

RAMSEY COUNTY  
**History**  
*A Publication of the Ramsey County Historical Society*

Mystic Caverns  
And Their Short-lived  
Days of Glory

Page 21

Spring, 2000

Volume 35, Number 1

*The Two Worlds of Jane Gibbs*  
The Gibbs Farm and the Santee Dakota

—Page 4



"Guarding the Corn Fields," a watercolor by Seth Eastman, ca. 1850. This would have been a familiar scene for the young Jane De Bow Gibbs. Corn was a staple for the Dakota people. As a child, she lived near Cloud Man's village at Lake Calhoun in what is now south Minneapolis. Reprinted by permission from Seth Eastman: A Portfolio of North American Indians, Afton Historical Society Press. See article beginning on page 4.

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# RAMSEY COUNTY History

Volume 35, Number 1

Spring, 2000

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## Message from Editorial Board

Most of this issue of *Ramsey County History* focuses on the Gibbs Farm Museum, which the Ramsey County Historical Society owns in Falcon Heights. Over the past several years, the Society has expanded its interpretation of the Gibbs Farm to encompass both the white culture of the original owners, Jane and Heman Gibbs, and the Native American culture of the young Jane's friends, the Santee Dakota, in the first half of the nineteenth century.

Historian Julie Humann begins her article with an analysis of how Jane and the Dakota came to know and understand each other, beginning in 1835 when as a little girl, she lived near the village of the Dakota chief, Cloud Man, in today's south Minneapolis. A key part of their mutually supportive relationship depended upon the genuine reciprocity that these representatives of the two cultures had for each other.

Writer Janet Cass complements Humann's descriptions of Dakota culture with an examination of Dakota gardening at the farm Jane and her husband, Heman Gibbs, later established. Cass writes of the plant species the Dakota commonly used, their gardening techniques, and the relationship their gardening had to other aspects of their culture. Lastly, she explains how the Dakota garden at the farm's site fits in with the museum's expanded interpretation. The Society welcomes any additional information that readers of this magazine can supply about these aspects of Dakota material culture.

This issue next moves to the world of commercial agriculture practiced by the Gibbs family and other Minnesota farmers from the end of the nineteenth century to the present. Retired University of Minnesota agronomist William R. Hueg, Jr., explains how the University acquired the rich farmland that once belonged to the Gibbs family and other early residents of Rose Township and built a world-renowned agricultural experiment station.

*John M. Lindley, Chair, Editorial Board*

## Books, Etc.

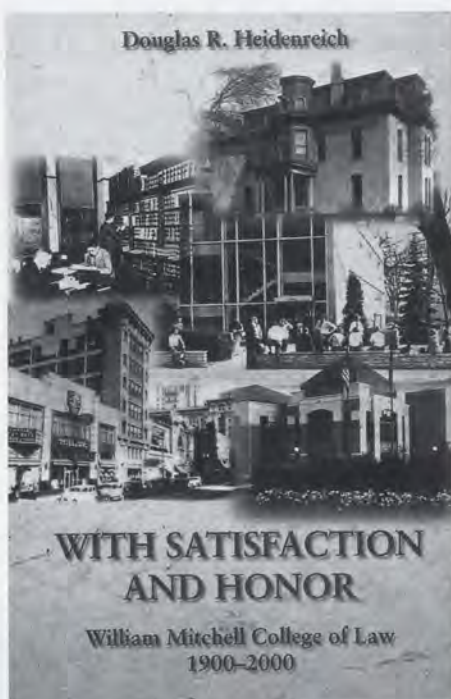
### *With Satisfaction and Honor; William Mitchell College of Law 1900–2000*

Douglas R. Heidenreich  
St. Paul: William Mitchell College of  
Law, 1999  
330 pages, index, \$18.95

*Reviewed by Thomas H. Boyd*

The centennial celebration of the William Mitchell College of Law offers an occasion to celebrate as well the spirit and accomplishments of the men and women who took the initiative to make lives for themselves in the legal profession. People, not buildings, make great law schools. Although housed in a variety of unusual and unique buildings over the years, William Mitchell's history is truly about the people who have created and developed this law school and, as a consequence, have made great contributions to the legal profession, both in Minnesota and nationwide.

The story of William Mitchell College of Law is the story of many schools that ultimately came together to be one. In addition to presenting an excellent historical account as to the origins of these various law schools and the people and events that shaped their merger, Dean Douglas R. Heidenreich also provides an excellent first-person account of the law school's post-merger history. As a 1961 graduate, longtime member of the faculty, and dean of the law school from 1964 to 1975, he has blended historical facts with engaging personal descriptions of the men and women who helped the college to grow and flourish throughout this past century.



The St. Paul College of Law—the “Lawyers’ Law School”—opened its doors in 1900. The school’s founders were led by Hiram F. Stevens, a distinguished lawyer, legislator, and civic leader who had helped found the American Bar Association (ABA). The other founders included Clarence Halbert, Thomas D. O’Brien, Ambrose Tighe, and Moses E. Clapp. At a time when the University of Minnesota’s Law School had earned the reputation as a comfortable refuge for members of the football team, these prominent jurists and attorneys believed there was a need for a top-flight law school in Minnesota.

The Honorable William D. Mitchell, who is still viewed by many as the greatest jurist in the history of the state, had just been defeated for re-election as associate justice on the Minnesota

Supreme Court when he was tapped to be the dean of the new law school. Unfortunately, Justice Mitchell suddenly and tragically died before the school opened. Undeterred by this tragedy, the founders moved forward with their plans to open the fledgling school which held evening classes at the old Ramsey County Courthouse, thus leaving the days open for students to work and observe the great lawyers of the day trying cases in the same courthouse.

The school drew students from a variety of backgrounds, including the sons of patricians such as the Honorable John B. Sanborn, Jr., who was the nephew of Senator Henry Rice and son of Civil War General John B. Sanborn. Judge Sanborn later served in all three branches of Minnesota’s government before going on to a distinguished career on the federal bench that spanned nearly forty years. The school also attracted first-generation immigrants such as Gustav Aaron Youngquist who became Minnesota attorney general and later accepted an offer from Attorney General William D. Mitchell—son of Justice Mitchell—to join the United States Department of Justice, where he successfully prosecuted Al Capone for tax evasion.

The St. Paul College of Law was soon followed by other proprietary law schools. The Northwestern College of Law (NWCL) was founded in Minneapolis in 1912; the Minnesota College of Law in 1913; the Y.M.C.A. College of Law in 1919; and the Minneapolis College of Law in 1925. Like the St. Paul College of Law, these schools also educated young men and women who went on to careers of



*James R. Anderson, first African American graduate of the St. Paul College of Law.*

statewide and national importance. Floyd B. Olson, the great governor of Minnesota, was a 1915 NWCL graduate; Lena Smith, a 1921 NWCL graduate, became Minnesota's first black woman lawyer; and the Honorable Luther W. Youngdahl, a 1921 graduate of the Minnesota College of Law, was elected governor and later appointed to the United States District Court for the District of Columbia.

The NWCL went bankrupt in the late 1920s, and the Y.M.C.A. College of Law was eventually forced to close its doors just a few years later. The remaining schools struggled to stay open in the face of the economic despair of the Great Depression and the days of low enrollment during World War II. Trustees and alumni pitched in to ensure that young men and women always had the opportunity to receive a legal education and enter the legal profession. Cyrus Rachie explained the spirit of this commitment to legal education through these tough times by saying, "The world gave us a chance. Pay back the world. Don't be a taker; be a giver. That's why we did what we did."

After the war, GI's such as the Honorable Douglas K. Amdahl, later chief justice of the Minnesota Supreme Court, returned to Minnesota to enroll at the

combined Minneapolis-Minnesota College of Law (M-MCL). Chief Justice Amdahl's future colleague, the Honorable Esther M. Tomljanovich, was among those who enrolled at the St. Paul College of Law in the decade following the war.

As enrollment increased, the schools faced problems in finding adequate space to hold classes. The St. Paul College of Law, which had moved from the courthouse to the Berkey mansion on Sixth Street and College Avenue, had outgrown its space and struck up an arrangement with the College of St. Thomas to hold classes on its campus. In the meantime, the M-MCL had leased space in the old Metropolitan Building in downtown Minneapolis.

The schools were also faced with the challenge of obtaining accreditation from the ABA's Section on Legal Education. John G. Hervey, who exercised complete control as the section's executive director, had firmly advised the M-MCL that the prospects for accreditation would be enhanced if it pooled its resources and merged with the St. Paul College of Law. In 1956, under the leadership of long-time trustees such as Judge Sanborn and Cy Rachie, the schools merged to create the William Mitchell College of Law,



*Hiram Stevens, first dean of the St. Paul College of Law. Photos with this review are from the book.*

named in honor of the jurist who was to have been the original dean of the St. Paul College of Law.

The "new" law school eventually hired Stephen R. Curtis as dean and moved into a newly constructed building on St. Thomas's campus. During this period, the school continued to graduate



*Justice William Mitchell, who served on the Minnesota Supreme Court from 1881 to 1899.*



Rosalie Wahl, an alumna, the second woman on the college's full-time faculty, and the first woman justice in the history of the Minnesota Supreme Court. Photograph from the book.

exceptional people who went on to make great contributions, such as the Honorable Paul A. Magnuson, who is now chief judge of the United States District Court for the District of Minnesota, and

Charlton "Chuck" Dietz, who became general counsel for the Minnesota Manufacturing and Mining Company.

After only a short time, the rapid growth in the faculty and the student body demanded more space. In 1975, the law school acquired Our Lady of Peace High School on Summit Avenue in St. Paul. This building has been converted, modified, and built out to meet the school's growing and changing needs. In 1990, the school dedicated its state-of-the-art law library and named it for one of its most distinguished alumni, Chief Justice of the United States Warren E. Burger, who had graduated from and who, along with the Honorable Harry A. Blackmun, associate justice, was among the many legal luminaries who taught at the St. Paul College of Law.

During this time, the law school itself, like the building, went through many changes as it sought to meet the needs of working students, maintain and expand an excellent faculty and staff, and develop clinical and other practical programs which have allowed the William Mitchell College of Law to retain its claim to the title of Minnesota's "Lawyers' Law School."

Dean Heidenreich has written a fascinating and informative history that is worthy of the many gifted and dedicated people who have been instrumental in the success of the law schools that are today embodied in and proudly represented by the William Mitchell College of Law.

*Thomas H. Boyd, a graduate of the University of Michigan Law School at Ann Arbor, is an attorney with Winthrop and Weinstine in St. Paul and a member of the Ramsey County Historical Society's Editorial Board.*

#### Also In Print

*"The Life and Career of the Honorable John B. Sanborn, Jr."*

Thomas H. Boyd  
William Mitchell Law Review, vol. 23,  
no. 2 (1997): 203-312.

Readers of *Ramsey County History* might recall that St. Paul attorney Thomas Boyd wrote an absorbing biographical sketch of Judge Walter H. Sanborn in the Summer 1991 issue of this magazine. Now in the *William Mitchell Law Review*, Boyd ably traces the professional career and judicial philosophy of Walter Sanborn's cousin, John Benjamin Sanborn. Carefully researched and amply documented, Boyd identifies Judge John Sanborn as one of the nation's most distinguished and able jurists who didn't serve on the United States Supreme Court. The importance and value of Boyd's biographical account is nicely complemented by the current centennial celebration at the William Mitchell College of Law, Judge Sanborn's alma mater and an institution to which he generously gave his time and talents.

John B. Sanborn (1883-1964) was the son of General John B. Sanborn, best known to Minnesotans for his service in the Union army during the Civil War and for his statue in the rotunda of the Minnesota Capitol. General Sanborn, however, was also a lawyer. In partnership with his nephew, Walter H. Sanborn, he operated one of the most successful late nineteenth-century law firms in St. Paul



The mansion built by Captain Peter Berkey in 1867 on Sixth Street and College Avenue, St. Paul. The William Mitchell College of Law moved here in 1921 when it had an enrollment of 260 students. Minnesota Historical Society photo.

before 1892 when Walter Sanborn was appointed a judge of the United States Court of Appeals for the Eighth Circuit.

Like his father and his uncle, John Sanborn became a lawyer. He graduated from the University of Minnesota in 1905. Instead of obtaining his law degree from the University, John Sanborn enrolled in the St. Paul College of Law, a college founded in 1900 by five St. Paul lawyers who believed that a night law school in the city would help attract young men (and women) of talent and ability to the practice of law. By holding its classes at night, and with a faculty almost exclusively of local judges and lawyers who were actively engaged in the practice of law, the founders of the St. Paul College of Law expected their students to work at other jobs during the day and pursue their legal education at night. The practical emphasis of the curriculum and teaching program at the youthful St. Paul College of Law soon earned it the nickname of "A Lawyers' Law School." Today the St. Paul College of Law is recognized as the oldest predecessor night law school of the William Mitchell College of Law, located on Summit Avenue in St. Paul.

John Sanborn, Boyd writes, graduated as the top student in his class, was admitted to the Minnesota bar in 1906, and entered private practice in St. Paul. In 1912 he joined the St. Paul firm of Butler & Mitchell, whose senior partner, Pierce Butler, was appointed to the U.S. Supreme Court by President Calvin Coolidge in 1922. Butler's partner in this firm, William DeWitt Mitchell, was the son of William Mitchell, the famous Minnesota jurist for whom the William Mitchell College of Law is named. Like Butler, William D. Mitchell later achieved national prominence as U.S. solicitor general and U.S. attorney general in the 1920s and 1930s.

In 1912 the 37th district in St. Paul elected John Sanborn to the Minnesota House of Representatives. Reelected in 1914, he lost his seat two years later in a close race. In 1917, Minnesota's governor, J. A. A. Burnquist, appointed him to a two-year term as the state's insurance commissioner, but Sanborn resigned in 1918 to enlist as a private in the U.S. Army. After a military service that lasted less than six months, he returned to com-



*John B. Sanborn, Jr., when he was Minnesota Tax Commissioner. Photo from the Minnesota Historical Society.*

plete his term as insurance commissioner. In 1920 he was appointed to the Minnesota Tax Commission.

Boyd then traces Sanborn's judicial career, which began on March 2, 1922, when Governor Jacob A. O. Preus appointed him to replace Judge Hascal R. Brill on the Ramsey County District Court. Forty-two years of judicial service at first the state and then the federal level followed. After three years on the Ramsey County District Court, Judge Sanborn was appointed in 1925 to the U.S. District Court for Minnesota. At the age of forty-one, Sanborn was the first native Minnesotan to be appointed to the federal district court and was one of the youngest federal judges in the nation. Sanborn served on the District Court for seven years handling a heavy caseload that included numerous trials involving the enforcement of prohibition. He came to be known, in Boyd's words, for his "concern for fairness and his commitment to the straightforward application of the law. His decisions also reveal a compassionate, as well as pragmatic, side of the man."

Following nomination to a vacancy on the U.S. Court of Appeals for the Eighth Circuit by his former law partner, William D. Mitchell, who was at the time President Herbert Hoover's attorney gen-

eral, Judge Sanborn was confirmed by the Senate in January 1932. The Eighth Circuit, of course, was the same court on which his cousin, Walter, had served from 1892 to 1928. Considered a "conservative" jurist, Judge John Sanborn sat for thirty-two years on the Eighth Circuit bench, heard some 2,400 cases, and wrote about 900 opinions. He retired from active service in 1959 and took senior status. His successor on the Eighth Circuit was a fellow Minnesotan, Harry A. Blackmun, who had been Sanborn's first law clerk in 1932-33 and a law instructor at the St. Paul College of Law from 1935 to 1941.

Throughout his career as a lawyer and a judge, Judge Sanborn supported the St. Paul College of Law. He served on the school's board of trustees in the difficult depression years of the 1930s and was board president from 1949 to 1956, when the school merged with the Minneapolis College of Law and formed the William Mitchell College of Law. He was vice president of the board when he resigned in 1959. At the time of his resignation, Judge Sanborn received the first honorary degree ever conferred by the school or any of its predecessors. In addition, the school's new library, then located on the campus of the College of St. Thomas, was named in his honor. In 1964, Judge John Sanborn died at the age of eighty, having spent more than fifty years in public service to Minnesota and the nation.

The facts of Judge John Sanborn's professional life and career are only a small indication of his abilities and accomplishments. In his biographical sketch Boyd documents fully the judge's views on various legal issues, and he emphasizes Judge Sanborn's role as mentor to younger lawyers. The judge felt he had a responsibility to help develop future leaders of the bench and bar. Boyd's essay is more than a biography of a great jurist. It provides a clear look at the complex world of a federal judge that helps non-lawyers better understand the human side of the nation's judiciary.

*Reviewed by John M. Lindley, a freelance writer and editor and chairman of the Ramsey Country Historical Society's Editorial Board.*



*Farming in Early Minnesota*

Edward J. Lettermann  
 St. Paul: Ramsey County Historical Society  
 101 pages, index, \$10 (paper)

*Reviewed by Virginia Brainard Kunz*

This little book tells the story of pioneer farm life through tools and implements once used by Minnesota's early farmers. Many of those tools are on exhibit today at the Ramsey County Historical Society's Gibbs Farm Museum. Published first in 1961, it has been so popular that it is now entering another edition, published in memory of William R. Anderson, Jr.

*Farming in Early Minnesota* was written by the late Edward J. Lettermann, former curator of the Gibbs Farm Museum and a gifted writer and artist. He not only researched and wrote the text, but he also hand-lettered it and produced all the drawings. While he intended his book for many different readers, and he thoughtfully gave it a global reach, he hoped that young readers also would find it interesting.

He noted in his Preface that "these tools and implements are typical of those used by thousands of pioneer farmers throughout the vast area of the Middle West." And he pointed out that "many

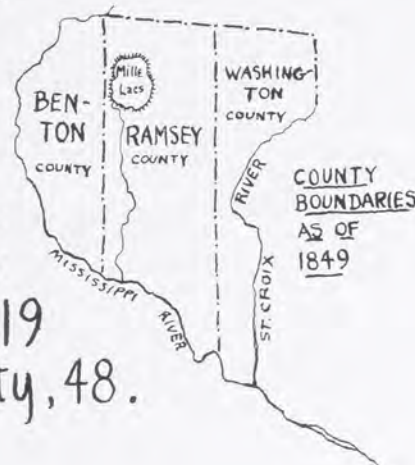


GETTING A FARM

Title to land in Minnesota could not be obtained before 1848, and it wasn't until after 1853 that farmers could acquire land lying west of the Mississippi River.

However, during the 1840's, settlers had begun to claim farms in the area between the St. Croix River and the Mississippi.

The number of farms listed in the United States Census of 1850 in Minnesota was:  
 Benton County, 20  
 Ramsey County, 19  
 Washington County, 48.



*A page from Farming in Early Minnesota.*

also are typical of the tools and implements still in use on farms in half of the world. Much of the land in Asia, Africa, and South America is tilled by old-fashioned methods used by the pioneer farmers of Minnesota."

"The story of Heman Gibbs," he added, "and how he created a home for himself and his family is typical of other pioneer settlers of the 19th century."

Lettermann's book should have a special meaning for those readers whose early lives were cast among the farmhouses and barns, horses and cattle, that

dot the fields of rural America, as well as for the many among us who hold memories of cutting firewood for the kitchen stove, feeding livestock hay hacked from frozen haystacks, and harnessing horses to wagons. With his delightful drawings and careful text, Lettermann created an important and lasting document of a not-so-long-ago era when all farming was family farming.

*Virginia Brainard Kunz is editor of Ramsey County History.*



*"Sioux Indians," an 1851 watercolor by Johann Baptist Wengler, Oberosterreichisches Landesmuseum, Linz, Austria. Wengler painted this at a time of transition for the Dakota people. The dress of the man suggests a ceremonial costume and the lance probably was for parade use, but the women's dress reflects their gradual adoption of the clothing of the white community. Photo by F. Gangl and reproduced by permission of the museum. See article beginning on page 4*

**R.C.H.S.**  
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