PROSTITUTION IN LA CROSSE BETWEEN 1876 AND 1913

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ABSTRACT

Statement of the Problem

It is the purpose of this paper to show through the use of documentary evidence that prostitution did exist in La Crosse between 1876 and 1913. Further, those methods of arrest and conviction used to legally stop or attempt to stop individuals involved in the vice were often quite sloppy by modern standards of "legal justice."

Methods and Procedures

The paper basically contains information from two sources:

1. Six circuit court cases held in La Crosse between 1876 and 1905, the files of which are stored in the vault of the La Crosse County Courthouse.
2. The findings in La Crosse of the Wisconsin Legislative Committee to Investigate the White Slave Traffic and Kindred Subjects, the files of which are stored at the Wisconsin State Historical Society in Madison, Wisconsin.

Each of the first four chapters summarizes a court case in which a woman was found guilty of either being a prostitute or operating a house of prostitution. Chapters five and six summarize two court cases wherein two women were found innocent of operating houses of prostitution. Chapter seven is

a summary of the correspondence, investigators' reports, and hearings of the aforementioned Wisconsin Legislative Committee of 1913.

Findings of the Study

Prostitution was a fact of life in La Crosse, not only when there was a red light district, but also after the district was closed. Yet there is no evidence that the brand of prostitution found in the city involved white slavery or the type of sadistic physical mistreatment that so often plagues modern prostitutes who become the fille de joie of underworld syndicate criminals. On the other hand, the evidence does show that prostitutes and women accused of being prostitutes did suffer at the hands of an unsophisticated legal system which allowed arrest and conviction based on the slimmest of circumstantial evidence.

INTRODUCTION

In his article entitled "Prostitution," Kingsley Davis stated, "To get reliable data on the prevalence of prostitution, or changes in prevalence, is impossible."[1] Several pages further on Davis explains the reason for this, "People do not wish to be reminded of prostitution. They do not wish to see streetwalkers on the streets, to see districts where prostitutes are known to be, to live in a building or block where men in large numbers are seen to be visiting women. As long as they do not see it, they can forget about it."[2] From the point of view of a writer of a historical paper dealing with prostitution, even as short a paper as the present one, the truth of Davis' reasoning is reflected in the dearth of material available for research especially as it relates to a town the size and background of La Crosse. For example, though Sanford and Hirshheimer in their history of LA Crosse during the last half of the nineteenth century devote three pages to "Controversial Pleasures," nowhere do they discuss prostitution, which might very well be called the ultimate controversial pleasure. The index of their book has no listing for crime, prostitution, prostitutes, or vice, and although

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[1] Kingsley Davis, "Prostitution," Contemporary Social Problems, ed. by Robert K. Merton and Robert A. Nisbet. (New York: Harcourt, Brace & World, 1961), p. 280.

[2] Ibid., p. 285.

there is a reference to "stripper" for a footnote on page 216, the note refers to the pealing of "bark from logs" rather than clothes from women.[1]

Indeed, then, published histories of La Crosse are themselves fairly noncontroversial because of their noninclusion of prostitution which was very much a part of the city's life. It is the purpose of this paper to help fill that gap by presenting a summary narrative of prostitution in La Crosse between the years 1876 and 1913.

During the mayoral campaign of 1913, candidate and ultimate winner Ori J. Sorensen said that he knew and had a list of forty to fifty houses of prostitution that were operating in La Crosse.[2] His statement as to the prevalence of prostitution is documented fact, but such bold insights into prostitution in La Crosse are rare. As a result, investigators and writers of history in this subject find it necessary to rely on vague newspaper accounts, court records, and governmental investigations.

In the vault of the La Crosse County building there are over 1500 criminal case files for the period between 1852 to 1906. Of these cases, twenty deal with prostitution and of these twenty cases, only six files are anywhere near documentarily complete enough for a historian to determine the

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[1]Albert H. Sanford and H. J. Hirshheimer, A History of La Crosse, Wisconsin 1841-1900 (La Crosse, Wis.: La Crosse County Historical Society, 1951), p. 216.

[2]"Sorensen Will Not Give Names of the 'Dumps'," La Crosse Tribune, March 31, 1913, p. 1.

particulars of the case from first criminal complaint to final disposition of acquittal or sentencing. The first of these six cases took place in 1876, the date which provides the point of departure for this study. At the other end of the continuum, in the year 1913 the Wisconsin Legislature created the Wisconsin Legislative Committee to Investigate the White Slave Traffic and Kindred Subjects.[1] The findings of this committee in La Crosse are quite enlightening and help to fill the gap that exists in most histories of the city with respect to the existence of prostitution.

Most of the thirty-eight year period covered by this paper falls within the Victorian era and even the years included here which come after 1901, the year in which Queen Victoria died, until 1913 were so influenced by the earlier period, that the entire period of time from 1876 to 1913 was in fact Victorian. However, this is at once misleading because of the general connotation that the term Victorian conveys. It was not an era of unchanging drabness and somberness. To the contrary, even Queen Victoria herself, in addition to handling affairs of state, enjoyed riding horses, attending parties, dancing, and engaging in the affairs of youthful society.[2] The belief today that the Victorian era was drab and somber has undoubtedly arisen because

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[1] Paul H. Hass, "Sin in Wisconsin: The Teasdale Vice Committee of 1913," Wisconsin Magazine of History, XLIX (Winter, 1965-66), p. 140.

[2] J. N. Hook, et al. Literature of England (Boston: Ginn and Company, 1957), p. 471.

of the seriousness of many of the great changes that were taking place at that time.

The people of the Victorian period were attempting to make changes that were based on what was, in their eyes, morally right and proper. This was reflected in every facet of human endeavor throughout the entire western world of the period. British novelist Mary Ann Evans, for example, through her writing tried to show that men should do right actions because in so doing they develope their own individual personalities and at the same time aid their neighbors. Charles Dickens used his writing ability to attempt to create social changes for the less fortunate.[1] In the United States Horatio Alger showed that with hard work and a moral heart one could attain reward. In philosophy the German Friedrich Nietzsche struggled with the forces of good and evil as it related to power. Throughout the western world labor unions were becoming the antithesis to the thesis of unfair management. From London's Toynbee Hall, Jane Addams gained inspiration which led her to found Hull House in Chicago as a center for needy children.[2] The English, whose own capital of London had no less that 8,600 and perhaps as many as 80,000 prostitutes during the 1850's,[3] created legislation during the

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[1] Ibid., pp. 478-80.

[2] Richard C. Wade, Howard B. Wilder, and Louise C. Wade, A History of the United States (Boston: Houghton Mifflin Company, 1966), p. 483.

[3] Jerome B. Schneewind, Backgrounds of English Victorian Literature (New York: Random House, 1970), p. 115.

1880's to prevent the forcing of women into prostitution. The government of the United States during the first decade of the twentieth century became interested, along with other western nations, in halting forced prostitution and in 1910 created the Mann Act as a weapon to try to prevent the interstate transport of women for immoral purposes.[1]

The people of La Crosse, too, were attempting to decide what kinds of laws should be enacted in order to preserve, protect, and defend the moral framework of the city. Quite often they made the decisions only after some heated arguments. For example, there were arguments as to whether liquor license fees should be raised, whether gambling should be abolished and once it was abolished how the law was to be enforced. The discussions concerning Sunday closing ordinances reached a high water mark in October, 1886, when the Law and Order League stated that except for necessary and charitable occupations, anyone caught working on Sunday should be arrested. As a result, not only were tavern owners and employees arrested, but also barbers, storekeepers, hotel and railroad employees as well as others.[2]

There was public indignation against the alleged existence of prostitution in La Crosse, although this was not a

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[1]Hass, Wisconsin Magazine, pp. 138-39.

[2]Sanford and Hirshheimer, History of La Crosse, pp. 227-30.

topic for polite conversation around town. Occasionally there was a short note in a local newspaper that revealed not only the existence of prostitution in the city, but also an underlying aversion to it. For example, in the La Crosse Evening Democrat of January 20, 1870 is the note, "Bloody fight in a whore house, no arrests," and in the La Crosse Chronicle on December 3, 1878 appeared the following, "Mary Welch and Hanna Snodgrass, two females whose occupations and actions were no prettier than their names whooped it up until the police walked away with them. They are removed from tempting or being tempted for ten days." Yet, even though the feelings against prostitution in La Crosse existed, the feelings along could not and did not prevent its existence. It is to this existence that this paper is directed.

CHAPTER 1

THE STATE OF WISCONSIN VS. CARRIE SCOTT

The case of The State of Wisconsin vs. Carrie Scott began on September 22, 1897 when, on the complaint of Sergeant H. Robinson, Justice of the Peace Leonard Kleeber issued a warrant for Mrs. Scott's arrest. The complaint and warrant stated that Carrie Scott had on September 21, 1897 broken Section Five of Ordinance Fourteen of the city charter of La Crosse, "By being a lewd woman who walks upon the streets or public thoroughfare and visits wine rooms in the night time for the purpose of plying her vocation in the City of La Crosse."[1] In 1897 the punishment for this crime, according to section five, was a fine of between five and twenty-five dollars, or a jail sentence of not more than sixty days, or both a fine and a jail sentence.[2]

Mrs. Scott, who had actually been arrested late in the evening of September 21, pleaded innocent to the charge and was freed on fifty dollars bail bond. The trial was postponed for the defendant on September 29 and October 2, but was held

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[1]State of Wisconsin vs. Carrie Scott, Judgment Roll 1240. Circuit Court for the Sixth Wisconsin Judicial District (Case Filed Dec. 15, 1897), Criminal Complaint and Warrant, both Sept. 22, 1897.

[2]Ordinance No. 14, Charter and Ordinances of the City of La Crosse, With the Rules of the Common Council, sec. 5, 174-75 (1888).

on October 4 at eleven o'clock in the morning in the office of Justice Kleeber. Because Mrs. Scott demanded a jury trial, Chief of Police H. H. Byrne subpeonaed C. A. Krebaum, C. S. Van Auken, W. D. Cameron, Andy Boyd, John Ulrich, and B. C. Smith to act as jurors.[1]

As presented through testimony during her trial before Justice Kleeber, the case for the prosecution was as follows. Chief of Police Byrne, prior to September 22, had received complaints from his men on the police night force that there was an unstated number of streetwalkers plying their trade in La Crosse, and the policemen thought that something should be done to stop these women. Exactly what directive Chief Byrne gave to his men concerning the streetwalkers is unclear from the testimony of the case, but it is clear that they interpreted his directive to mean that they should arrest any women whom they thought were of lewd character.[2]

On the night of September 21, several policemen observed Mrs. Scott prior to her arrest. John Geifer saw her walking on Third Street north of Main in the company of Mrs. Maggie Johnson and a Mrs. Jones. Officer E. H. Derr, who ultimately arrested her, saw her at about 11:00 P.M. in an alley between Second and Third Streets on State and Sergeant Charles Catlin

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[1]Judgment Roll 1240, Copy of the Docket, Dec. 15, 1897.

[2]Judgment Roll 1240, Testimony, Oct. 4, 1897, pp. 5, 11, 24.

saw her in Olson's Saloon, the location of her arrest. Sergeant Catlin testified that when he saw her with a strange man in Olson's, he went after Officers Derr and Martin Haley. Derr made the arrest about 11:00 P.M., took her to the police station and put her in a jail cell.[1]

During the trial in Justice Court, the defense attorney, O. R. Skaar,[2] when cross-examining the arresting officer, Derr, brought out the fact that Mrs. Scott was doing nothing "bad" at the time of her arrest:

> Q--What was this woman doing? A--At this time she was looking to one side.
> Q--What was she doing anything bad? A--No, sir.
> Q--Say anything to you? A--No, sir.
> Q--Did you say anything to the man she was with? A--No, sir, I didn't say anything to him.[3]

Yet Mrs. Scott was arrested and convicted both in Justice Court and Circuit Court for walking the public streets in order to solicit customers for prostitution. Much of the basis of the prosecution's case against Mrs. Scott, and to a lesser or equal extent in all the cases covered in this present paper, was that her <u>reputation</u> was that of being a "lewd" woman. Each of the seven witnesses for the prosecution referred to her reputation and actions as being bad or lewd. Sergeant Catlin explained what he meant by this when he stated that he thought

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[1] <u>Ibid</u>., pp. 4, 7, 13.

[2] Judgment Roll 1240, Copy of the Docket.

[3] Judgment Roll 1240, Testimony, p. 9.

she was lewd and indecent because he did not "think she has acted ladylike," because he saw her having "very hot words" with some men one night in front of Miller's Saloon and because he saw her on the street "nearly every night."[1] The following exchange between Mr. Skaar and Officer Derr explains the basis for the latter's opinion of Mrs. Scott: "Q--What suspicious character what you would call lewd have you seen of this woman during the time you have known her? A--Late out at night and talking with men and going into wine rooms."[2] The fact that Mrs. Scott had been seen out walking late at night was also a major point of reasoning basic to the opinions of Officers Haley's and Geifer's, Mrs. Davidson's and Captain Park's about Mrs. Scott.[3] Chief Byrne did not know her personally, but he stated that he knew of her reputation and that she kept company with one Bell Cran and, said Chief Byrne, ". . . I don't believe a decent woman would keep company . . . with the likes of Bell Cran."[4] But perhaps the most thorough explanation and most pointed attack against Carrie Scott's reputation was made during the testimony of Officer Geifer when he was questioned by Mr. Skaar:

> Q--Do you know because a woman is on the street that she is a lewd woman? A--No, I don't, not unless her actions are such.

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[1] Ibid., pp. 1, 5.

[2] Ibid., p. 10.

[3] Ibid., pp. 12, 13-14, 16, 26.

[4] Ibid., p. 23.

Q--Because she goes into wineroome? A--No sir.
Q--Do you think she is a lewd woman? A--Yes sir.
Q--What makes you believe that she is a lewd woman?
A--I didn't say every woman. I have seen her actions right along.
Q--What can you say as to Carrie Scott's actions that made you believe that she is a lewd woman?
A--I have seen her talking to men on the streets and walk with her and she would walk up and he would walk up and get some men and they would go in the saloons.
Q--Because certain men A and B goes away from her and get some men and talk to this defendant and walk and talk to her right along is that the reason for you to believe that she is a lewd woman?
A--Yes sir.

This testimony raises important questions as to the type of evidence that was allowable in a court case involving prostitution. Specifically, what part did the reputation of the accused play in terms of admissible evidence in obtaining a conviction since, as has already been indicated, Mrs. Scott was convicted before two courts largely on the basis of her reputation?

Ordinance Fourteen of the La Crosse City Ordinances, as passed October 8, 1880, "An Ordinance to provide for the government and good order of the city of La Crosse, for the suppression of vice and immorality, and the prevention of crime,"[2] contained only four sections, five through eight, that dealt with prostitution. Ordinance Fourteen made it unlawful to be a

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[1] Ibid., p. 15.

[2] Ordinance No. 14, Ordinances of La Crosse, Introduction, pp. 172-73.

prostitute and/or streetwalker (section five), to be an inmate or frequenter of a house of prostitution (section six), and to operate an assignation house (section seven).[1] Nowhere in the city ordinances was there any reference to the kind of evidence needed to convict a person for these crimes.

Likewise the early laws of the state of Wisconsin merely made it illegal to run a house of ill fame and said nothing about admissible evidence.[2] As time progressed, however, the state laws did become more precise on "Offenses against chastity, morality and decency,"[3] but only in terms of houses of prostitution and the methods of obtaining inmates for such houses. Section 4581 of the Wisconsin Statutes of 1898 had eight paragraphs that dealt with this topic, but none of those paragraphs made it illegal at the state level to be a prostitute and obviously, therefore, none of the paragraphs stated what type of evidence was necessary to convict a woman of prostitution.[4] However, one of the paragraphs, 4581g, did deal with the subject of evidence that was admissible when a person was accused of keeping a house of prostitution. This material will be dealt with in the next two chapters which involve persons

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[1] Ibid., secs. 5-8, pp. 174-75.

[2] Of Offenses Against Chastity, Morality, and Decency, Revised Statutes of the State of Wisconsin, chap. CLXX, sec. 9, 974 (1858).

[3] Seduction, Wisconsin Statutes of 1898, Annotated, II, sec. 4581a, 2770 (1898).

[4] Ibid., pp. 2770-73.

who were arrested for operating houses of prostitution.[1]

Since neither the La Crosse nor the Wisconsin statutes stated specifically the type of evidence that was required to obtain a conviction for the crime of being a prostitute, it must be assumed that the Wisconsin courts of the nineteenth century used what are called "general rules" for governing evidence presented in prostitution cases.[2] As they apply to evidence regarding prostitution, the general rules may be summarized as follows.

The burden of proof rested on the prosecution in cases involving an accused prostitute, just as the burden of proof rested on the prosecution in other types of criminal cases. To sustain a conviction that the woman was in fact a prostitute, the prosecution needed to supply evidence. For example, it might have been shown that she kept company with persons of ill repute, that she resided in a house where prostitution was practised, and that lewd people visited her. In addition to these three examples of rather pointed evidence, the prosecution might also have legitimately admitted evidence dealing with the defendant's conduct, including evidence to show that she loitered in places where prostitutes were known to have

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[1] Ibid., p. 2772.

[2] Francis J. Ludes, ed., Corpus Juris Secundum: A Complete Restatement of the Entire American Law As Developed By All Reported Cases (Brooklyn, N. Y.: The American Law Book Co., n.d.) LXXIII, 229.

frequented and/or evidence to show that her reputation was that of a prostitute. "Generally, where the facts and circumstances are such that the jury may reasonably infer guilt from them, the evidence is sufficient."[1] Yet it must be born in mind that a woman who was on trial on a prostitution charge was not being accused of having the reputation of being a prostitute, but rather of being a prostitute in fact. Evidence as to her reputation was admissible in a court of law, but such evidence was not sufficiently conclusive in itself to warrant a mandatory charge to the jury by the presiding judge that she be declared guilty of being a prostitute in fact solely on that basis. Whether or not the defendant's reputation was sufficiently damaging to warrant a decision of "guilty" was the prerogative of the jury in each particular case and should not have been automatically assumed.[2]

What is of some interest concerning the various pieces of evidence given against Mrs. Scott, is that most of the witnesses testifying either negated completely or at least dulled the thrust of their damning evidence by some other statements. Sergeant Catlin who testified that Mrs. Scott had had "hot words" with some men, also stated under oath that he never

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[1] Ibid., pp. 228-30.

[2] Ibid., p. 229; James Simmons, ed., Reports of Cases Argued and Determined in the Supreme Court of the State of Wisconsin, With Tables of the Cases and Principle Matters, Vol XXIX: Containing Cases Decided at the June Term, 1871, and the January Term, 1872 (Chicago: Callaghan & Company, 1873), p. 435.

heard her say a word to any man on the streets of La Crosse which was exactly where she was supposed to have had the "hot words." Officer Derr who said that she was lewd because he had seen her talking to men and going into winerooms, also testified under oath that the one time prior to her arrest that he had seen her enter a wineroom was at O. T. Wilson's Saloon and that then he did not see her do anything wrong. Officer Geifer who based much of his opinion of Mrs. Scott on what other people had said to him about her, could not, when cross-examined by defense counsel, name any of those people. "Q--Who talked to you about (Mrs. Scott)? A--Different people. Q--Name one? A--Well different people told me."[1]

For the defense side of the trial, attorney Skaar called four witnesses who reconstructed the events of September 21, 1897 from the point of view of the defense. These events may be summarized as follows. Early in the afternoon Frank S. Scott and Miss Carrie Vogar drove from the city of La Crosse to Vernon County and were married by Justice of the Peace David Bradly. The couple then drove back to La Crosse and to their four room apartment at 307 Cass Street. After supper Mr. Scott told his wife that he had some business to take care of, that she should go wait for him in Olson's Saloon, and that he would meet her

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[1]Judgment Roll 1240, Testimony, pp. 4, 9, 14.

there about nine or ten o'clock that night. At about ten o'clock Officer Catlin entered Olson's with two other policemen, arrested Mrs. Scott, and took her to jail. According to Mrs. Scott, about 11:30 Chief Byrnes had her brought to his office where he said to her, "God dam (sic) you street hore (sic), I will drive you out of the street you and Scott both."[1]

In the meantime the business that had forced Frank Scott to leave his bride waiting in Olson's Saloon, also took him out of La Crosse and to Wabasha, Minnesota. He was asleep the morning of the twenty-second when a young man, who had traveled from La Crosse on the three o'clock train, knocked on the door and told him that his wife had been arrested the night before.[2]

One of the witnesses for the defense was William Kerr Van a traveling salesman who had lived in La Crosse for forty-three years. He had known Carrie Scott for about two years, having been introduced to her by Frank Scott. He stated that he had no knowledge of her character being lewd, that he had been in and out of Olson's Saloon three or four times during the evening of September 21, and that he had witnessed the arrest of Mrs. Scott while she was waiting for her husband. He testified that all the doors of the saloon were open, the place was, in his words a, ". . . regular public thoroughfare."[3] The

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[1] Ibid., pp. 27-28, 29-33, 31.

[2] Ibid., p. 34.

[3] Ibid., p. 28.

implication of this seems to have been that Carrie Scott was not sitting off in a corner of a room trying to lure potential customers. When the arrest was made, Kerr Van told the police that Mrs. Scott might sue the city for $4000 damages (supposedly for false arrest and/or defamation of character). One of the policemen told Kerr Van that he had better not attempt to interfere in the case.[1] In her own defense, besides relating much of the story of the events of September 21, Carrie Scott testified that she had not been an inmate of a house of prostitution and had never walked the streets in order to solicit for prostitution.[2] Rather, she had been employed in five different jobs during the five years she had lived in La Crosse.

Under cross-examination by the prosecuting attorney, Mrs. Scott reluctantly added to her testimony that she and Frank had lived in the same building before their marriage and that he had been paying her rent for about six months prior to their marriage. Further, when asked whether she had ever been arrested before, she answered, "I don't care to answer that question."[3]

The jury found Carrie Scott guilty and Justice Kleeber fined her $20.00 and court costs of $24.72. She then appealed

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[1] Ibid., p. 29.

[2] Ibid., p. 32.

[3] Ibid., pp. 32-33.

the case to the Circuit Court.[1] The only records that remain of the case in the Circuit Court are two jury lists, two subpoenas, two receipts, five witness' affidavits, and the verdict of the jury. Mrs. Davidson, Officer Catlin, and Frank Scott were again subpoenaed by the court in addition to four individuals who did not testify in Justice Court: George Russel, M. H. Grasby, Bert Scott, and W. E. Taft.[2] What the various witnesses stated before the circuit court jury is not on the record, but whatever was said had the same result as before, because the jury found Mrs. Scott guilty.

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[1]Judgment Roll 1240, Copy of the Docket.

[2]Judgment Roll 1240.

CHAPTER 2

THE STATE OF WISCONSIN VS. KATE CHAMPION

Of the 1587 criminal case judgment rolls in the vault of the La Crosse County Courthouse, there are two which involve women accused and convicted of operating houses of prositution. Based on the testimony given in each trial, it appears that the court convicted the women on the basis of sounder and less circumstantial evidence than was Carrie Scott. Yet even in these two cases, the reputations of the defendants played a significant part in their convictions.

As indicated earlier, Wisconsin state laws prohibiting the operating of houses of prostitution have consistently been more explicit than those laws which simply prohibit prositution. This explicitness was in large measure due to the decision by the Wisconsin Supreme Court in State vs. Brunell, an 1872 case which specifically dealt with the type of evidence needed to convict a person of operating a house of prostitution.[1] The Statutes of 1858 made it unlawful to operate such an establishment[2] and the state's highest court

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[1]Simmons, Cases Decided June, 1871 and January, 1872, pp. 435-39.

[2]Statutes of Wisconsin, chap. CLXX, sec. 9, 974 (1858).

fourteen years later stated what the rule of evidence was, and is, in applying the law. Writing the opinion of the court, Justice William P. Lyon stated:

> We think the correct rule of evidence in this case and in like cases is, that the prosecution must in the first instance introduce testimony showing or tending to show that the defendant is the keeper of the house alleged to be a common bawdy house; and then testimony of the general reputation of the house, of the persons frequenting the same, and of the defendant, is admissible, as tending to show the real character of the house. The prosecution is not required to show particular acts of lewdness or prostitution in the house. If the evidence demonstrates that it is resorted to by people of both sexes who are reputed to be of lewd and lascivious character, and that it is generally reputed to be a bawdy house, the jury are authorized, if they see fit, to find therefrom that it is a bawdy house. And the more especially are they authorized so to find if it further appears that the general reputation of those who frequent it . . . The jury and not the court, are to find from the evidence how the fact is.[1]

Therefore the reputation of a person accused of operating an assignation house was admissible evidence, just as in a case where a person was accused of being a prostitute. However, such evidence was not in itself conclusive to prove guilt and had to be accompanied with other less circumstantial pieces of evidence. For example, the prosecution might have shown that the defendant kept the house in question, or that certain acts of prostitution did take place in the house (although this type of evidence was not absolutely needed to prove guilt), and/or

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[1]Simmons, Cases Decided June, 1871 and January, 1872, pp. 437-38.

that both men and women of ill repute did frequent the house. Guilt rested not in keeping a house which had the reputation of being bawdy, but in keeping a house which was bawdy in fact.[1]

Undoubtedly as a direct result of the Brunell case, Wisconsin's state legislators soon included in the Wisconsin Statutes the following paragraph as a part of Section 4581:

> In all prosecutions under these statutes or any other laws for the suppression of houses of ill fame, assignation or places of similar character, or for keeping any such place or for being an inmate or frequenter thereof it shall be competent for the prosecution to establish the character of any such house or place by showing that the same has a common or general reputation as a house of ill fame, brothel, bawdy house or house of assignation, or that such while in the possession of the inmate occupying it at or about the time alleged in the information, indictment or other pleading was promiscuously visited at unseasonable hours by diverse and sundry persons not then residents therein; and such showing shall be prima facie evidence that such house or place is a house of ill fame, brothel, bawdy house or house of assignation as alleged in the information, indictment or other pleading.[2]

The criminal complaint and warrant against Catherine (Kate) Champion, alias Kate Ward, accused her of keeping:

> . . . a certain house of ill fame, there and then resorted to for the purpose of public prostitution and lewdness contrary to the form of the Statute in

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[1] Ibid., pp. 435, 438.

[2] Wisconsin Statutes of 1898, II, sec. 4581g, 2772 (1898).

> such case made and provided and against the peace and dignity of the State of Wisconsin . . . [1]

She was supposed to have done this between April 1, 1876 and April 25, 1876.[2] In La Crosse the punishment for committing this offense was a fine of not less than fifty dollars nor more than one hundred dollars while at the state level the punishment was either a term in the state prison of from six months to a year, or a fine of between one and three hundred dollars.[3]

On April 28, 1876 the case was heard before Justice of the Peace Cyrus Lord. It was not a case that resulted only from the events of April 25, the night of Miss Champion's arrest, or even of the events of the entire month of April. Eight of the ten witnesses who gave testimony for the prosecution said that her reputation was that of a whore and/or that she was operating a house of prostitution. This reputation had been building to her ultimate disfavor for at least a year prior to her arrest. As policeman Henry Klein testified, "Ever since I have known her, her reputation has been that of keeping a whore house or house of ill fame. . . ."[4] Within the year prior to her arrest she had lived in at least four places in La Crosse and in each

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[1] State of Wisconsin vs. Kate Champion, alias Kate Ward, Judgment Roll 375. Circuit Court for the Sixth Wisconsin Judicial District (Case Filed May 8, 1876), Criminal Complaint and Warrant, both April 26, 1876.

[2] Ibid.

[3] Ordinance No. 14, Ordinances of La Crosse, sec. 7, 175 (1888); Statutes of Wisconsin, chap. CLXX, sec. 9, 974 (1858).

[4] Judgment Roll 375, Testimony, April 28, 1876, p. 3.

neighborhood the neighbors as well as the police regarded her as a whore.[1] One of her previous residences was on an alley behind the carpenter shop of Casper Miller. During a three week period when Mr. Miller was building an addition onto his shop, he "Saw men going out and in. When they go in the curtain pull down (sic) and click of key in bolt of door. Saw that several times. Others try to go in, had to wait till they came out again then they came back and go in."[2]

Miss Champion was unable to improve her reputation when she moved to the residence where she was finally arrested, the residence that John Webber testified he had been renting to her for a little less than a month prior to her arrest.[3] In fact there may have been an addition to her reputation of merely being a woman who worked alone. Four witnesses gave testimony that alluded to the fact that perhaps at least one more woman, besides Kate, resided in the house. Frank Roesler and Tobias May, two of Kate's neighbors, indicated that once, when there were men in the house, they observed another woman, whom they did not know, leave the house in order to go get beer at a brewery. Edward O'Brian, who was arrested with Kate on the night of April 25, testified that that night there was another

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[1] Ibid., p. 5.

[2] Ibid., pp. 9-10.

[3] Ibid., p. 11.

girl named Lottie in the house.[1] When Chief of Police Frank Hatch testified, he made the following statement: "I know the girl Shaffer's reputation. She is a whore, has lived in different places (sic) has lived on the island."[2] There is no indication in his testimony why Chief Hatch made this statement about a girl named Shaffer unless, of course, she was involved some way with the court case. That involvement is nowhere testified to, but it is indicated on a document signed by Miss Champion where she asked the Circuit Court to subpoena, among others, one Lottie Shaffer.[3] It can therefore be fairly assumed that O'Brian and Hatch were speaking about the same person, but whether she was the same girl that Roesler and May saw going for beer does not appear in the record. Nor is it indicated whether Miss Shaffer was a prostitute working for Kate Champion.

Whether or not Kate had expanded her business by hiring Lottie Shaffer as a prostitute, however, was not directly of concern to the events of April 25. On that night Officers Fred Knudson and Henry Klein were walking their beat which included Kate's house. Klein testified that he saw two men leave the house a little after 9:00 P.M. Knudson did not see that,

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[1] Ibid., pp. 6, 7, 12.

[2] Ibid., p. 11.

[3] Judgment Roll 375, request for subpeonas, May 12, 1876.

but he did see another man go into the house sometime later. The two policemen then stood on a small platform outside of Kate's bedroom window. There was a curtain on the window, but it did not obstruct their view of the bed. What they observed resulted in the arrest of Kate and Edward O'Brian. Officer Knudson described the scene:

> . . . I went to the house and looked in saw her and a man on the bed together on the bed his leg over her. . . . The fellow got up & locked the back door & front door. Turned down the light a little. Then she laid down on the bed pulled up her long clothes. The fellow opened his breeches took out his fixings laid down on her. Then had a time on her. After a while they got up & they stood facing each other fixed up her clothes. After a while he went out she came to the door with him.[1]

The defense did not present a case before Justice Lord, but there were two witnesses for the prosecution who made statements that were of a defensive nature. Irene Larson said that she thought that Miss Champion took in washing because she had once seen a man come out of the house with some pieces of linen. Quite obviously, if Kate did take in washing as an occupation, the defense could have used that information as a reason why there were as many men present around the house as prosecution witnesses indicated there were. Yet Miss Larson also stated that she never saw any sign of washing taking place at the house.[2] Finally, both Irene Larson and Edward O'Brian said that they had no first hand evidence

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[1]Judgement Roll 375, Testimony, p. 4.

[2]Ibid., p. 8.

that prostitution took place at the house. O'Brian testified that he had known Kate for ten or twelve years since she lived in La Crescent and all he was doing the night of the twenty-fifth was making a friendly social call for a couple of hours.[1]

The evidence presented to Justice Lord was enough for him to believe that the offense had probably taken place and that Kate Champion was probably guilty of committing it. He therefore ordered that the case should be presented for trial at the next session of the Circuit court and that in the meantime Kate should be allowed her freedom on $300 bail. She did not have the necessary money, however, and she therefore waited in the county jail until the Circuit Court met.[2]

Transcript and testimony of the case before the Circuit Court are not available, but enough handwritten documents from the court's judgment roll of the case exist to piece together a few particulars of what happened in the court room. Kate must not have been doing well financially in her chosen occupation because she not only could not afford her bail bond money, but she was forced to ask the court to subpoena her witnesses because, ". . . she is poor and unable to procure the attendance of said witnesses on the trial of her said cause."[3] The persons

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[1] Ibid., pp. 8, 12.

[2] Judgment Roll 375, Return of Justice, April 28, 1876.

[3] Judgment Roll 375, request for subpeonas, May 12, 1876.

that she wanted subpoenaed were Lottie Shaffer, Joseph Fay, Mike Sherman, John Selik, Fred Rehfuss, L. Hirscheimer, Samuel Larson, Emil Hoffman, Patrick Burns, and Timothy White.[1] In the end, however, Kate faired no better in the Circuit Court than she had in the Justice Court because a jury of twelve men found her guilty.[2] The sentence of Judge R. Burns reads:

> The jury in this case having found the defendant Kate Champion alias Kate Ward guilty as charged in the information to wit: "for keeping a house of ill fame," and the defendant having been asked in open court, what she had to say, why sentence and Judgement of the law, should not be pronounced against her and no reason appearing to the contrary,--It is now here considered and adjudged by the said court, that the said Kate Champion, alias Kate Ward, be punished by confinement at hard labor in the State prison at Waupun in this State for and during the Term of Six Months from the 23d day of May A.D. 1876 at 4 O'clock P.M. and that the said Kate Chamion alias Kate Ward be solitarily imprisoned in said prison during ten days of said Term.[3]

On May 25, 1876, exactly one month after her arrest, Catherine (Kate) Champion, alias Kate Ward, began her term of imprisonment at Waupun State Prison.[4]

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[1] Ibid.

[2] Judgment Roll 375, verdict of the jury in Circuit Court, May 7, 1876.

[3] Judgment Roll 375, sentence of Judge R. Burns, May 23, 1876.

[4] Judgment Roll 375, receipt of Deputy Warden Joel Rich on arrival of Catherine Champion at Waupun State Prison, May 25, 1876.

CHAPTER 3

THE STATE OF WISCONSIN VS. ANNA OLSON

"The City of La Crosse vs. Anna Olson" might very well have been subtitled "The Neightbors of Anna Olson vs. Anna Olson." She lived at 1023 South Eighteenth Street with her two daughters for a little over two years prior to her arrest. During that period she earned the reputation among her neighbors of keeping a whore house.[1] The complaint against her was made on July 8, 1904, by Andrew Wurtzel who lived just south of her.[2] In addition to Wurtzel, the other six witnesses who gave testimony against her in court before Justice C. W. Hunt were neighbors whose residential proximity to her ranged from Wurtzel's twenty-five feet to Joseph Schierl's two and one-half blocks.[3]

Officially she was accused, like Kate Champion, of breaking Section Seven of Ordinance Fourteen of the city charter. Wurtzel's complaint stated that the violation had taken place on July 8, 1904,[4] but all seven prosecution witnesses indicated quite clearly that they felt that Mrs. Olson's house had been

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[1]State of Wisconsin vs. Anna Olson, Judgment Roll 1472. Circuit Court for the Sixth Wisconsin Judicial District (Case Filed Jan. 21, 1905), Criminal Complaint, July 8, 1904; Testimony, (July 19, 1904), pp. 1-2.

[2]Judgment Roll 1472, Criminal Complaint, Testimony, p. 1.

[3]Judgment Roll 1472, Testimony, pp. 1, 13.

[4]Judgment Roll 1472, Criminal Complaint.

a resort of prostitution for the full two years that she and her daughters had lived there. Raymond Shuman, a neighbor who lived about 200 feet from Anna, testified that the house had had the reputation of being a whoring establishment for at least the entire twelve years that he had lived in the neighborhood.[1]

Nowhere in the file of the case is it directly stated why Wurtzel was the neighbor who made the complaint when so many other neighbors obviously knew, or at least believed they knew, what was going on in the Olson house. Six of the seven men who testified referred to the great amount of noise and vulgar language that men and women who frequented the house used. For example, under examination, John Gannon, who lived between one hundred and 150 feet from the Olson house, said, "It is quite noisy there, singing, swearing and loud talk, vulgar language is used," and under cross examination added, "These people make considerable noise nights."[2] George Becker who lived a half block away testified, "I can hear them go home all hours of the night ...," and "I have heard swearing and vulgar language there."[3] Since the noise was heard by neighbors who lived quite a distance away, it is obviouse that Wurtzel, who lived next door, must have been quite annoyed by the

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[1]Judgment Roll 1472, Testimony, p. 9.

[2]Ibid., pp. 5, 6.

[3]Ibid., pp. 10-11.

general commotion, which makes it understandable why he would have been the one person most likely to make the complaint.

Wurtzel did state that he had had "a little trouble with her,"[1] but whether this trouble was the proverbial straw that broke the camel's back and made him resolve to make a formal complaint against her or whether the occurrence of the "little trouble" had occurred sometime before he made the complaint is not indicated in his testimony. The incident happened one morning at four o'clock and involved three men that Wurtzel did not know. There apparently was a heated shouting match going on at the Olson's and if Wurtzel had been asleep he did not remain so. There was a dispute over whether one of the men was going to obtain what he had come to the house to obtain. According to Wurtzel the man said that he had paid for the woman and that he wanted her and then added that ". . . he would blow the whole Rabudle of a whore house up."[2]

Wurtzel was not the only witness who heard or observed an incident of this nature in which someone referred to a payment having been made. Raymond Shuman lived at Seventeenth and Johnson Street, about 200 feet from Mrs. Olson's. He testified that one night two men came out of the Olson house, one of whom was, ". . . hollering as loud as he could."[3] Apparently the two were

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[1] Ibid., p. 4.

[2] Ibid., p. 3.

[3] Ibid., p. 8.

going to fight, because a woman came out of the house and told one of the men to leave the other alone, whereupon one of the men, according to Shuman, said that, "He had paid the son of a bitch and he was going in again."[1] What he had paid for is not mentioned, it could have been either for the services of a prostitute or for some beer or perhaps for both.

That the man might have "paid for" beer instead of a prostitute is possible. According to the testimony of five of the seven prosecution witnesses. Various persons including Mrs. Olson's daughter were often observed "rushing the can," a phrase that was defined by George Becker as meaning going, ". . . after beer in a pail."[2]

Justice Hunt apparently did not believe it was beer that the man had purchased, however. After the prosecution completed presenting its case and because the defense offered no case, he found Mrs. Olson guilty of the charge made against her, fined her fifty dollars and charged her twenty-five dollars and thirty cents for court costs.[3] Mrs. Olson then appealed the judgment to the Circuit Court.[4] As with the previous two court cases, the documents that remain of this case before the Circuit Court are very few indeed, but this much is certain; a jury of twelve men found Mrs. Olson guilty of being the keeper of a house of

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[1] Ibid., p. 8.

[2] Ibid., p. 11.

[3] Judgment Roll 1472, Docket, July 20, 1904, pp. 3-4.

[4] Ibid., p. 1.

prostitution.[1] The court fined her fifty dollars, plus court costs of seventy-nine dollars and thirty-four cents.[2] Anna did not have the necessary money. Therefore the court ordered the sheriff to seize her property and sell it in order to pay the fine and costs. The sheriff was unable to find any of her property, however, and she was confined in the county jail at hard labor for thirty days during which time she worked off her debt.[3]

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[1]Judgment Roll 1472, verdict of the jury in Circuit Court, Jan. 21, 1905.

[2]Judgment Roll 1472, Commitment of Anna Olson, Jan. 21, 1905.

[3]Ibid.

CHAPTER 4

THE STATE OF WISCONSIN VS. SELMA GRAFFER

The last court case in which the defendant was convicted was somewhat special because the defendant, Selma Graffer, was a seventeen year old juvenile. The complaint, made by Chief of Police H. H. Byrne, and the warrant, both dated June 23, 1905, accused Miss Graffer of frequenting, ". . . the company of lewd, wanton and lascivious persons in speech and behavior and resorts of bad characters and was and is a streetwalker and prostitute . . ."[1]

Selma was the youngest of six children. Mary Gilbertson, one of Selma's three sisters, must have been one of the oldest children in the family because she had been married and was the mother of a daughter, named Lillie, who was the same age as Selma. Mary's husband had died, leaving her the job of raising Lillie. Another of Selma's sisters was in the hospital at the time of the trial and was expected to die,[2] and Selma herself was sick in bed with a consumptive gland and therefore did not appear at her trial in the Circuit Court.[3] In addition to these

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[1]State of Wisconsin vs. Selma Graffer, Judgment Roll 1444. Circuit Court for the Sixth Wisconsin Judicial District (Case filed Sept. 26, 1905), Criminal Complaint and Warrant, both June 23, 1905.

[2]Judgment Roll 1444, Docket, p. 1; Testimony, pp. 8-10.

[3]Ibid., pp. 9, 10; notorized letter from Mrs. Karen Graffer to the Circuit Court stating that Selma was sick in bed, Sept. 20, 1905.

family troubles, the Graffers were too poor to pay either the $300 bail for Selma or to hire a lawyer for her.[1] Both of these items were obtained however; Mary Gilbertson paid the bail and a defense lawyer, James Thompson, was appointed and paid for by the county.[1]

Because Selma was a juvenile, Chief Byrne and County Judge John Brindley were not attempting merely to punish the defendant as they would have in a similar case involving an adult woman. The copy of the docket that Judge Brindley sent to the Circuit Court after Selma appealed Judge Brindley's decision to the higher court, gave the usual information about the case just as any docket would, but there were rather subtle, intangible, between-the-lines feelings expressed that indicated that this was a juvenile case rather than an adult case and should be handled more compassionately than an adult case.[3]

As conducted in county court before Judge Brindley, Selma's case was a hearing rather than a trial. Defense attorney James Thompson at the outset wanted a jury trial, but the judge overruled the demand[4] deciding that based on the evidence that he

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[1]Judgment Roll 1444, Docket, p. 1; notorized letter from Mrs. Karen Graffer to the Circuit Court stating that Selma was poor and therefore unable to hire a lawyer, Sept. 20, 1905.

[2]Judgment Roll 1444, Docket, p. 1; order of Circuit Judge J. J. Fruit to pay attorney James Thompson, Selma's lawyer, from the treasury of La Crosse County, Sept. 26, 1905.

[3]Judgment Roll 1444, Docket, pp. 1-2.

[4]Judgment Roll 1444, Testimony, p. 1.

was about to be presented with, he would make the final decision on what should happen to Selma. Either she would have to remain in the custody of her parents as her father and mother asked,[1] or she would be sent to the Good Shepherd Industrial School for Girls as the warrant against her asked.[2]

The hearing was held in Judge Byrne's office on June 26, 1905.[3] The prosecution presented six witnesses, two of whom were sixteen year old boys who gave rather damaging testimony against Selma. Frank Bennett, one of the boys, was originally from Milwaukee, but had moved with his parents to La Crosse about two years before. He met Selma for the second time sometime during the winter of 1904-05 and on that occasion had intercourse with her at 117 North Third Street. He also testified that he had been having intercourse "with girls," as he put it, for at least a year and a half prior to his meeting Selma the second time. One of these girls was Lillie Gilbertson, Selma's niece.[4] In addition, Bennett gave a piece of testimony that was subtle yet undoubtedly highly damaging to Selma's case. He said, "They sometimes look for me."[5] The court reporter who transcribed the testimony at the hearing did

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[1] Ibid., pp. 10-11.

[2] Judgment Roll 1444, Warrant, June 23, 1905.

[3] Judgment Roll 1444, Docket, p. 1.

[4] Judgment Roll 1444, Testimony, pp. 2-3.

[5] Ibid., p. 2.

so in longhand and wrote down only the answers to the questions asked. There is no record of the question that elicited Bennett's response. Considering the charge against Selma, Bennett's statement must have hurt her case. On the other hand, he nowhere indicated that he had ever paid Selma for having sex. Since she was charged with being a prostitute, that may have been in her favor.

The other sixteen year old boy to testify against Selma was Milford Mosher, a friend of Frank Bennett. Though Mosher had not had intercourse with Selma, he did verify Bennett's statement by testifying that he knew that Frank had had intercourse with Selma because the act had taken place, ". . . in one of the back rooms . . ." of the Mosher home.[1]

The other four prosecution witnesses gave bits and pieces of evidence the nature of which would normally be quite innocent. But in a court case involving prostitution they make the defend- and appear guilty. Officer Post said that Selma had been, ". . . hanging around shingle sheds . . ." with boys, but that she had told him that she was going to stop doing so.[2] John Wendling testified that he had, ". . . seen Selma Graffer out late at night with Lillie Gilbertson, and with fellows . . .," and had also seen her with boys at the depot and on Front Street.[3]

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[1] Ibid., pp. 3-4.

[2] Ibid., p. 4.

[3] Ibid., p. 5.

J. B. Webber, another policeman, stated that he had asked Selma and Lillie how long they had been in "business," and that although they said they could not remember, they did seem to know what "doing business" meant.[1] The last witness, Charley Gilbertson, a brother of Lillie Gilbertson's dead father, did not say anything that was relevant to the case as recorded in the existing documents.[2] The testimony of these four witnesses was very nebulous to say the least, but along with Frank Bennett's and Milford Mosher's stories, it was enough to convince Judge Brindley that Selma should be sent to Good Shepherd until she was twenty-one years old.[3]

The defense presented only three witnesses, Selma's sister, Mary Gilbertson, and her father and mother, Irv and Carrie Graffer. As stated above, all these three did was attempt to gain the sympathy of the judge. They told of Selma's sister in the hospital who was expected to die and of a brother (son) who had been sick for awhile. Both parents said that they were able to take care of Selma and even though she was sickly, her father said that he needed her at home.[4]

Selma appealed her case to the Circuit Court where a jury trial was held.[5] Other than a few miscellaneous documents like

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[1] Ibid., pp. 6-7.

[2] Ibid., pp. 7-8.

[3] Judgment Roll 1444, Docket, p. 2.

[4] Judgment Roll 1444, Testimony, pp. 9-11.

[5] Judgment Roll 1444, Docket, p. 2.

the jury list, clerk's fee bill, an appeal from Mrs. Graffer for a court appointed lawyer, a subpoena, and the jury's verdict, no records of what happened in the Circuit Court remain. However, Selma's appeal failed when on September 21, 1905 the Circuit Court jury gave the following verdict:

> We the Jury, duly empanelled and sworn to try the above entitled action do find the Defendant guilty as charged in the complaint and that she be committed to the Good Shepherd's Industrial School at Milwaukee as adjudged in the Court below.[1]

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[1]Judgment Roll 1444, verdict of the jury in Circuit Court, Sept. 21, 1905.

CHAPTER 5

THE STATE OF WISCONSIN VS. FRANKIE LA SALLE

The preceding four court cases all involve individuals who were ultimately found guilty of the crimes that they were accused of committing. The final two cases deal with women who were ultimately exonerated.

Judgment Roll 880, which contains all the remaining documents concerning the state of Wisconsin's case against Miss Frankie La Salle, is at best incomplete, which means that this summary of the case is of necessity incomplete. Most of the documents in the roll were written in longhand and there is no testimony from her trial. Yet this case is significant because, although Frankie La Salle was declared not guilty in this particular case, her involvement in prostitution in La Crosse was a well-known fact.[1]

The court took twenty months to resolve the case, but it began quickly enough with the arrest of Miss La Salle on the complaint of Fred Edwards to Justice of the Peace E. H. McMillan. Edwards maintained that Frankie had kept a house of prostitution on the fifteenth of September and for several days before and

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[1]Editorials, Morning Chronicle (La Crosse), June 7, 8, & 12, 1881, all p. 3; Editorials, Daily News (La Crosse), June 9 & 13, 1881, both p. 2.

after the fifteenth in the year 1888.[1] On September 25, 1888, the day after Edwards complained, Justice McMillan issued a warrant calling for Sheriff William Duncan to arrest her.[2] What then happened in court appears somewhat unusual. McMillan required Frankie to deposit $350 as bail to assure that she would return to his court on September 27 in order to pay $350 bail for her appearance in Circuit Court at its next session the following November.[3] There is no record of anything having happened in Justice Court on the twenty-seventh. The next dated documents in the Judgment Roll are two statements by Justice McMillan, one dated October 15 and the other dated October 16, in which he said that Frankie did not have the $350 bail money and therefore he was committing her to the county jail until the Circuit Court convened.[4]

Frankie did not take her incarceration with joy. On October 23 she sent a letter to Court Commissioner, John J. Cole, asking him to issue a writ of habeas corpus because she was being held illegally. It was her contention that McMillan had

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[1]State of Wisconsin vs. Frankie La Salle, Judgment Roll 880. Circuit Court for the Sixth Wisconsin Judicial District (Case Filed May 29, 1890), Criminal Complaint, Sept. 24, 1888.

[2]Judgment Roll 880, Warrant, Sept. 25, 1888.

[3]Judgment Roll 880, signed bail bond statement from Frankie La Salle, Sept. 25, 1888.

[4]Judgment Roll 880, Return to Justice, Oct. 16, 1888; Letter from Justice McMillan to any Constable in La Crosse County, Oct. 16, 1888.

imprisoned her on October 15 without examining her concerning the charge against her, and further that he had imprisoned her on the fifteenth when he had twenty days before, on September 25, released and discharged her from custody.[1] The merits of these arguments must have been good, because on November 9, Commissioner Cole ordered that Frankie be freed.[2]

After this the records become more sketchy. There must have been a trial in Circuit Court on November 23 because the sheriff was ordered by Circuit Court Judge Newman to have her in court on that day, and there were subpoenaed twelve witnesses for the state who also were to be in court on the twenty-third.[3] However, the records of what happened in court that day are not in the Judgment Roll of the case. It is evident, though, that nothing was resolved at that time because the Judgment Roll contains several subsequently dated documents from May 14, 1889, to January 23, 1890, that involve requests for continuances of the trial. On May 14, 1889, Dr. E. S. Wood of St. Paul, Minnesota, sent a notarized letter to the Circuit Court in La Crosse stating that Frankie's lawyer from St. Paul, a man named William W. Erwin, could not attend her trial because he was sick in bed with an

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[1] Judgment Roll 880, letter from La Salle to John J. Cole, October 23, 1888.

[2] Judgment Roll 880, handwritten statement of John J. Cole, November 9, 1888.

[3] Judgment Roll 880, order from Circuit Judge Newman to Sheriff Duncan, Nov. 23, 1888, Two subpeonas, both Nov. 22, 1888.

inflammation of the right ear caused by catarrhal fever.[1] On May 18, 1889 Frankie appealed for a continuance because a woman named Ella Palmer, who could have helped prove her innocence, had left the state and was therefore not available.[2]

The next appeals for a continuance were not made until January 22 and 23, 1890, when Frankie said that once again she was without the talents of a lawyer. Erwin sent her a telegram stating that he could not be in court in La Crosse to defend her because he was involved in trials in St. Paul at the time. She then tried to get J. M. Morrow of Sparta to be her attorney, but he was confined to his bed. In addition to not having an attorney, Frankie stated that a man named B. L. Strouse, who was an important witness for her, was unable to appear in court because he was sick in bed.[3] Finally, as if all the above were not enough, three doctors, G. B. Thompson, Charles H. Marquardt, and P. S. Mc Arthur, wrote that Frankie herself was too sick in bed with influenza and the grip to appear in court.[4]

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[1]Judgment Roll 880, letter from Dr. Wood to Circuit Court, May 14, 1889.

[2]Judgment Roll 880, letter from La Salle to Circuit Court, May 18, 1889.

[3]Judgment Roll 880, typed statement signed by La Salle in Circuit Court, Jan. 23, 1890.

[4]Judgment Roll 880, handwritten statement by Dr. G. G. Thompson, Jan. 22, 1890; Handwritten statement by Dr. C. H. Marquart, Jan. 23, 1890; Handwritten statement by Dr. P. S. McArthur, Jan. 23, 1890.

Frankie next hired Bleekman, Tourellotte, and Bloomingdale to be her attorneys. They immediately attempted to have the charges against her dropped on the basis of two arguments: (1) that she had neither been examined by Justice McMillan nor had she ever waived examination concerning the charges against her, and (2) that she had been incarcerated illegally by Justice McMillan on October 15, 1888.[1] When District Attorney George H. Gordon's denial of these allegations was upheld by the court, thereby denying the defense's request for dismissal, the case finally went to trial.[2]

As stated earlier, no record of testimony taken at the trial exists today although there is a record of the instructions that the defense wanted read to the jury. It was merely a statement that the burden of proof rested on the prosecution and that if there was a reasonable doubt that Frankie was guilty, then the jury was duty bound to declare her innocent, which they did.[3]

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[1] Judgment Roll 880, typed plea of La Salle in Circuit Court, May 27, 1890.

[2] Judgment Roll 880, handwritten statement by D. A. Gordon, May 27, 1890.

[3] Judgment Roll 880, requested instructions to jury in Circuit Court, n.d.; Verdict of the jury in Circuit Court, n.d.

CHAPTER 6

THE STATE OF WISCONSIN VS. DELLA DALTON

On November 25, 1905, when the La Crosse police first entered Della Dalton's house at 409 N. 3rd Street, it was not Miss Dalton who they were seeking to arrest, but rather two men named Frank Kane and James White.[1] Kane, with White as a companion, had committed a robbery on the Burlington Railroad passenger train on its run between Minneapolis and La Crosse sometime during the night of November the 24th and the morning of the 25th. The two men continued on the train to Prairie du Chien where they got off, waited for about twenty minutes, and then returned north by train to La Crosse. Upon arriving in La Crosse at 3:30 A.M. they went to the American House Hotel, which was located on Pearl Street, where they met a night clerk named A. J. Kreuter. When Kreuter got off work at about 9:00 A.M. he took the two to several bars and then to Della Dalton's where at about 11:00 A.M. officers McGrath and Dungan of the La Crosse Police Department entered the house and

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[1]State of Wisconsin vs. Della Dalton, Judgment Roll 1442. Circuit Court for the Sixth Wisconsin Judicial District (Case Filed Dec. 23, 1905), Testimony (Trial 2), Dec. 13-14, 1905, p. 3.

arrested Kane and White. Kane was found guilty in County Court of robbery, sentenced, and served a term at Waupun State Prison. White, however, was not prosecuted for any part he might have had in the robbery because he testified against Kane.[1]

While making the arrests of Kane and White, McGrath and Dugan saw in Della Dalton's house enough evidence to lead the police to believe that, along with the general reputation of the house as they understood it, they could also win a conviction of Della for operating a house of prostitution. The police did not have an easy time successfully presenting their case, however. The trial had to be held three times because the jury for the first trial, held in Police Justice Court, became deadlocked, the guilty verdict of the jury for the second trial, which was also held in Police Justice Court, was appealed by Della to the Circuit Court, and the jury in the Circuit Court found Della innocent.[2] The Judgment Roll which contains the record of the three trials of Della Dalton contains testimony taken only during the first two trials. The only remaining testimony heard during the trial in Circuit Court is a deposition taken at Waupun State Prison from Frank Kane who was by then serving his term for robbery.

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[1] Judgment Roll 1442, deposition of Frank Kane, Feb. 6, 1906, question and answer number 12; Testimony (Trial 1), Dec. 12-13, 1905, pp. 2-3.

[2] Judgment Roll 1442, Return to Justice, Dec. 22, 1905; Verdict of the jury in Circuit Court.

Since the testimony and evidence presented by both the prosecution and the defense was essentially the same at both trials held in Police Justice Court, the present examination will treat the bodies of evidence as a complete whole. The only exception to this will be where there were differences between pieces of evidence presented at the two trials.

The star witness for the prosecution was James White, whose testimony at Frank Kane's robbery trial helped send Kane to Waupun. White testified that he and Kane were drinking at the American House when Kreuter, a stranger to them both, asked them where they were going. They told him that they were out to have a good time and wanted to go to a sporting house, whereupon Kreuter took them, via an alley, to the back door of Della's house where a girl named Kitty Kelly let them in.[1] The important thrust of White's testimony was squarely challenged and contradicted by Kreuter who stated, "I did not tell these boys this was a sporting house . . .," "I asked him if he wanted to go to a sporting house or a private house. They said to a private house." In addition, Kreuter stated that Kane and White approached him and not the other way around as White had testified.[2]

Beside stating that Kreuter had intentionally taken him and Kane to a sporting house, White testified that once the three men

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[1]Judgment Roll 1442, Testimony (Trial 1), p. 2; Testimony (Trial 2), pp. 4, 6.

[2]Judgment Roll 1442, Testimony (Trial 1), pp. 11-13.

arrived at Della's, he went upstairs with her and for a payment of $2.00 had sexual intercourse with her. Then Kane took Kitty Kelly upstairs and was with her for about fifteen minutes when Della saw the police coming, whereupon Della told Kitty to come downstairs. When Officers Dugan and McGrath gave their testimony at the trials they said that they had had to wait for from two to five minutes after they first rapped on Della's kitchen door before she answered it.[1] This length of time would have given Kitty sufficient opportunity to get dressed and downstairs before Della let the policemen in if White was telling the truth. Della, however, testified that she let the police in ". . . as soon as I could get to the kitchen door."[2]

According to Officers Dugan and McGrath, who were also important witnesses for the prosecution, when Della let them into the house they found Kreuter, White, and Kitty in the parlor. They asked Della how many men were in the house and when she told them that there were three, they asked her where the third one was. She replied that he was upstairs, whereupon Dugan went upstairs and found Kane in a bedroom buttoning up his pants and pulling up his suspenders. The bed was mussed as though someone had been in it.[3] The various explanations given by the different

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[1]Judgment Roll 1442, Testimony (Trial 1), pp. 1, 6-7; Testimony (Trial 2), p. 5.

[2]Ibid., p. 21.

[3]Ibid., pp. 5-8; Testimony (Trial 2), pp. 1-3, 11-12.

witnesses as to the reason why Kane was in the upstairs room in the condition Dugan found him, differ between the witnesses and between the various trials. In the first trial Dugan said that Della told him that Kane was upstairs, ". . . taking a break."[1] McGrath said nothing about this at the first trial. In the second trial Dugan and McGrath corroborated each others testimony by agreeing that Della had told them that Kane had gone, ". . . upstairs to take a bath."[2] Della, Kitty, and Kreuter all testified that Kane had gone upstairs to use the toilet, and Kane stated, in the deposition obtained from him at Waupun, that he had gone upstairs to take a nap.[3]

Another piece of evidence that the prosecution levied against Della in order to prove that she ran a house of prostitution, centered around the selling of beer to Kane and White in her house. In the deposition taken from Kane, the question was asked of him, "Isn't it the custom at whore houses to buy beer and pay fabulous prices for it?" Kane's answer was, "Yes."[4] With that concept in mind, the prosecution established through the testimonies of White, Kreuter, and Kane that all three had been drinking before they went to Della's house and that when

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[1]Judgment Roll 1442, Testimony (Trial 1), p. 7.

[2]Judgment Roll 1442, Testimony (Trial 2), pp. 1, 12.

[3]Judgment Roll 1442, Testimony (Trial 1), pp. 22, 26; Testimony (Trial 2), pp. 19, 24, 28; Deposition of Frank Kane, questions and answers numbers 8 & 12.

[4]Ibid., questions and answer number 12.

they did go to her place Kreuter ordered a case of beer and then collected two dollars each from Kane and White to pay for it. Kreuter testified that he also contributed two dollars for the beer which meant that he collected a total of six dollars for a case of beer that, according to him, cost $1.30.[1] The prosecution's points of evidence in this matter were twofold: (1) beer was sold and consumed in the house, and (2) a high margin of profit was made in the sale of the beer. There is no evidence from the testimony that either Della or Kitty had anything to do with the purchase of the beer although they both took part in drinking it.[2]

A third point in the prosecution's case involved the element of the reputation of Della and of her house, but it is quite obvious from all the testimony that this was not at all a strong point in the case against her. There were only three persons who stated that they believed the reputation of the house was that of a whore house. Captain Parks of the La Crosse Police Department said, "The place has a reputation of being a sporting house. It looks to me like she is a sporting woman."[3] In the second trial, Officer Dugan said much the same thing as the Captain had said, although in the first trial he testified, "I

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[1] Ibid., question and answer number 12; Testimony (Trial 1), pp. 1, 2, 13, 14; Testimony (Trial 2), pp. 4, 26, 27, 28, 29.

[2] Judgment Roll 1442, deposition of Frank Kane, questions and answers numbers 12 & 16; Testimony (Trial 1), pp. 3, 20, 22, 25; Testimony (Trial 2), pp. 4, 6, 17, 22, 23, 26.

[3] Judgment Roll 1442, Testimony (Trial 1), p. 4.

never heard anyone outside of the police talk about the house.[1] The third person to clearly state that the reputation of the house was bad was a man named Ruihelt.[2] In addition, Captain Parks, Ruihelt, and another individual named William Baldwin, said that they had seen a good number of men coming out of the house, but never any women.[3]

These arguments were counterattacked by the defense which, through cross examination of prosecution witnesses and testimony obtained from its own witnesses, fairly well decimated the prosecution's attack on the reputation of Della and her house. One example of this is of rather classic proportions. In the first trial, two of the prosecution's witnesses were Captain Parks and a woman named Mrs. Thomas Ryan. Parks first testified that he heard of Della's alleged prostitution business in part from Mrs. Ryan and that Mrs. Ryan asked him to remove Della from the house.[4] However, when Mrs. Ryan was called to the witness stand she completely contradicted Parks by saying that he told her not to accept any rent from Della. According to Mrs. Ryan, she told Parks that she knew nothing about Della and, "Never saw her do anything out of the way." Mrs. Ryan added that Della had done some sewing

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[1] Ibid., p. 8.

[2] Judgment Roll 1442, Testimony (Trial 2), p. 8.

[3] Ibid., pp. 8-9, 9-10, 11.

[4] Judgment Roll 1442, Testimony (Trial 1), pp. 4-5.

for her and had done a good job.[1] Caught in its own contradiction in the first trial, the prosecution did not use Mrs. Ryan as a witness in the second trial. Instead, the defense used her as one of its witnesses.

The defense also called three men, John Romey, Joseph Weisman, and F. Wilcre, who said that they had never seen any men go to Della's house as Parks, Ruihelt, and Baldwin testified.[2] In all, the defense questioned nine people who said they did not know anything about the reputation of Della or her house, five people who said that either the reputation was not that of a house of ill fame or more directly that the house was not a whore house, and one person, Earl Sloat, who rented the house to Della, said directly that her reputation was good.[3]

Further in her own defense, Della claimed that she was a dressmaker and milliner[4] and eight other people made statements verifying her claim. George Albrecht and Wilcre, for example, said that there was a dressmaking sign at the house.[5] Mrs. William Bates testified, "Miss Dalton is a dressmaker . . .," "She did a great deal of sewing . . .," "She made clothes for

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[1] Ibid., p. 9; Testimony (Trial 2), p. 15.

[2] Judgment Roll 1442, Testimony (Trial 2), pp. 13, 14, 15.

[3] Judgment Roll 1442, Testimony (Trial 1), p. 17; Testimony (Trial 2), p. 12.

[4] Judgment Roll 1442, Testimony (Trial 1), p. 19; Testimony (Trial 2), p. 22.

[5] Judgment Roll 1442, Testimony (Trial 1), p. 11; Testimony (Trial 2), p. 15.

Miss Wagner. I saw defendant fit clothes on Miss Wagner and saw Wagner pay defendant."[1] A member of the Salvation Army from Winona named Mrs. S. Colkesser, and Mrs. Ryan, said that Della did dressmaking for them.[2] The only rebuttal to this evidence that the prosecution could muster were statements by White and Kane who said that while they were in the house, they saw nothing around the house that had to do with millinery or dressmaking.[3]

Della's description and Kitty's description of what happened the morning of November 25th and specifically why Kane was upstairs when the police arrived, were more complete in the second trial than in the first, yet enough of their testimonies from the first trial were recorded so that their testimonies at both trials were clearly not contradictory. According to them, when Kitty let Kreuter and White into the house that morning, Della was still upstairs in bed. Della got up and went downstairs just before the police rapped on the door. All four individuals, Kitty, Kane, White, and Kreuter, were in the parlor when Della went to answer the door. While she was gone, Kane asked Kitty where the toilet was. She told him it was on the back of the lot, but that he could go upstairs to Della's room. When Della came back into the parlor with the two policemen and

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[1]Judgment Roll 1442, Testimony (Trial 1), p. 16.

[2]Ibid., pp. 9, 24.

[3]Judgment Roll 1442, Testimony (Trial 2), p. 5; Deposition of Frank Kane, question and answer number 12.

found Kane gone, she asked Kitty where he was. Kitty told her, she told the police and Dugan proceeded upstairs where he arrested Kane. That was the end of the story for Della and Kitty until two days later when Della was arrested for keeping a house of prostitution.[1] Having heard all the evidence thus described, the jury in the Circuit Court, on February 8, 1906, declared Della Dalton, "Not guilty" of the charge brought against her.[2]

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[1]Judgment Roll 1442, Testimony (Trial 1), pp. 19-24, 25-26; Testimony (Trial 2), pp. 17-20, 22-25.

[2]Judgment Roll 1442, verdict of the jury in Circuit Court, Feb. 8, 1906.

CHAPTER 7

THE INVESTIGATIONS OF THE TEASDALE COMMITTEE IN LA CROSSE

Late in the nineteenth century, the government of the United States developed an interest in the suppression of prostitution. In keeping with this interest at the national level, in 1913 the legislature of Wisconsin created a joint committee to study vice in the state. The official title of the committee was the Wisconsin Legislative Committee to Investigate the White Slave Traffic and Kindred Subjects, and its chairman was state Senator Howard Teasdale of Sparta. The rest of the committee was composed of two senators, Victor Linley and Robert Monk, and three assemblymen, Carl Minkley, James Dolan, and George W. Bingham. The eight boxes of records of the committee, which are now kept in the Wisconsin State Historical Society's library in Madison, show that although the committee had six members, it was Senator Teasdale who did most of the work and who had the greatest interest in the investigation.[1]

After some preliminary research as to the best method to

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[1]Hass, Wisconsin Magazine, pp. 138-40; "Our Introduction," The Light, April, 1898, pp. 5-7.

use in its investigation, the committee decided on implementing a three-step plan of attack. It first sent detailed questionnaires to prominent persons throughout the state both in government and out in an attempt to find out how widespread prostitution was, to determine what the extent of venereal disease was, to assertain how many illegitimate babies were being born, and to investigate the relations of alchohol to illicit sex. As its second step, the committee hired private detectives whose job it was to investigate clandestinely various individual cities throughout the state and send reports to the committee. Finally the committee held open and closed hearings in thirteen cities around the state at which individuals involved in vice were confronted with the evidence that had been accumulated against them by the detectives, and persons outside the vice business were questioned about their thoughts, knowledge, and opinions concerning prostitution and related matters.[1]

La Crosse was the first city at which the committee hearings were held, and the over one hundred pages of testimony taken at the hearings, in addition to the reports of the detectives, provides informative reading.[2] The committee hired at least five detectives to investigate the city, but only two provided the quantity and quality of evidence that Senator

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[1] Hass, Wisconsin Magazine, pp. 141-42.

[2] La Crosse Tribune, Jan. 8, 1914, p. 6.

Teasdale, the committee's chief proponent, wanted accumulated. Mrs. Adella White and Ben Morgan worked separately and at different times, Mrs. White during the latter half of October and Ben Morgan during the latter half of November, 1913. Together they made no less than eighty-six investigations of individual prostitutes, houses of prostitution, houses of assignation, bars, hotels, stores, roadhouses, and policemen of dubious character.[1]

The work of the committee in La Crosse, both through the investigations of the detectives and the hearings, clearly point out that during the first fifteen years of the twentieth century La Crosse was a city caught up in the throes of official moral change. Until the spring of 1908 there was a red light district in the one hundred block of Pearl Street.[2] At that time, Mayor W. A. Anderson ordered his chief of police to close the district's houses of prostitution along with the gambling establishments and houses of assignation. It was no easy decision for the mayor, however. In 1908 he was serving the second of two non-consecutive terms. During his first term, from 1899 to 1901, the district had existed, but he made no effort to shut it down because he was told

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[1]Wisconsin, Legislature, Senate, Wisconsin Legislative Committee to Investigate the White Slave Traffic and Kindred Subjects, Hearings, Correspondence, and Investigation Manuscripts of the Wisconsin Legislative Committee to Investigate the White Slave Traffic and Kindred Subjects, Archives Division of the Wisconsin State Historical Society, Investigations 1837-1915, Series 2/3/1/3-8, Location 3/10/H17, Box 21, Mrs. Adella White's Reports, Ben Morgan's Reports, Sater and Carr's Reports, and Box 16, letter from Senator Teasdale to Mr. R. Ebel, Nov. 10, 1913.

[2]Legislative Committee, Hearings, Box 21, White's Report, pp. 6-7; Box 19, Testimony, pp. 8-14.

by the police that having a district was an aid to police work in that the prostitutes and gamblers of the district kept them informed when persons of questionable repute came to town. Mr. Anderson testified to the committee that when he took office for the second time, he had second thoughts about keeping the district open, and after some soul-searching he ordered it closed for several reasons. His first reason hinged on the fact that every three months or so each house was fined fifty dollars for the right to stay open. This fine amounted to a license fee and Mr. Anderson said that as mayor he, ". . . felt ashamed to think that the city was sharing in the profits of these girls in the houses of prostitution." Secondly he felt that the girls who worked in the district were treated as slaves because they were not allowed to walk the streets together and they were required to abide by a curfew of about six o'clock, whereas the other prostitutes who undoubtedly worked in the city, but not in the district, had no restrictions. Thirdly, although the district theoretically prevented the spread of prostitution, in actuality it did not. Finally, the district had become a lair for criminals of other classes and obviously therefore, it did not prevent other forms of crime, which was the chief reason why the police believed it should stay open.[1]

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[1]Legislative Committee, Hearings, Box 19, Testimony, pp. 8-14.

Though the closing of the district was applauded in some quarters, there were those people who criticized the action for business and political reasons.[1] When Anderson was replaced as mayor in 1909 by Ori Sorensen, Mr. Sorensen allowed the district to reopen because he was of the opinion that a red light district was a necessary evil to assure that the city as a whole would be safe from the evils of prostitution by having the prostitutes segregated into the district.[2] Mr. Sorensen's stay in office was only two years. He was replaced in 1911 by John Dengler, who closed the district on the basis of Anderson's directive.[3] While Dengler was mayor, Sorensen changed his mind concerning the necessity of having a red light district. As a result, the debate during the mayoral election of 1913 centered heavily on the issue of prostitution in La Crosse. While serving his two years in office Dengler did what he could to improve the moral condition of the city including closing the district, closing down an assignation house that had existed for twenty years, and establishing recreation programs for youngsters. Sorensen, however, won the election largely due to the fact that on the day before the election, he publicly stated that he had hired a private detective from outside the city whose investigation

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[1] Ibid., p. 9.

[2] Ibid., p. 10; "Redlight is Not 'Necessary Evil'," La Crosse Tribune, Jan. 9, 1914, p. 1.

[3] Legislative Committee, Hearings, Box 19, Testimony, pp. 14-16.

turned up forty-seven houses of prostitution in the city.[1] When Sorensen took office in 1913, he did not reopen the district as he had done during his first term in office and at the committee hearings several prominent men, including County Judge John Brindley, former mayors Anderson, Dengler, and Torrance, and William Doerflinger of the Park Store, stated that the city was cleaner than it had been and that the closing of the district did not cause a deterioration in the morals of the city.[2]

However true that may have been, the reports of Detectives White and Morgan clearly indicate that La Crosse was not a morally pure city. It must be born in mind, of course, that the detectives were purposely looking for the seamy side of city life, and though they very definitely found it, they also included in their reports hearsay information and opinions. For example, in reporting on the motion picture "In the Bishop's Carriage" which was shown at the Bijou Theater on October 15, 1913, Detective White stated, "The effect on the minds of most of those present was far from good. Audience consisted largely of factory girls, shop girls and others who themselves are inclined to be wayward."[3] Yet it was the reports of the detectives that presented the picture of illicit

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[1] Ibid., pp. 14-16; "Redlight is Not 'Necessary Evil'," La Crosse Tribune, Jan. 9, 1914, p. 1; Editorial, La Crosse Tribune March 31, 1913, p. 3; "Sorensen Will Not Give Names of the 'Dumps'," La Crosse Tribune, March 31, 1913, p. 1; "Sorensen Seeks for Information," La Crosse Tribune, April 18, 1913, p. 1.

[2] "Redlight is Not 'Necessary Evil'," La Crosse Tribune, Jan. 9, 1914, p. 1; Legislative Committee, Hearings, Box 19, Testimony, pp. 8-16, 19-22, 29-33.

[3] Legislative Committee, Hearings, Box 21, White's Report, p. 1.

sex activities in the city rather than the testimony taken at the hearings. Those good citizens who were asked to testify before the committee either did not know what the situation was or if they did know they did not want to give the members of the committee the impression that La Crosse was corrupt. As for those citizens of "questionable" character who were called upon, they included only one prostitute, Miss Frankie La Salle, and others like chauffer Carl Miller and police officer William Wermuth, who denied everything that the committee charged them with based on the reports of White and Morgan.[1]

Ben Morgan reported that Miller, while driving him out to a roadhouse, said, " 'You can pick up a girl any time in the Park Store who will go to room with you.' " 'Call Miss Minnie Rischgelt and say you are a friend of Ray Rice and she will be on the job.' "[2] Senator Teasdale asked Miller about the conversation and Miller retorted, "No, never had such a talk in my life.' "[3] Earlier in the dialogue between Teasdale and Miller, the latter said that the only reason he went to French Island was to go fishing, and yet while investigating a saloon and dance hall run by James Sokolik on the island, Morgan saw Miller in the establishment.[4]

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[1]Legislative Committee, Hearings, Box 19, Testimony, pp. I-123.

[2]Legislative Committee, Hearings, Box 21, Morgan's Handwritten Reports, p. 173.

[3]Legislative Committee, Hearings, Box 19, Testimony, p. 89.

[4]Ibid., p. 89; Box 21, Morgan's Final Report, p. 5.

The contradictions between White's and Morgan's investigations, on the one hand, and the testimony of Officer Wermuth, on the other, were also quite obvious. Morgan reported that while investigating the house of Mrs. Anna Howe, she told him that Wermuth was a " 'damn Pimp' " and that he had been seen taking a girl to a place himself. In his final report on La Crosse, Morgan wrote, "Detective Wermuth said to be friendly with prostitutes and is said to have immoral relations with them."[1] Mrs. White's report was more complete concerning the police officer:

> There are 21 members of the department, all included except the Chief. Many of them are bad; hand in glove with vice and on the most intimate terms with sporting girls. Prominent among them is Officer Wermuth, a brother of a saloonkeeper of the same name, on North Third St. It is common talk among the girls and generally talked about town that after closing hours of the saloon this officer having a key to the rear entrance of the WET GOODS Saloon, takes girls in there, spending considerable time with them. Viola Friday, or Atchinson, a well-known prostitute, boasts of his friendship with her, and others say Sophie Zak, a young Polish girl, whose home is in Winona, Minn. but is now in Minneapolis, was also his paramour.[2]

In contrast to the detectives, however, Wermuth presented himself to the committee as quite pure:

> SENATOR TEASDALE: Q. You are a policeman in the city? A. Yes sir.
> Q. Do you know anything about the conditions existing on the square between Vine and Pearl St. and the river and Pearl, as to moral conditions?

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[1] Legislative Committee, Hearings, Box 21, Morgan's Handwritten Reports, p. 185; Morgan's Final Report, p. 2.

[2] Ibid., White's Report, p. 12.

A. Well, I know I cannot find anything wrong as far as I am concerned; I have been watching it as close as I could.

Q. Never see anything wrong? A. Very seldom. If I do, I make an arrest.

Q. Do you arrest when you see anything wrong, at any time? A. I certainly do.[1]

In their investigations of La Crosse, White and Morgan found the city to be wide open for prostitution. The red light district was gone, but houses of prostitution still existed both on and off Pearl Street. If a man did not want to use the services of a house and its girls, there were hotels like the Grand, the Hillside, or the Law to which he could take his girl friend. Or if a streetwalker was more to his liking, he could easily engage ones services on Third Street between State and Pearl, the two blocks which Mrs. White found to be the worst in the city.[2] Then, too, there were the establishments which were run both as houses with girls and as assignation houses. Mrs. Howe, for example, told Morgan that he could have her for two dollars, but that at the time she was menstruating, so if he wanted to bring a girl of his own, he could have a room for one dollar. Her place was in the old district at 111½ Pearl.[3] Mrs. S. Bennett had run a house within the district, but when it was closed she moved to a flat at 125 South Third Street where she ran an assignation house, and her two daughters were available for men who

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[1] Legislative Committee, Hearings, Box 19, Testimony, p. 117.

[2] Legislative Committee, Hearings, Box 21, White's Report, p. 12.

[3] Ibid., Morgan's Handwritten Reports, p. 185.

did not have their own girls.[1]

There really was no stereotype for the prostitutes in La Crosse. Some were old-timers like Mrs. Bennett and Frankie La Salle, while others were as young as eighteen. Most were in their twenties. They represented several nationalities--Polish, Norwegian, German, and Canadian. Many of them were not from La Crosse and changed their places of residence quite often, coming from such places as Winona, River Falls, Green Bay, St. Paul, Minneapolis, and even Alberta, Canada.[2]

The price of two dollars was fairly constant for a prostitute's services throughout the city, though one dollar was not uncommon.[3] Frankie La Salle testified that a girl should charge at least five dollars if she was to run a house properly. Yet, White reported that the girl named Helen who worked in Frankie's house charged only from one to two dollars.[4]

The element of money became a rather important point of interest in the hearings as a potential reason why girls entered the life of prostitution. Mrs. White, beside finding out how much girls charged per customer, uncovered some information on how much various girls earned per day, week, and month. Helen, at Frankie's place, took in between seven and ten dollars a day,

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[1] Ibid., White's Report, pp. 1-2.

[2] Ibid., pp. 1-15.

[3] Ibid., pp. 1-15.

[4] Ibid., p. 4; Box 19, Testimony, p. 77.

so that for a week she might have earned from about fifty to seventy dollars.[1] Evelyn and Sophie, two girls who plied their trade at the Hillside Hotel, told White that the hotel was a busy place and therefore they earned from forty to fifty dollars per week after paying five dollars a week for board.[2] There was a restaurant in back of a bar at Third and Pearl where a girl named Mary worked as a waitress. She stated that as a waitress she earned three to four dollars a week, but by "meeting friends" she added between twenty and twenty-five dollars per week to her income. She added that during the week of the fair she made over fifty dollars.[3] Lillian Skunberg, a prostitute at the Monitor Saloon, told Mrs. White that between August the twenty-sixth and September the twenty-sixth of 1913 she earned one hundred dollars after expenses.[4]

These incomes of prostitutes were far higher than those of the average female store clerk or factory girl, according to the testimony of several people at the hearings. The picture that unfolded concerning incomes of prostitutes and nonprostitutes left little for the committee to cheer about when girls like Grace Barnes, who had worked for the Rubber Mills for about five years, said she was earning between eight and nine dollars

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[1]Legislative Committee, Hearings, Box 21, White's Report, p. 4.

[2]Ibid., p. 4.

[3]Ibid., p. 8.

[4]Ibid., p. 13.

a week, two of which she sent home to her parents in Bangor.[1] Anna Sauer, a clerk at the Park Store, testified she was earning between ten and eleven dollars a week including commissions on sales of about five dollars, a total income which was less than she had earned as a school teacher.[2] The testimony of these two girls and others like them gave credence to the persons who, when asked their opinions, said that low wages were primarily responsible for girls turning to prostitution. Finally, Ben Morgan reported that while he was investigating the Shang Hai Restaurant at 124 S. Third, a waitress named Anna Moen boldly admitted, " 'Of course I go to my room with men or I could not live,' . . ."[3]

Several witnesses, however, thought girls succumed to sexual desires and became prostitutes for reasons other than money. Among the reasons given were liquor, poor home life, lack of parental guidance, men and boys who for their own lustful purposes destroyed girls' virginity, movies which kept the girls downtown late at night, the close proximity in which boys and girls worked in the factories, dance halls located too close to saloons, and inferior intelligence of those girls who turned to prostitution.[4]

When questioning witnesses as to why they thought girls became

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[1]Legislative Committee, Hearings, Box 19, Testimony, pp. 62-63.

[2]Ibid., pp. 53-36.

[3]Legislative Committee, Hearings, Box 21, Morgan's Handwritten Reports, p. 175.

[4]Legislative Committee, Hearings, Box 19, Testimony, pp. 1-123.

prostitutes, the committee members usually also asked what preventive and curative measures might be taken to solve the problem. The suggestions varied, but they all reflected what the witnesses felt was a need for strong social action by government at both the local and state levels. A number of the suggestions centered on the witnesses' beliefs that the best method of preventing prostitution was to make certain that children, and especially girls, were raised in wholesome environments. To that end the witnesses recommended that children should be taken away from parents who did not give proper guidance to them, that more concern should be given in schools for the less intelligent, that girls be taught a vocation so that they could demand higher wages, that the city expand recreation facilities, that schools show movies, and that the age of consent be raised from fourteen years to either sixteen, eighteen, or twenty-one. Among the other suggestions advanced by witnesses were the closing down of roadhouses where prostitution flourished, increasing the number of policemen including the hiring of policewomen and establishing a constant policy dealing with morals that would not change when the administration of the city changed.[1]

From the very beginning of its investigations in La Crosse, in each of its three steps of investigation, the Teasdale

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[1] Ibid., pp. 1-123.

Committee experienced difficulties. Teasdale quickly found out that throughout the state, the authorities to whom he had sent questionnaires, were unwilling to fill them out for fear of making it appear that their jurisdictions were corrupt or that they were not doing their jobs. Only after some personal prodding did he succeed in getting a quantity of replies.[1] La Crosse was no exception to this. Upon receiving a questionnaire, for example, Rev. T. S. Oadams, Pastor of the First Methodist Episcopal Church in La Crosse, wrote to the Senator stating that in his opinion the "verbose data" asked for in the questionnaire actually would serve little purpose in accomplishing the committee's objective. What peeved Teasdale even more, however, was Oadams' questioning of the sincerity of the committee's intentions.[2] The senator wasted no time replying to Oadams' letter, stating in no uncertain terms that he and the committee had a right to expect that Oadams would fill out the questionnaire since they were going to spend several months investigating throughout the state with no compensation other than for expenses.[3]

In La Crosse the troubles that Teasdale had with his detectives, by not getting sufficient work out of three of them, Ebel, Sater, and Carr, would have been problem enough, but his

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[1]Hass, Wisconsin Magazine, pp. 142-43.

[2]Legislative Committee, Hearings, Box 22, letter Oadams to Teasdale, Oct. 31, 1913.

[3]Legislative Committee, Hearings, Box 16, letter Teasdale to Oadams, Oct. 31, 1913.

best detective, Mrs. White, was involved in two incidents which might have destroyed her effectiveness as an undercover agent. On October 24, 1913, she went to the post office to pick up some materials which Teasdale had sent to her. The clerk at the general delivery window began questioning her about the quantity of materials she had been receiving from the senator. He then got a bit nasty by saying that Teasdale was, " '. . . on that fool committee that's ruining things so I just wondered if you were silly enough to get mixed up with that bunch, . .' " When she finally got the package from him, after paying eighteen cents for postage due, she found that it had been opened and then resealed.[1] Teasdale complained to Postmaster William B. Tscharned of La Crosse about the incident, but Tscharned replied that each of his three clerks denied having had such a discussion with Mrs. White, although one of them did say that he had collected the eighteen cents from her. Tscharned then informed Teasdale what amounts of postage to use and he asked the Senator to have Mrs. White come to his office and point out the clerk who made the remarks to her.[2] There is no record of whether she went to do so.

The second incident occurred on the night of October 24, 1913, at about 8:30 P.M. Mrs. White had been informed that girls entered

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[1] Ibid., letter White to Teasdale, Oct. 24, 1913.

[2] Ibid., letter W. B. Tscharned to Teasdale, Oct. 29, 1913.

the Wermuth Saloon by way of an alley. She was looking for the entrance to the alley in the dark when officers Fitzsimmons and McGraw came out of the alley and arrested her for being drunk. McGraw, who had been involved in graft charges two years before, took her to the police station and on the way spoke "unrepeatable language" to her. She didn't answer any of his questions, but demanded to see the chief. The chief treated her quite well and even told her of a particular place to investigate that she had not heard of before and then let her go. At the hearings, McGraw denied calling her names and Fitzsimmons said that he did not know whether McGraw had used foul language because McGraw had taken her to the station alone.[1]

The greatest problem that the Teasdale Committee faced in La Crosse centered on the public reaction to the hearings. Because La Crosse was the first city at which hearings were held, what happened there in terms of public sentiment might very well have affected the course of the hearings in the cities yet to have been heard from. A large enough body of citizenry did protest in La Crosse so that in other cities some hearings were closed to the public and the press.[2] Those that protested the

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[1] Ibid., letter White to Teasdale, Oct. 25, 1913; letter White to Teasdale, Jan. 3, 1914; Box 21, White's Report, p. 13; "Redlight is Not 'Necessary Evil'," La Crosse Tribune, Jan 9, 1914, p. 1.

[2] Hass, Wisconsin Magazine, p. 144.

most vociferously were the factory girls throughout the city who resented having their characters disparaged. The La Crosse Tribune took their side in an editorial on January 8, 1914 when it said:

> The protest of factory girls against being treated as an immoral "class" seems to us justified, and we sympathize with them in their protestation that indiscriminate terms used in the vice investigation, all unwittingly, have done them an injustice.

In the same issue, the paper printed on the first page a letter from a girl who simply identified herself as "A Factory Girl." It was an eloquently written piece in which she criticized those men who had testified at the hearings for stereotyping factory girls as being immoral. In large measure she laid the blame for those few girls who had become prostitutes squarely on the businessmen who did not pay girls a living wage and who, on the one hand, critized the unfortunate girls who became pregnant while, on the other hand, had girl friends of their own without their wives knowing about it.[2]

The protest seemed justified because of statements made by several witnesses. The most derogatory statements were made by two ministers, one of whom, Father Ambrose Murphy, admitted that his knowledge of what went on in the factories came from stories he had heard, and that he had no personal knowledge himself. What

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[1]Editorial, La Crosse Tribune, Jan. 8, 1914, p. 1.

[2]La Crosse Tribune, Jan. 8, 1914, p. 1.

he had heard was that bad language was used and that girls were made to parade naked in front of their boss. Father Murphy did not indicate in his testimony where exactly this was supposed to have taken place, other than to say he thought it was in a candy factory.[1] The other minister was Reverend D. C. Jones of the First Presbyterian Church. He stated:

> . . . as soon as they go to work at the factories they immediately begin to attend the dances and the moving picture shows, and that at once cuts them off from church, from Sunday school, from Christian organizations, and as a rule the parents at that point lose control.[2]

Not all the reaction to the committee's work was critical, however. One person wrote to Teasdale after the hearings were completed in La Crosse and said that they had apparently done some good because the mayor had begun looking for women to hire as policewomen.[3] Mayor Sorensen also praised Teasdale in a letter in which he stated, "I consider your work throughout the state as having accomplished a great deal of good."[4] The greatest advocate in the city, however, was B. S. Steadwell, who at the time of the investigation was the president of the World's Purity Federation. Throughout the life of the Teasdale Committee, Steadwell had been in contact with the Senator, giving advice,

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[1]"Sensational Testimony Heard by Vice Probers Starting Investigation," La Crosse Tribune, Jan. 7, 1914, p. 1; Legislative Committee, Hearings, Box 19, Testimony, p. 23.

[2]Legislative Committee, Hearings, Box 19, Testimony, p. 26.

[3]Legislative Committee, Hearings, Box 17, letter Hillyer to Teasdale, Feb. 7, 1914.

[4]Ibid., letter Sorensen to Teasdale, Oct. 16, 1914.

offering assistance, and generally giving moral support. In a letter dated November 19, 1914, Steadwell said:

> You are to be congratulated upon the results of your work in the state, for without question the moral conditions have very materially improved since your committee started work. Conditions in and about La Crosse have very much improved, though there is a chance for further betterment.[1]

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[1] Ibid., letter Steadwell to Teasdale, Nov. 19, 1914.

CONCLUSION

In conclusion, although there is ample proof to establish the existance of prostitution in La Crosse between 1876 and 1913, prostitution then did not have or convey the same total meaning that it does today. Even within the practice of prostitution that existed in the city then, there is no proof in any of the material studied here to indicate that prostitutes individually or as a group were mistreated by customers or pimps. There is, for example, nothing to indicate that anything resembling sadistic torture of prostitutes for sexual gratification existed in La Crosse, or that pimps, for their own greed, caused prostitutes to become either mentally or physically ill.

Finally, the Teasdale Committee found no white slave traffic in La Crosse, although that was what the committee's official title indicated it was supposed to study. In fact, the very first witness to testify in the city at the committee's hearings, County Judge John Brindley, when asked whether young girls were forced into prostitution in La Crosse said, "No, I do not think there are any such professional people here. If you mean by white slaves girls who against their will enter prostitution--why a girl could not be obliged, in a town this size,

to stay at a house."[1] Yet, mild and innocent though it may have been in La Crosse, prostitution continued to exist in the city.

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[1]Legislative Committee, Hearings, Box 19, Testimony, p. 3.

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