

RAMSEY COUNTY  
**History**  
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A Roof Over Their Heads:  
The Ramsey County Home

*Page 13*

**Summer, 2000**

Volume 35, Number 2

*Dilettante, Renaissance Man, Intelligence Officer*  
Jerome Hill and His 'Dearest Mother' Letters

*—Page 4*



James J. Hill, II (Jerome Hill) in Air Corps uniform, photographed around 1942, probably at Jefferson Barracks, Missouri. See article beginning on Page 4.

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# RAMSEY COUNTY History

Volume 35, Number 2

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## Message from the Editorial Board

Because the more recent issues of *Ramsey County History* have concentrated on the mid-nineteenth century and the area's pioneer heritage, this issue shifts to the mid-twentieth century with the wartime experiences of Jerome Hill, grandson and namesake of the Empire Builder, James J. Hill. Historian and author G. Richard Slade uses Jerome Hill's letters to his mother while Hill was serving as an Army Air Forces intelligence officer in France in the summer of 1944 as a window on southern France and Paris immediately following liberation by the Allies. Jerome Hill's reports of what he saw allow the reader to glimpse Paris through the eyes of an observer who knew it well before the German army overran it in 1940. We then turn to a subject close at hand—the story of the Ramsey County "Poor Farm" and its adjacent cemetery in Maplewood. Authors Pete Boulay and Robert C. Vogel both make a strong case for the value and usefulness of local history in current policy-making decisions. Rounding out this issue is Tom Kelley's account of the 1962 gubernatorial election recount. Although the recount itself is a familiar story in Minnesota politics, Kelley provides the perspective of an insider who participated in the process as the state's first Election Procedures Advisor. His reminiscences remind us that balloting in elections is a serious business that is sometimes overlooked in the heat of a campaign.

*John M. Lindley, Chair, Editorial Board*

## Recounting the 1962 Recount

# The Closest Race for Governor in Minnesota's History

Thomas J. Kelley

The November, 1962, election campaign for governor of Minnesota between Republican Elmer L. Andersen and Democrat Farmer-Laborite Karl F. Rolvaag was the most closely contested in the history of Minnesota. The outcome was not known until March 21, 1963, when a three-judge panel declared Karl Rolvaag the winner by ninety-one votes. That was the legal outcome, but we never will know what the real score was in that election. Perhaps the only person who could come close to telling us the real margin in that election was a brilliant lawyer and tactician from New Prague, Minnesota, Clayton Nelson. But I am getting ahead of my story.

The 1962 election was historic for two reasons: It marked the first time that a Minnesota governor would be elected to a four-year term, and it was the most closely-contested gubernatorial election in the state's history. The final results were not known until late March, 1963, as a three-judge district court concluded a recount of the election.

Elmer Andersen, a liberal Republican who had served his political apprenticeship in the state senate after a successful career as a business executive, was completing his first term in 1962. The state had been strongly Republican in most elections during its first ninety years, with few interruptions. The Democrat-Farmer-Labor party had enjoyed its first big success in the 1954 election when Orville Freeman became governor; Karl Rolvaag lieutenant governor, and all but one of the DFL candidates for constitutional offices were elected. The state house of representatives went DFL by one seat. The senate, which had been Republican since Minnesota became a state in 1858, remained Republican, but Rolvaag, as DFL lieutenant governor,

presided over that senate. Now, in 1962, he was challenging Andersen in a bid for the governorship.

Rolvaag was a party workhorse. He had served as chairman of the DFL party, and had been a sacrificial candidate for Congress in a hopelessly Republican district. In 1960 he was elected lieutenant governor for the fourth time while Andersen was elected governor on the Re-



*Samuel H. Morgan, one of the attorneys for the Republicans, analyzes ballots. Photo from Recount by Ronald F. Stinnett and Charles H. Backstrom, National Document Publishers, Inc., Washington, D. C., 1964.*

publican ticket.

When it came time for the DFL to endorse a candidate, there were those who thought the young attorney general, Walter F. Mondale, would have a much better chance of winning what promised to be a close election. However, the Mondale campaign was derailed when the state AFL-CIO convention, led by the building trades, decided that Rolvaag deserved the nomination.

Andersen was a personable candidate so, rather than run against him person-

ally, the DFL strategists chose to run against the Republican-endorsed sales tax bill and the administration of the state highway department during Andersen's term. A series of radio spots identifying Andersen with the proposed sales tax and poor construction programming by the highway department irritated his campaign managers. Republican leaders responded by suggesting that Governor Andersen invite the press to a ribbon-cutting ceremony marking the opening of a segment of Highway 35. An alert inspector noted that a regulation setting the minimum temperature allowable for pouring concrete had been relaxed by a few degrees to enable the work to be completed in time for the ceremony.

Some DFL partisans made an issue of the infraction. The governor's defenders claimed the charges were spurious and yelled foul. Later, Republicans claimed that the Highway 35 episode swung the election to the DFL, but voters already had been crossing over to Rolvaag as the election drew near. As the campaign drew to an end, polls indicated that the candidates were almost even, although the same polls showed the DFL leading the GOP in the legislative and congressional races.

Faced with this information, Rolvaag, who earlier had insisted that his World War II record not be used in the campaign, allowed a tabloid, *The Silver Star*, to describe his exploits as a tank commander in France that led to his being awarded a Silver Star. He had been severely wounded and spent many months in military hospitals following the war. World War II veterans and their families formed a significant political bloc in 1962, and the prospects for Rolvaag's election were looking up.

In the state's early history, weather could determine the outcome of an elec-

tion. Heavy rain or snow could make unpaved rural roads impassable, profoundly affecting the farm vote. On November 6, election judges driving to the polls in some townships were not troubled by the wispy, powdery snow that looked like smoke as it blew almost straight out of the west in front of the headlights. By mid-afternoon, however, horizontally-driven snow was interfering with visibility on roads leading to polling places. By nightfall, six inches of snow had fallen in northern Minnesota between Duluth and Moorhead—traditionally DFL territory.

When the polls closed, more than 60 percent of eligible voters had voted, totaling almost 1.3 million voters. The lead changed many times in the following week as the vote totals trickled in; 40 percent of the votes were cast on paper ballots, and those ballots would be the central issue in the later recount. The election results finally showed Rolvaag the winner with 619,704 votes; Andersen had 619,580.

Shortly after the election, with Rolvaag the apparent winner, Governor Andersen suggested that a statewide recount would be in the best interest of the public. The state's election laws indicated that since the burden of proof is on the contesting party, that party was responsible for the cost of a recount. Both parties began looking for counties with obvious election errors.

In a request to the state Supreme Court, the Republicans asked that the canvassing boards in ten counties, all assumed to be strong pro-Andersen counties, examine their returns. The court concurred. The result was that Andersen moved into the lead with 142 votes and on November 29, the court declared him the winner. The DFL had filed similar requests for recanvassing in districts where the party believed there were irregularities in the handling of ballots. The court denied the requests. When the DFL filed a lawsuit challenging the ruling that Andersen had won the election, the stage was set for a recount. Lawyers for both sides (Neil Morton, Richard Kyle, and Sam Morgan for the Republicans, Sidney Berde, Clayton Nelson, and Mary Louise Klas for the DFL) agreed to creation of a three-judge panel to handle the recount.

The author was a witness to many of the election events and the subsequent recount. In 1958 the legislature created a position called the Election Procedures Advisor, a Civil Service position in the office of the Secretary of State. After surviving both a test and some interviews, I became the state's first Election Procedures Advisor. In 1962 I left to work for the city of St. Paul, but I soon was recruited to participate in the DFL election and the recount that followed.

I attended the first meeting of the DFL recount volunteers at the Leamington Hotel in Minneapolis. Others there were Rolvaag, his chief campaign workers, attorneys, legislators, and presumed experts, including Tom Downs of the United Auto Workers. Downs told the group that in Michigan they found that where precincts were heavily Democratic, the errors usually favored the Democrats, and where precincts were heavily Republican, the errors favored the Republicans.

Downs was followed by Robert Mattson from the Attorney General's office who cited some cases he thought would govern a recount in Minnesota. Sid Berde, the original legal counselor for the recount, also addressed the group. Finally, Mattson introduced a stranger to us all. Clayton Nelson was a lawyer who practiced in New Prague and Mattson said he might have some information that would be of interest.

Nelson seemed almost shy as he got up in front of the group. He explained that he was just a country lawyer and a DFLer with experience in a legislative recount and went on in his modest manner as to how he would conduct it if he were in charge. The crowd listened attentively as he laid out, step-by-step, how the recount should be carried out. It was obvious that he knew whereof he spoke. I said to Rolvaag, "You have found your man." Rolvaag said, "I have already reached that conclusion." From that point on, Clayton Nelson was the mastermind of the Karl Rolvaag recount team. There were many other bright, capable workers involved in the recount, but it was Nelson who laid out strategy and procedure.

There would be no recount, however, unless Rolvaag could establish a good reason for questioning the results, re-

opening the ballot boxes, re-examining and recounting the ballots. This meant that obvious errors would have to be found and pointed out. An analysis by Dr. Roy Stinnett and others of returns from several counties concluded that a transposition error in Carver County gave Andersen an extra 100 votes.

Similar anomalies were found in other counties throughout the state, and canvassing boards reconvened and authorized recounts. As a result, the lead in the governor's race swung back and forth during the weeks following the election. In the first round, 97,000 ballots were challenged. Representatives of the two candidates screened these ballots and reduced the number in contention to 22,000. Further screening cut the number to 3,851, the final number that would be presented to the three-judge panel. It was determined that the ballots should be separated into twenty-four categories.

The trial began in the Ramsey County Courthouse on February 25, 1962. The ballots were considered category-by-category, ballot-by-ballot. As the trial proceeded, Andersen remained in the governorship. The lawyers for the Republicans knew that the DFL was in the driver's seat when Clayton Nelson began to stipulate out whole categories of votes to shorten the trial.

On March 21, 1963, the three-judge panel issued an order directing Secretary of State Joseph Donovan to issue a certificate of election to Rolvaag. The court stayed the order for ten days to allow Andersen to appeal. Two days later, however, Andersen announced that he would not appeal and on March 25, a certificate of election was issued to Rolvaag. At noon on that same day, he took the oath of office. He became Minnesota's thirty-first governor 139 days after he was elected.

*Thomas J. Kelley, former county auditor, city administrator for St. Paul, and director of Community Services, is a member of the Ramsey County Historical Society's Editorial Board. An abridged version of this article by Kelley appeared originally in For the Record—150 Years of Law and Lawyers in Minnesota, published by the Minnesota State Bar Associ-*



*Dairy herd at the Ramsey County Home in Maplewood in 1923. Minnesota Historical Society photograph. See Pete Boulay's history of the Ramsey County "Poor Farm" beginning on page 13.*

**R.C.H.S.**  
RAMSEY COUNTY HISTORICAL SOCIETY

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