests for prostitution, it contained only 28 for gambling. Of the 22 men involved 10 were professionals. Among the others were four merchants, three showmen, two saloon employees, a tailor, and a barber.²¹

The charges against the men reflected their occupations: the gamblers were all accused of gambling or keeping a game, while three of the four merchants were charged with keeping a lottery. Half of the men were married, 15 were native-born, and nine were over 30. Compared to the sample of all arrests, those charged with gambling tended to be well-established figures — married, native-born, over 30, and (if the professional gamblers are excluded) in skilled trades or the middle class. Perhaps because gambling involved relatively prominent men in the community, the police chose to ignore it whenever possible. It seems certain St. Paul had far more gambling than the 28 arrests would suggest.

The newspapers occasionally commented on the re-

luctance of the police to enforce gaming laws. "Isn't it about time the police paid their attention to the gamblers? . . . Why should the police be so polite as to call upon the women of the town every month, and on the gamblers only once a year? Such partiality should not be tolerated. Perhaps, though, the police like to call on the first oftener than the latter."²²

Prompted by the newspapers' demands, reports that youths were allowed in a gambling room, or complaints from men who had lost large sums in a game, the police occasionally mounted dramatic raids against selected houses. Concerning one such raid carried out in 1874, the paper reported:

On entering there was a scattering to and fro, and a lively scramble to get out of doors and windows. The two men who set up the establishment were taken into custody, together with four or five that were playing.²³

The officers also made some effort to arrest cheats. One gambler was caught with a set of clogged, or loaded, dice, weighted with lead. Teams of professional criminals who played three-card monte — a centuries-old confidence trick disguised as a game of chance — were arrested whenever they came to town, but the police could not stop them from plying their trade on the trains entering and leaving St. Paul. On the whole, however, police overlooked ordinary gambling.²⁴

POLICE ACTIONS were linked to the urban political establishment in many 19th-century cities. Officers demonstrated these bonds when they broke up strikes or political gatherings or when they acted as agents of urban political machines by shepherding voters to the polls and following the ward leader's instructions. During the years under study, the political connections of St. Paul's police were less evident, but they existed. The system of mayoral appointment for both the chief and his officers bound the police to policies set by the administration. The officers concentrated their attention on the

poor, tearing down shanties, arresting immigrant workmen for drunkenness, and aggressively pursuing black suspects.

The political role of St. Paul's police was most apparent in their enforcement of vice laws. Regulation of prostitution encouraged madams and prostitutes to cooperate with the officers, kept the houses open and orderly, and reduced the risk of vice becoming a source of police corruption. The regular arrests symbolically reaffirmed the women's status outside the community's moral boundaries. Working-class men who disrupted brothels occasionally faced charges of visiting a house of ill fame, but wealthy customers were rarely prosecuted. Men who gambled — even those who operated the halls — seldom faced arrest. Such arrangements demonstrated that the police served as agents of the powerful men who set the city's policy.

Over all, the picture in Minnesota's capital city was one of stability. Police statistics from eastern cities such as Boston and Buffalo suggest that 19th-century crime peaked during the 1870s. But St. Paul appeared relatively peaceful. Rapid population growth and a large transient population supported vice and kept the city disorderly, but there was little serious crime. By attacking crime and regulating vice, the city's police charted a course between the law, the policy set forth by city officials, and the practical conditions of their work, acting to maintain good order in the city.²⁵

²² *St. Paul Pioneer*, March 23, 1873.

²³ *St. Paul Pioneer*, August 2, 1874.

²⁴ *St. Paul Pioneer*, August 17, 1872, March 7, 1874.

²⁵ Theodore N. Ferdinand, "The Criminal Patterns of Boston Since 1846," in *American Journal of Sociology*, 73:84–99 (July, 1967); Elwin H. Powell, "Crime as a Function of Anomie," in *Journal of Criminal Law, Criminology, and Police Science*, 67:161–171 (June, 1966).

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