

TUESDAY, MAY 30, 2006

## John Day Smith

For the past five years I have attended the memorial day service at [Lakewood Cemetery](#) in Minneapolis. Lakewood is the one of the most pristine cemeteries in Minnesota and is home to more than 2000 civil war veterans. Each year the service has been attended by the same gospel singers who do an excellent job of capturing the spirit of the day. This year's service was especially interesting because it included a bunch of Civil War reenactors firing their rifles and Abraham Lincoln attended to give the Gettysburg address. The service is always well done and it is hard not to feel a little emotional when the gospel group performs their yearly rendition of Battle Hymn of the Republic.

I have a strange connection to the Lakewood memorial service through my prior residence in Minneapolis on Holmes Ave (about 5 blocks from the cemetery). It turns out that in the 1920s and 1930s, [John Day Smith](#), a former Minnesota Judge and state representative who grew up in Maine, eventually came to live in the third floor of our house, which had been re-made into an apartment by his daughter and son in law who owned the house at that time. Mr. Smith is noted in the link above as being the only Republican in the statehouse in 1891 from Hennepin County. An article written in the late 1970s in the local neighborhood newspaper, recounted how Mr. Smith used to sit out on the porch and tell Civil War stories to some of the children in the neighborhood.

Apparently Mr. Smith's stories were true. He saw quite a bit of action during the war, was seriously wounded, and was on the front end of Picket's charge at Gettysburg. He later wrote a book about his experience **THE HISTORY OF THE NINETEENTH REGIMENT OF MAINE VOLUNTEER INFANTRY 1862-1865**, in 1909. The book is still available [here](#). The news article stated that Smith came to Minnesota partly because of contacts he made in the 1st Minnesota Regiment during the battle of Gettysburg.

Mr. Smith's connection to Lakewood was that he became the main speaker at the service for several decades until his death in 1933.

Mr. Smith was also known in Minnesota history for his opposition to the death penalty. In 1889, as a legislator, Smith authored and got passed, the [John Day Smith law](#), which required that executions only be carried out in seclusion (out of the public eye). This was one of the first laws passed which eventually lead to abolishing the death penalty in Minnesota.