Senator Marvin H. Bovee, Great Humanitarian Died in Whitewater in 1888

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A single term in the legislature of 1853 as leader of a hard-fought but successful drive to abolish capital punishment in Wisconsin, turned Senator Marvin H. Bovee into a zealous and resourceful penal reformer.

Brought suddenly into prominence, his aid was sought in many antigallows campaigns across the nation during the ensuing 35 years. At times he was praised and victorius; often he was derided in defeat.

Bovee's heritage foreshadowed his life of public usefulness. His parents, both natives of New Amsterdam, New York, where Marvin Bovee was born on Jan. 5, 1827, had sympathetic association with Quakers and Unitarians.

Father a Congressman

His father was elected to the New York Assembly, and later, to Congress. To his mother Marvin gave credit for a happy childhood in which she "taught me hate nothing but injustice and cruelty."

The family of 11 persons moved to Wisconsin Territory in 1843. They settled on a farm in Eagle township, Waukesha County.

Marvin first became a political candidate in 1852, when in the fall of that year he was chosen chairman of Eagle township and was then elected chairman of the Waukesha County Board when it was organized. Meantime, the Democratic leaders were hunting hard for a strong candidate to oppose the incumbent Whig senator in the 10th district. Dr. D[illegible]

Backed by Waukesha Editor

Finally, on Sept. 10, 1852, in a meeting at Waukesha the Democrats nominated Bovee as senatorial candidate in the 10th district.

Henry Danforth Barron, editor of the Waukesha Democrat, a lawyer turned editor from Saratoga, New York, emerged as Bovee's champion, and his influence counted. Bovee's majority was 353 over Dr. West.

Antigallows members, and there were several in the Democratic legislature, could count on Assemblyman Sholes and his Kenosha Telegraph, W. D. Barron and the Waukesha Democrat, and other newspapers in Southeastern Wisconsin.

Bovee knew that during the first constitutional convention Elijah Steele of Kenosha, a fellow New Yorker, had failed in pressing for passage of an antigallows amendment. The 1849 statutes, compiled after statehood, prescribed death for first degree murder, but provided a life term for mortally wounding another in a duel. Thus, duelists fared better than ordinary murderers.

Bill Introduced

Bovee's repealer bill was introduced in the assembly by Lees. The special committee headed by Lees sent in a favorable report on January 27. On March 9 it was passed, 39 to 28. Bovee's own special bill was recommended to the senate for concurrence.

On July 8, the senate passed the bill by 14 to 9, and two days later Governor Leonard Farwell signed the measure.

Wisconsin's new law to nullify the noose attracted wide attention and comment, pro and con. On July 23, 1853, Horace Greeley's New York Tribune gave much credit and praise to Bovee for enactment of the law. Papers not favorable had to report it anyhow.

For five years after this legislative success, Bovee, who never ran for the senate again, confined his activities to farming and corresponding with prominent sympathizers of penal reform.

Went to Illinois

But the winter of 1858-59 saw him on the stump in Illinois, crusading against the hangman at special meetings arranged by sponsors. The only net result was enactment of a law in 1859 which did away with public executions. Making hangings private affairs was often used as an entering wedge for taking more sweeping action.

In 1859-60, during a canvass that lasted almost five months, Bovee made more than a hundred talks in his native state of New York. His last talk was before the select commttee of the state assembly at Albany, which unanimously reported an outright abolition bill. It passed the assembly by 18 votes, but a compromise, that sent a murderer to state prison for one year, after which he might be executed, was necessary to get the bill by the senate.

Nobody was hanged under the new 1860 law carrying a jury option clause, in the passage of which Bovee had some indirect influence.

Bovee Came Home

After an attempt to have enacted an antigallows law in Massachusetts which was interrupted by an attack of pneumonia, Bovee came back home to be with his parents and his sister Harriet on the farm.

There he wrote a book against the death penalty, published in 1870 with the impressive title of "Christ and the Gallows".

Busy just after the Civil War, Bovee was instrumental in the passage of jury option bills in Illinois, Minnesota, and Iowa.

But he met setbacks in Indiana and Pennsylvania.

In the late 1870's Bovee sold his farming interests in Eagle and took his family to Whitewater. Not wholly satisfied with the progress being made in repealing the death penalty, he took up the related cause of prison reform. He worked for both reforms in Missouri and Ohio.

During the last decade of his life, Bovee took care of his heavy mail, studied prison reform, and engaged in Democratic party work.

Died in 1888

But like many ardent fighters for principle, Bovee eventually found the pace exhausting and the rewards uncertain. On May 7, 1888, at the age of 61, Bovee died in Whitewater, and in his obituary in the Whitewater Register it said that the strain on his mind and body had become too great, resulting in mental and physical prostration. "Melancholia came on, with but occasional improvement, his strength steadily failing until the end."

Unlike some Victorian reformers, Bovee was easy to live with and hard to part with. He belongs to Wisconsin's list of unselfish humanitarian workers who labored for a better and a brighter world.