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Spoils of Statehood: Montana Communities in Conflict, 1888-1894

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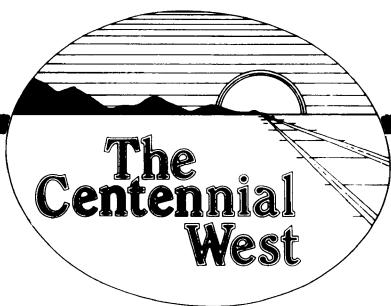
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Montana Communities

Spoils of Statehood

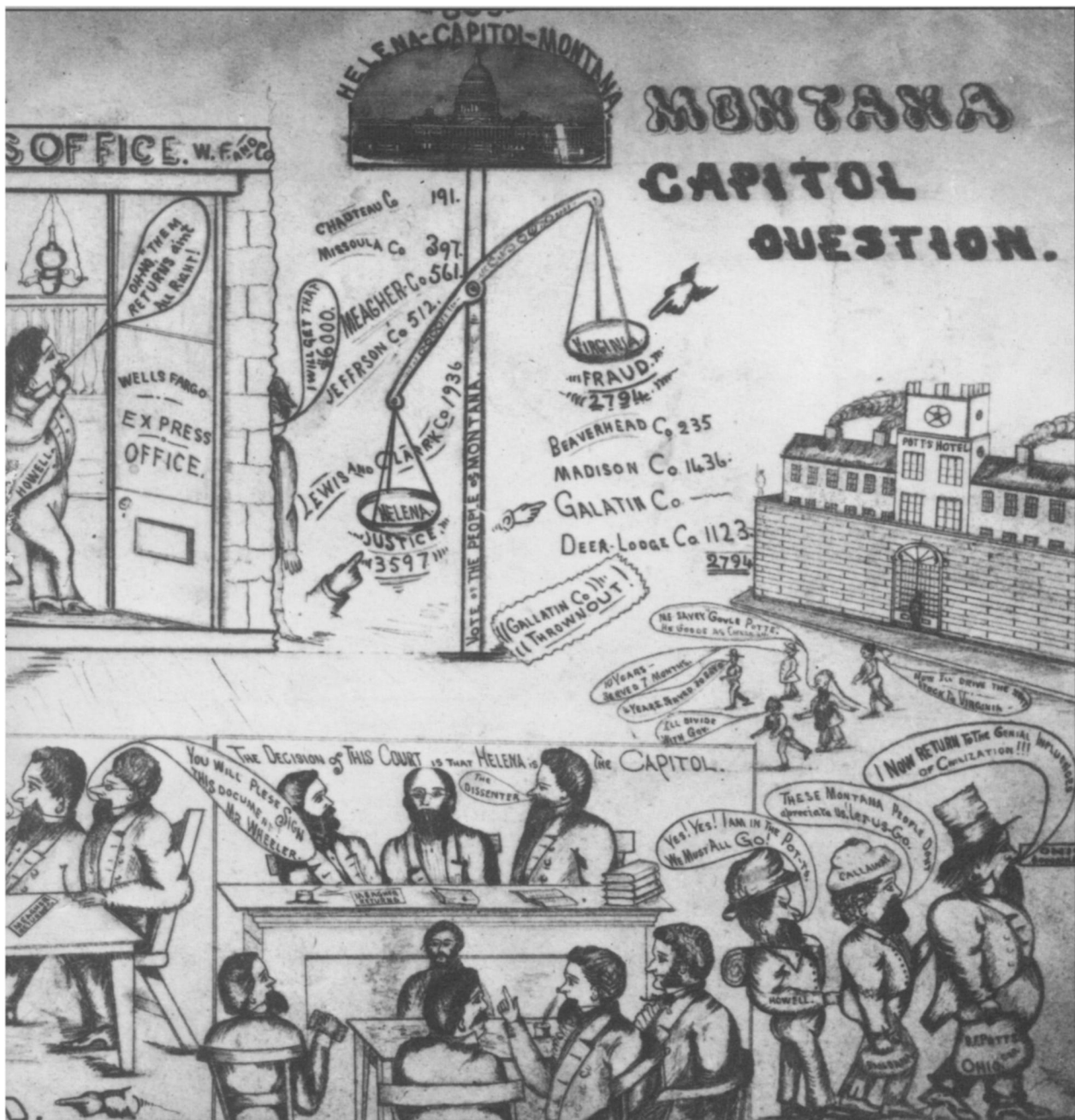
by William L. Lang

Even with Helena's saloons and bars closed, rumors had circulated all day about what the opposition had done and what they had planned. Runners scurried from one downtown office to another with reports of "spies" at work among the electorate. Sharp-eyed informants directed policemen to suspected bribers; they nabbed one with \$200 in \$5 bills in his pockets, ready for use on willing and corruptible voters. Wild stories circulated: One warned that Anaconda Company Pinkertons were on their way to disrupt the election in Helena. By four o'clock, one hundred or more toughs trooped to the railroad station to greet the Anacondans. Helena's boys were ready as the Montana Central pulled in, but the "Pinkertons" turned out to be a troop of Anaconda lawyers. They had come, so they said, to rescue their townsmen from rumored jailings in Helena. The tension had affected everyone.¹

It was election day—November 6, 1894—the single most important day in Helena's history. Voters across the state went to the polls to choose between Helena and Anaconda as Montana's permanent capital. The conclusive capital fight was the largest of Montana's statehood spoils, but the fractious squabbling over the other prizes was nonetheless frantic. There was political patronage and the selection of U.S. senators, but the plums for communities across the state were the state institutions, especially the schools. As statehood became a probability in 1888 and a near certainty in 1889, cities and towns began jockeying and competing for one or more of these institutions. In ways and to degrees that none of the participants could have predicted, the inaugural politics of the new state became the politics of spoils.



in Conflict, 1888-1894



E. H. Train, photographer, MHS Photograph Archives

The most important spoil of Montana territorial political warfare, as caricatured in this 1875 cartoon, was the location of the capital. In a contested election in 1874, after months of wranglings and court battles, Helena emerged the victor over Virginia City. Much attention focused on irregular vote tallies in Gallatin and

Meagher counties and the struggle that developed between Governor Benjamin F. Potts and Secretary James E. Callaway. Perhaps the chief result of the struggle, however, was the generation of an anti-Helena legacy that stalked the capital city for decades.

Twenty and some years after Montana's first gold strikes attracted a rush of miners to its rich gulches, delegates from around the territory met in 1884 to write a state constitution. Territorial politics had gone through its chaotic phase, had accepted a no-party hegemony during the 1870s, and had finally settled down to a combative two-party political structure. The population had boomed, a transcontinental railroad had been built through the territory, and the mining industry seemed primed for expansion. But the complexion of national politics had been unfavorable, and Montana's statehood bid had failed. In 1889, after five years of political wrangling, Congress gave a green light to Montana and three other western territories petitioning for statehood. In July, delegates met in Helena to debate and write a state constitution, which voters affirmed on October 1. Montana joined the union on November 8, 1889, and began the first and also the most politically tempestuous decade in the state's history.²

Montana began statehood inauspiciously. Contested election returns from one precinct in Silver Bow County sent a cloud over the first legislature, darkening its proceedings. The Senate had broken even with eight Democrats and eight Republicans, and the House had followed suit with twenty-five for each party; but the five seats from Silver Bow were in dispute. Hoping for some resolution, Silver Bow politicians sent two House delegations to Helena, one Republican and one Democratic. Control of the House meant ultimate power in the joint balloting to choose Montana's first U.S. senators, and the seating of the Silver Bow representatives became the session's decisive question. Both parties refused to compromise. House Republicans and Democrats met separately. Political conflict and stubbornness descended to burlesque when Democratic senators refused to attend their sessions, fearing that an organized Senate might elect Republican senators; some even fled the state when warrants were issued for their arrest.³

Montanans watched first in disbelief and then in anger as the first legislature's internecine disputes bled it weak. Not only did the first legislature fail to make laws (even to pay the legislators), but it also sent four senators to Washington, D.C.—Republicans T. C. Power and W. F. Sanders and Democrats W. A. Clark and Martin Maginnis. A Republican U.S.

Senate predictably gave Power and Sanders their seats (with Sanders drawing the short-term straw) and sent Clark and Maginnis back to Montana.⁴

When the state's second legislative assembly met in Helena in early January 1891, the failure of the year before stood as part prologue and part continuing stain. All of the representatives and half of the senators were back, and the five seats from Silver Bow remained in dispute. In an effort to break the impasse on the first day of the legislature, Democratic Governor Joseph K. Toole recognized the Senate and the Democratic House as organized; Republican House members were left to meet alone in a rump session. "The decision of the representatives of the respective parties to meet apart and not attempt to assemble together, in the absence of any understanding," the *Helena Independent* offered, "was a wise one and prevented any unseemly and unnecessary ruction." The legislators looked hopefully to compromise, but the struggle continued. "Legislature met and adjourned till tomorrow," Republican Senator Cornelius Hedges dashed in his diary on January 19. "The demos don't want to do anything or don't know what to do."⁵

Hedges was correct on both counts. Almost smug in Governor Toole's recognition of their side of the House, the Democrats evaded the issue and left it on Republican desks in the rump House. Worried that they would never be allowed in the game, House Republicans proposed a compromise. Three weeks into the session legislators finally accepted an agreement that awarded Republicans three of the five seats in exchange for giving over House committee assignments and officers to the Democrats.⁶

In a flood, the pending bills that both houses and the Senate had been debating for weeks inundated the reorganized legislature. Prime among them were bills to locate state institutions. Everyone had anticipated the bills, including Governor Toole, who devoted the first half of his address to the legislature on the subject. In a caveat he told legislators in early January: . . . the location of these institutions should be the subject of early consideration and settlement. The longer that is delayed the greater will be the struggle between aspiring sections of the State. . . .⁷

That potential struggle brewed while the legislature untangled its imbroglio. Helena Republican Richard Lockey gave expression to a popular view of the legislature and the contest over state institutions. Presiding over his "House of Lords," a satirical legislature that lampooned the legitimate one, Lockey mimicked Toole's address:

We are convinced that our insane department is improperly managed, as seventy-five lunatics

1. *Helena Independent*, November 7, 1894.

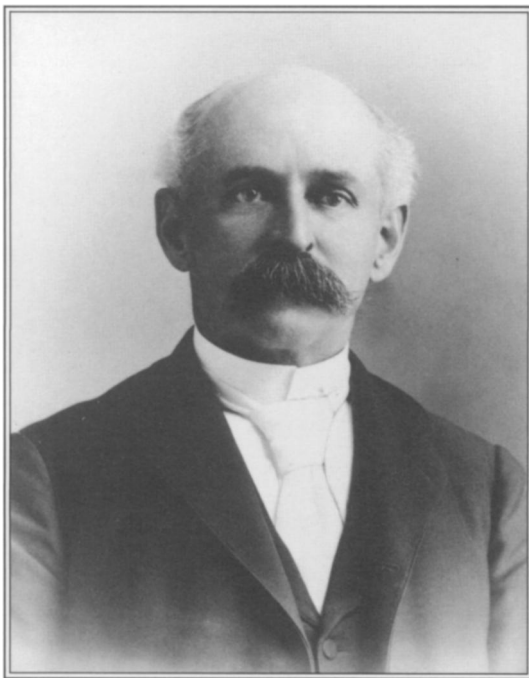
2. For discussions of Montana's constitutional conventions, see Michael P. Malone and Richard B. Roeder, *Montana: A History of Two Centuries* (Seattle: University of Washington Press, 1976), 147-150; Margery H. Brown, "Metamorphosis and Revision," *Montana the Magazine of Western History* 20 (Autumn 1970): 3-17; John W. Smurr, "The Montana Tax 'Conspiracy' of 1889," *Montana the Magazine of Western History* 5 (Spring 1955): 46-53, (Summer 1955): 47-56.

3. Clark C. Spence, *Territorial Politics and Government in Montana, 1864-89* (Urbana: University of Illinois Press, 1975), 129-137; Kenneth Owens, "Patterns and Structure in Western Territorial Politics," *Western Historical Quarterly* 1 (Autumn 1970): 373-392; J. M. Hamilton, *History of Montana: From Wilderness to Statehood* (Portland, Oregon: Binfords and Mort, 1957), 561-580.

4. Hamilton, *From Wilderness to Statehood*, 574; Malone and Roeder, *Montana*, 150-151.

5. *Helena Independent*, January 6, 1891; Cornelius Hedges, *Diary*, January 19, 1891, Micro 119, Montana Historical Society Archives, Helena [MHS].

6. *Helena Independent*, January 12, January 14, January 22, January 30, 1891.



Helena Republican Richard Lockey,
1894

Sproule, photographer, MHS Photograph Archives



Missoula Democratic Senator Elmer
D. Matts

MHS Photograph Archives

are abroad who labor under the hallucination that they were elected to the state legislature.

You will locate the state capital and various public buildings as we cannot much longer delay our attack on the public crib.⁸

Only days after the reorganized legislature had reconvened, the spoilsmen took aim. On February 6, Senator Hedges drew the first shots in the spoils battles when he suggested that the legislature establish a commission to review proposals for siting state institutions and report to the 1893 legislature. Missoula's Senator Elmer Matts bolted up to object, challenging Hedges's motives. He charged that Hedges was stalking for Helena, that the delay would only favor Helena and Butte—the monied cites—and leave the smaller towns with nothing. Hedges waved off the charge, saying that he thought a commission would act in a prudent and fair manner. Only a few weeks were left in the session, he reminded his colleagues, hardly enough time to locate even one institution. As Matts continued to jab a pointed finger, the other senators sided with him, probably serving their own parochial interests more than responding to the issue. Hedges's bill failed; his

opponents had kept the spoils field open for the skirmishes that were certain to come.⁹

Animosity and suspicion among opposing communities that coveted state institutions underlay much of the Hedges-Matts fracas. Twin Bridges took the field first when J. A. Riley came before the House on February 6 to lobby for the state normal school. Five days later, Missoula Representative F. G. Higgins scooped the individual lobbyists by introducing HB 92, a comprehensive bill to locate all institutions. It was precisely the kind of bill that Hedges had tried to prevent in the Senate. The product of trading sessions and anteroom bargains, Higgins's bill proposed a state university at Missoula, a school of mines at Butte, a normal school at Twin Bridges, an agricultural school at Great Falls, a state insane asylum at Boulder, a deaf and dumb asylum at White Sulphur Springs and a reform school at Miles City.¹⁰

Towns not on the list complained and set loose their lobbyists. Dillon wanted the normal school, Bozeman suggested that the Gallatin Valley was a natural host for the agricultural college, and Billings wanted at least one institution for eastern Montana. The contestants wanted fairness and geographical parity. They wanted a chance—their own piece of the pie.¹¹

7. *Senate Journal of the Second Session of the Legislative Assembly of the State of Montana* (Helena: Journal Publishing Company, 1891), 22.

8. *Helena Independent*, January 16, 1891.

9. *Helena Independent*, February 6, 1891; *Missoulian*, February 7, 1891; Hedges Diary, February 6, 1891, MHS.

10. *Helena Independent*, February 12, 1891.

11. *Helena Independent*, February 8, February 14, February 19, 1891; *Missoulian*, February 14, 1891.

Most lucrative among the institutions were the state university and the agricultural college. Alerting legislators early in the session to the federal monies that accompanied these institutions, Governor Toole urged that action on the question “be speedily taken.” But on February 18, a House committee reported against locating any state institution until the next legislative session. Because the state would lose an estimated \$61,000 in federal money before the next legislature met in 1893, the committee left the door open for siting the agricultural college. The other institutions could wait. Committee members had faced the spoils conflicts and had chosen to avoid them.¹²

In the Senate, concern about losing federal money sparked renewed interest in the agricultural college. Taking advantage of the situation, Bozeman Senator Charles W. Hoffman introduced a bill to locate the college near his city. Missoula acquiesced to the plan, hoping to hold claim to the university, but Great Falls objected. Higgins’s House bill had pegged the school at Great Falls, and Bozeman seemed to be using a side door to get its way. Senator Paris Gibson, Great Falls town father, criticized Hoffman’s bill for being too narrowly conceived and argued against Bozeman as the best location. Gibson enlisted allies in his cause. “As to locating the agricultural college where students could get at the grain,” William Parberry from White Sulphur Springs jokingly remarked, “they were not going to school to irrigate or run the reaper. No more would those attending the school of mines at Butte want to go down in the mines. The students want to go some place where they would have their health and not be buried.” Senator O. F. Goddard added that his city of Billings should be considered because farmers there raised something unique in Montana—watermelons.¹³ The senators’ levity masked the seriousness of the anteroom struggles. Divisions created among the senators and their communities would have repercussions in the battles for state institutions over the next two years.

On March 2, with only four days remaining in the session, Matts and Hoffman persuaded senators to locate the university at Missoula and the agricultural college at Bozeman. Gibson railed at the Missoula-Bozeman combine, arguing for a consolidated university and reminding senators that the House had already killed all bills to locate state institutions. When the House refused to reconsider the question on March 4, Bozeman and Missoula proponents cried foul. There was a plan, the Bozeman *Avant Courier* charged: In two years Helena and Great Falls would “corral them [state institutions] in a body together with the state capital, and divide them up between the two places as it may suit their convenience or pleasure.” The paper warned: “There are several

other progressive and enterprising communities in the state . . . whose claims for recognition and fair treatment in the distribution of state honors and patronage will not be ignored. . . .”¹⁴

Legislators had barely returned home when the combatants in the next spoils battle began readying themselves. During the divisive 1891 session, legislators had avoided the most explosive spoils question—selection of the permanent state capital—by passing the buck to the voters. In “An Act Providing for the Submission of the Question of the Permanent Location of the Seat of Government,” the legislature had laid out the ground rules for a plebiscite on the location of the state capital. Within sixty days of the November 1892 general election, qualified electors residing within the county had to sign a petition placing a city or town on the 1892 ballot. By early September, seven had qualified: Anaconda, Boulder, Bozemen, Butte, Deer Lodge, Great Falls, and Helena.¹⁵

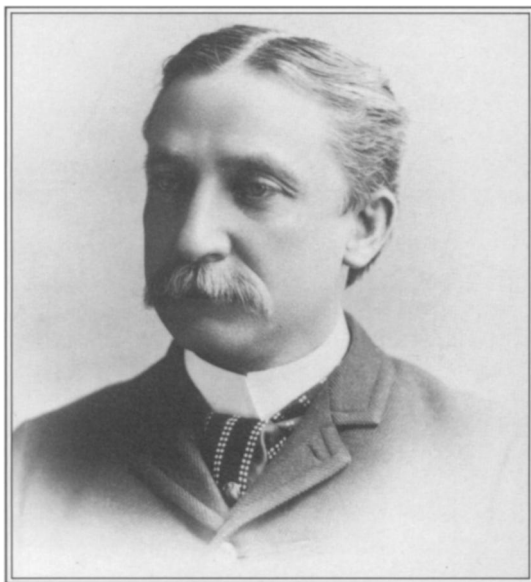
The 1892 capital contest was a fizzle and a harbinger. Divisions between eastside and westside towns, between older communities and young towns, and between agricultural and industrial cities punctuated the campaign. Paris Gibson’s decade-old town on the Missouri elbowed its way into the clique of older towns such as Bozeman and Missoula. White Sulphur Springs and Boulder presumed to make a run for the prize. Even the small mining camp of Pony sent in a petition. Layered on top of these frictions was a general animosity toward Helena. Helena had hoarded its power as territorial capital since 1875 and often appeared grasping, especially after a booming Butte began to compete with it during the late 1880s. Centrally located with excellent rail connections, financial power, and aggressive politicians, Helena still had the lead in 1892, despite the resentment it drew.¹⁶

As each town boomed its candidacy during September and early October, it became clear that the contest between Anaconda and Helena would be close. The other contenders stood little chance. Opponents called Helena “Hogopolis” for its greed and Anaconda a “one-man town” because of the dominant power of Marcus Daly and the Anaconda Copper Mining Company. If Helena won, the *Butte Bystander* not so jokingly predicted, state institutions would all be located there:

Capital—Helena
State University—Queen City
Agricultural College—Hogopolis
School of Mines—Last Chance Gulch

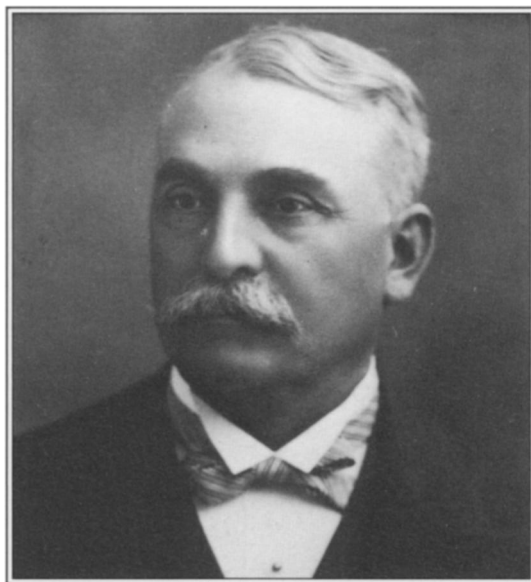
12. *Senate Journal* (1891), 28-29; *Helena Independent*, February 19, 1891.
13. *Helena Independent*, February 21, February 24, February 25, 1891; *Great Falls Tribune*, February 25, 1891.
14. Hedges Diary, March 2, 1891, MHSA; *Helena Independent*, February 26, March 3, 1891; (Bozeman) *Avant Courier*, March 5, March 12, 1891.

15. *Laws, Resolutions and Memorials of the State of Montana passed at the Second Regular Session of the Legislative Assembly* (Helena: Journal Publishing Company, 1891), 292-294; Ellis Waldron, *Montana Politics Since 1864: An Atlas of Elections* (Missoula: Montana State University Press, 1958), 75.
16. Spence, *Territorial Politics*, 129-137.



Lawson, photographer, MHS Photograph Archives

Bozeman Democratic Senator Charles W. Hoffman, 1890



H. J. Lowry, photographer, MHS Photograph Archives

Great Falls Democratic Senator Paris Gibson

Normal School—Crackerville
Penitentiary—Sanders Addition
Deaf & Dumb Asylum—East Helena
Lunatic Asylum—*Herald* office
Labor Bureau—Chinatown
U. S. Senator—\$. T. Hauser¹⁷

Editors fired salvos across the Divide, livening up the campaign but also disclosing class divisions that increasingly separated Montanans. The *Anaconda Standard* proudly claimed its working-class character while damning Helena's pretentious and political wire-pullers. "Let Helena scatter all the money she pleases," the *Standard* predicted, "it will all be money thrown away." Bozeman's *Avant Courier*, still angry at Helena's role during the 1891 legislature, joined Anaconda's critical chorus. "Helena in her capital campaign—in her manipulations, intrigues, dishonorable and demoralizing plans and purpose—is pursuing the very course that will insure her final defeat in the contest." The paper claimed that "Helena's Hessians" had bribed newspapers in small, eastern Montana towns to encourage Bozeman to withdraw from the contest. It was just another case of Helena trying to enlist people in its "corruption corps." The *New Northwest* in Deer Lodge reported that Helena banks were passing defaced money stamped "Helena for Capital."¹⁸

17. *Butte Bystander*, September 26, 1892. Helena took to calling itself the "Queen City" in the late 1880s as a booster slogan. Last Chance Gulch was the first name applied to the gold district at Helena. "Crackerville" refers to the large biscuit and cracker factory in Helena. The Sanders Addition to the city was named for Republican politician W. F. Sanders. Samuel T. Hauser, a power in the Democratic party, was Helena's wealthiest entrepreneur.

Helena was not the only town manipulating the situation. One week before the election, the *Butte Weekly Miner* exposed the bargain sale of Bozeman town lots to investors in the town's campaign. And there were hints that Marcus Daly might negotiate with Paris Gibson on the capital contest to get a Montana Central railroad extension built to Anaconda. Spoils deals, real and rumored, were sinew of the campaign.¹⁹

Montanans went to the polls on November 8, 1892, to elect a new legislature and to mark special ballots for the permanent capital. Helena and Anaconda received the most votes of the seven contenders, but neither received a majority; out of 45,957 votes cast, Helena led with 14,010 to Anaconda's 10,183.²⁰ The 1891 statute stipulated that if no city received a majority, the voters would select the capital from the highest vote-getters at the next general election. The electorate could look forward to another season of spoils politics. The rest of the 1892 election had more conclusive results. Seven new senators would go to Helena in 1893. Voters returned only two incumbents to the House, no doubt reacting to the partisan and undisciplined performance of the first two legislatures.²¹

18. *Anaconda Standard*, October 14, 1892; *Avant Courier*, October 15, October 22, 1892; (Deer Lodge) *New Northwest*, October 26, 1892.

19. *Butte Weekly Miner*, November 3, 1892; *Philipsburg Mail*, September 24, 1892; *Boulder Age*, September 14, 1892; *Helena Herald*, November 1, 1892.

20. Waldron, *Atlas of Elections*, 75. Boulder received the smallest vote with 295. Great Falls got 5,049 votes, Deer Lodge 983, and Bozeman and Butte nearly tied with 7,685 and 7,752 respectively.

21. Waldron, *Atlas of Elections*, 70.

The 1893 legislature opened in early January to a political landscape that had changed remarkably little in two years. The state capital aspirants had been leached to two, and the municipal competitors for state institutions knew their opponents and had organized their forces; but the fundamental questions remained unanswered. Foremost on the list was whether the state schools should be located in separate communities or consolidated in one institution. Senator Gibson and his allies were ready to contest the issue against Matts, Hoffman, and their supporters. Hanging over all of this was an item of much more moment—the election of a U.S. senator. Incumbent Republican Wilbur F. Sanders of Helena expected a stiff challenge from Butte Democrat W. A. Clark.

True to the form of the first two legislatures, the 1893 legislature had difficulty organizing itself. The House had twenty-six Democrats, twenty-five Republicans, and three Populists. A disputed seat in Chouteau County could give Democrats a majority, but not enough to control the House without Populist help. If the Republicans won the seat, the three Populists' votes would be even more crucial in the joint balloting for U.S. senator. W. A. Clark, former Governor Toole, Samuel T. Hauser, Thomas H. Carter, and others crowded the galleries to watch the opening of the legislature. When it came time to swear in the representative from Chouteau County, the state auditor skipped to the next member, bringing denunciations from Democrats who feared the Republicans would nab the seat.

The Montana legislature again poised for descent into disorganization. The Democrats were already one member short—A. J. Davidson of Helena was too ill to attend the session's opening. With no resolution in sight and the Republicans pushing hard to organize the House, Thomas C. Bach of Helena led his fellow Democrats and one Populist out of the hall, depriving the assembly of a quorum. The next day, January 3, Democrats and Populists voted together to select Populist Thomas Matthews as speaker of the House and organized the body without solving the Chouteau County election dispute. Democrats and Populists split the principal House offices. "Now that the threatened deadlock has been avoided," the *Helena Independent* told its relieved readers, "the senatorial canvass has commenced again in dead earnest."²²

The daily polling of Senate and House members on the selection of a U.S. senator dominated the legislative proceedings, keeping discussions lively in Helena's hotel lobbies, saloons, and eating houses. Thirty-six votes were needed to win. On the Democratic side, it was a classic struggle. Determined to win, W. A. Clark battled his tireless foe, Marcus Daly, who propped up former U.S. Representative

W. W. Dixon of Missoula as a candidate to block Clark's election. Republican Wilbur F. Sanders stood for re-election, but he excited little enthusiasm and could not garner more than thirty-three votes in the early ballots.²³

With the seating of the Republican claimant from Chouteau County, the Republicans had thirty-two votes in the House and Senate; the Democrats had thirty-five. Two Populists from Butte and one from Great Falls held the balance. On each vote, the Democrats split over at least three candidates, with the Populists never voting for Clark. Although he received the highest number of Democratic votes, Clark still had no chance of winning without Republican or Populist support. Democrats were their own worst enemies. As one Republican commented, "It is hard to tell how the Kilkenny cat fight will come out. Hope the happy families [Democrats] will fight till none are left to tell the tale."²⁴

By the third week in January, the senatorial-ballot spectator sport had lost its charm. "We seem to be no nearer a solution to the Senatorial problem," a business associate warned Republican Senator T. C. Power in Washington, D.C.:

As time passes, the Democrats get uglier, if anything. Daly swears that Clark shall never go to the Senate, and the Clark men swear that it will be Clark or a Republican. This sums up the situation fairly well. I do not think that Senator Sanders can get one vote over the 33. . . . There is some talk about a change of front to [Lee] Mantle, as an experiment. I think this may be done in a few days. Some of our men are a little weak, and it is suspected that some of them have Democratic money in their pockets. Of course, this is a hard thing to think of any man, but I am afraid there may be some truth in it. There are also a few Republicans who think that we cannot elect in any event, and in order to break the deadlock, they feel disposed for Clark. I think some of these men are honest, but they are weak and mistaken in their ideas of the situation. If there should be no change in the situation when this reaches you, I think it would be a good idea for you to send telegram[s] . . . requesting [them] to stand by the colors under all conditions.²⁵

By early February, the deadlock had taken on the color of old age. Democrats bickered and pleaded for a unified ballot, but neither Clark nor Daly would release their votes. If the legislature failed to elect a senator, the politicians wondered, could the governor appoint one? Although

22. *Helena Independent*, January 3, January 4, January 5, 1893. On the politics of the 1893 legislative session see Jean Marie Schmidt, "Copper Kings, Populists, and Logrollers: The Montana Legislative Session of 1893" (MA thesis, Montana State University, Bozeman, 1981).

23. *Helena Independent*, January 11, 1893; *Missoulian*, January 12, 1893. For a succinct and illuminating discussion of Clark's entrepreneurial and political career, see Michael P. Malone, "Midas of the West: The Incredible Career of William Andrews Clark," *Montana the Magazine of Western History* 33 (Autumn 1983): 2-17.

there were precedents for gubernatorial appointment in other states, the legality of the process was uncertain. If it did happen, could the Democrats stand by and watch Republican Governor John E. Rickards appoint one of his own?

While the Democrats publicly debated the issue, their position suddenly deteriorated. On February 8, Democrat W. E. Tierney of Townsend broke ranks. Angered by fellow party members who had opposed a spoils bill creating Broadwater County with Townsend as county seat, Tierney stood up in the House and voted for Sanders. Rumors flew. Some said it was a manipulation by the Clark crowd calculated to scare hell out of the Democrats and rally them to Clark's standard. But if it was a Clark gambit it was short-lived. The next day one of Tierney's Republican opponents evened the score by switching his vote from Sanders to Clark. The Republican caucus decided to gamble. Dramatically changing their strategy, Republicans dumped Sanders in favor of a young Butte Republican, Lee Mantle.²⁶

The Republicans "made a very bad move when they dropped 'Sanders' and took up 'Mantle,'" a confidant wrote Senator T. C. Power, "this exhibited an element of weakness." During the last days of the session, accusations of weakness, dirty tricks, and wholesale bribery further disrupted the search for a solution. Angry at the Daly forces, the *Helena Independent* blasted fellow Democrats: "The democracy of Montana must not be dishonored; it must not be blacklisted at Washington; it must not lose its place in the party councils because its representatives failed to do their sworn duty." But the Clark and Daly men remained adamant, and the legislators went home without making a senatorial selection.²⁷

It had been a spectacle. No one could look back on the senatorial election with satisfaction. It had been a waste. "Why was the blow so long delayed?" the *Helena Independent* asked. "Why was it not delivered on the first day of the session instead of protracting the struggle to the last hour?"²⁸ Like a Thomas Nast cartoon, fingers pointed toward everyone else. The favorite targets were the chief spoilsmen, Marcus Daly and W. A. Clark. Hard to love and too ambitious for the public's taste, Clark drew the harshest criticism. At the legislature's adjournment, the *Missoulian* editorialized:

The amorphous concentration of envenomed spume, blown from the poisonous, swollen lips of degraded fiends, will vanish into nothingness

24. Waldron, *Atlas of Elections*, 70; *Helena Independent*, January 12, January 18, 1893; H. C. Harrison to T. C. Power, January 24, 1893, T. C. Power Papers [Power Papers], MHS. In the early ballots, the Populists insisted on voting for one of their own, Samuel Mullville of Butte. They might have voted for Clark if the Democrats had let them participate fully in the caucus, although it is difficult to tell if the Populists would have taken the Democrats up on such an offer.

25. Elbert D. Weed to T. C. Power, January 23, 1893, Power Papers, MHS.

26. *Helena Independent*, February 3, February 9, February 10, 1893; *Butte Miner*, February 11, 1893; E. H. Goodman, J. C. Stuart, A. E. Spriggs, G. M. Jones, C. A. Whipple, and J. R. Marks to T. C. Power, February 16, 1893, Power Papers, MHS.

whence it sprung when decency appears upon the scene. . . . the demon, corrupter of virtue and prostituer of innocence, who by his soft, insinuating way and lurid, lying tales has sought to debauch virtue, thinking she had no power to resist, will twist and writhe and crawl into his den fetid with odors of decaying souls and rank with effluvia of decomposing honesty.²⁹

As disgusted as some were with Clark, Daly, and other spoilsmen, Montana still had to send a senator to Congress. Hats in hands, wishful Republicans trooped to Governor Rickards's office, hoping to be appointed. Sanders stood first in line, but Mantle, Thomas H. Carter, and Helena banker Lewis Hersfield also queued up. Much to the shock and dismay of party regulars, Richards chose Lee Mantle. "I wish you could have heard the howl from the disappointed ones when the governor appointed Mantle," State Senator C. W. Hoffman wrote to T. C. Power. "Tom Carter spent two hours and a half trying to convince him he was the proper man for Senator. Sanders tried to work the Methodist Church racket by having all the preachers and Bishops telegraph asking his appointment." In the end, they could have saved their breath and their anguish. A Democratic U.S. Senate refused to seat the Republican Mantle, once again leaving Montana short-handed in the Senate. It was a sorry conclusion to an embarrassing months-long battle.³⁰

While the senatorial imbroglio dragged on, legislators also fought fiercely over other state spoils. The locations of the state university and agricultural college headed the list. Anticipating competition with other towns, Missoula and Bozeman legislators drew up their bills even before the 1893 session began, but the dispute over organizing the House delayed their introduction. By mid-January, however, bills had been introduced to place the state university at Missoula, the agricultural college at Bozeman, the school of mines at Butte, and the normal school at Dillon. Miles City planned to try for the agricultural college, Livingston eyed the normal school, and Billings hoped to wrench the penitentiary away from Deer Lodge.³¹

Missoula and Bozeman were the best prepared, with state senators Elmer Matts and Charles W. Hoff-

27. *Helena Independent*, February 12, February 14, February 27, March 2, March 3, 1893; Robert Fisher to T. C. Power, February 18, 1893, Power Papers, MHS; *Missoulian*, February 24, 1893.

28. R. H. Howey to T. C. Power, Power Papers, MHS; *Helena Independent*, March 3, 1893.

29. *Missoulian*, March 2, 1893.

30. *Helena Independent*, March 4, March 5, 1893; C. W. Hoffman to T. C. Power, March 8, 1893, Power Papers, MHS. Montana was not the only state that failed to elect a senator in 1893 and sent a gubernatorial appointee to Washington, D. C. Wyoming and Washington also had their appointed senators rejected by the U.S. Senate.

31. *Helena Independent*, January 15, 1893; A. M. Cree to T. C. Power, January 15, 1893, Power Papers, MHS.



J. P. Ball & Son, photographer. MHS Photograph Archives

Butte Republican Lee Mantle, 1895



H. J. Lowry, photographer. MHS Photograph Archives

Helena Democrat Martin Maginnis

man pledged to fight for their proposals above all else. "Bozeman has made a good move by being early in the field for the agricultural college," the *Avant Courier* reported approvingly early in the session. "She had her plans well laid and her forces well drilled and in the field before the cohorts of Miles City swept down, . . . Bozeman has the lead but should not relinquish any advantage it may have gained." The *Missoulian* was no less supportive: "Missoula is after that state university and she is going to get it if active, earnest and honorable efforts will bring it."³²

The chief roadblock in the two cities' plans was a growing sentiment for a consolidated university, which would incorporate the state university, the agricultural college, and the school of mines. At their annual meeting in late December 1892, the state association of teachers voted in favor of consolidation. But it was Great Falls Senator Paris Gibson who led the fight on the political field of battle. For Bozeman and Missoula partisans, Gibson represented a dangerous political wrecking crew that threatened to destroy their cities' economic futures.³³

Sincere in his support for consolidation, Gibson cleverly marshaled his forces by organizing coalitions among senators and representatives of towns that did not covet one of the major schools. Gibson introduced his bill in mid-January proposing a governor-appointed commission of three presidents of prestigious universities who would study the issue, visit the proposed sites, and make a recommendation to the governor. During the following weeks, Gibson and his allies

amassed an impressive pile of testimonial letters from the nation's top educators, including Harvard's Charles W. Eliot and Stanford's David Starr Jordan. Their unanimous conclusion: Separate institutions will bleed the state dry and result in substandard educational institutions.³⁴

Advocates of separate institutions vigorously objected to Gibson's plan. The *Missoulian* criticized Gibson's parade of specialists, pointing out that they were all presidents of universities and had no experience with separate institutions, especially agricultural or mining schools, and that they knew nothing about Montana. Further, Montanans needed no outside help in settling the issue. The Miles City *Yellowstone Journal* reminded consolidationists: "The striving for these institutions separately by the younger and smaller communities of the state is not an ignoble greed. States are not built up by the concentration of all the advantages at one or two points." In the same vein, but suspicious of Helena's support of consolidation, the *Butte Bystander* commented: "The cities and towns which secure the schools for which they are striving may appear to those that lose as favorites of fortune, but think what it would be if one place, and that place Helena, should secure everything."³⁵

Gibson's critics exposed the nub of the dispute when they decried the concentration of power inherent in the consolidation plan. The Montana Farmers Alliance passed a resolution at their annual meeting in late January damning the consolidation movement.

32. *Avant Courier*, January 14, 1893; *Missoulian*, January 3, 1893.

33. *Helena Independent*, January 6, January 7, January 15, 1893; *Missoulian*, January 7, 1893.

34. *Helena Independent*, January 15, January 17, 1893.

35. *Missoulian*, January 21, 1893; *Yellowstone Journal*, quoted in *Missoulian*, January 22, 1893; *Butte Bystander*, January 16, 1893.

Consolidation, the farmers predicted, “would benefit the few at the expense of the many.”³⁶ The populist sentiment behind the Alliance resolution reflected the small towns’ fear of the power of the cities and eastern Montana’s endemic distrust of western Montana. Joined with the self-serving interests of Butte, Bozeman, Missoula, Dillon, and other petitioners for state spoils, this populism made for uneasy alliances. But this “combination,” as the *Helena Herald* called it, flexed its parochial muscles hard enough and held together long enough to defeat the consolidation plan.³⁷

The showdown in the Senate came during the first week of February. Senator Matts of Missoula, the unofficial leader of the “segregationists,” put forth his bill to locate the university at Missoula. Three hours of intense debate ensued before packed galleries. Evidently aware that the segregationists had more votes in their pockets than he had, Gibson offered an amendment requiring Missoula to donate 160 acres of land and \$40,000 if the university were located there. If Missoula balked, Gibson was ready to pledge 320 acres and \$100,000 to have a consolidated university located in Great Falls.

Cries of foul play, bribery, and unethical behavior rose from the Senate floor and galleries. Gibson had finally shown his hand, the critics chimed; he was as self-interested as any of the segregationists. Gibson replied that there were several cities that would gladly make the same offer and that it would still be in the state’s best interests to accept. “This idea of locating the state university at one place, the school of mines at another, the agricultural college at another, and the normal school at another,” Gibson maintained, “is not in the interest of higher education, but in the interest of these several cities.” Gibson had not taken his seat when Senator Matts responded: “I regret . . . that [Gibson] has pursued a mercenary course in regard to the location of the state institutions. This legislature has no right to sell to the highest bidder the educational institutions of this state.”³⁸

There it was. The worst fears of the smaller towns had been confirmed. When the legislators got to cases, the monied and powerful would have their way. Populistic cynicism ascribed the worst motives to Gibson and his allies; but some legislators, such as Senator David E. Folsom of White Sulphur Springs, supported Gibson and consolidation. “There is no disgrace in hanging out the red flag, in this instance,” Folsom told his colleagues. “If you please. Suppose Great Falls offers \$100,000; some other town may go one better, and make it \$200,000.” Most senators could not support the bidding-war approach, but Gibson would not relent. “I believe we are about to commit, I might say, a great crime,” he told his colleagues. Working together, Gibson admonished, the

segregationists “will nail up the coffin in which will be buried the educational institutions of Montana.” Vociferous oratory aside, Gibson had lost this first battle by inflaming populist sentiments. He had left the high ground and now seemed to be no different than the other spoilsmen.³⁹

The second round went no better for the consolidationists. Senator Hoffman introduced his bill for the agricultural college in Bozeman the day after the Matts-Gibson debate. Gibson made the same pledge he had the day before, but his rhetoric touched off more denunciations. Exasperated and perhaps too angrily, Gibson chastised his colleagues:

I know everything is working beautifully and harmoniously now among these gentlemen who want to divide these institutions up. But how will it be two years from now? You will then have three separate lobbies, each working for his particular institution and against each other.

Some senators bristled at the suggestion of collusion, but Gibson had been right. The alliances had been obvious to even casual observers. Gibson’s sin was in shining a light on them. His machinations, money offers, and oratory went for nought. Hoffman’s bill passed and the consolidation movement died with its passage.⁴⁰

The university and agricultural college bills became law in mid-February. In quick succession, bills were debated and passed locating the normal school at Dillon, the school of mines at Butte, a school for the deaf and dumb at Boulder, and a reform school at Miles City. As the legislative session came to a close, the segregationists could look back with satisfaction. The chief state institutions had been divided and each section of the state had received a plum. But the ultimate prize remained unclaimed. Legislators and the populace would have to wait until November 1894 to know whether Anaconda or Helena would be the permanent state capital.⁴¹

Montanans had good reasons to dislike both cities. Helena represented entrenched political power, the source of poor and compromising public policy decisions during the territorial period, as well as a perceived and embraced snobbishness. Anaconda represented industrial Montana’s sooty work force, a company town with all its connotations, and the province of one man, Marcus Daly. The reformist and populist insurgency in Montana had a poor choice of candidates. Anaconda looked like a tool of corporate power, and Helena had

36. *Missoulian*, January 18, 1893.

37. *Helena Herald*, February 1, 1893.

38. *Helena Independent*, February 1, 1893.

39. *Ibid.*; *Helena Herald*, February 1, 1893.

40. *Helena Independent*, February 2, 1893; *Missoulian*, February 3, 1893; *Avant Courier*, February 4, 1893.

41. *Laws of Montana* (1893), 40-42, 171-181; *Helena Independent*, February 17, 1893; Peter Koch to J. E. Rickards, June 3, 1893, J. E. Rickards to Peter Koch, June 6, 1893, Governor’s Papers, MHSA.



MHS Photograph Archives

On July 4, 1902, nearly eight years after Helena's wild celebration as the new state capital, Montanans dedicated their new capitol building.

become the Montana epitome of usurious finance and self-interested bureaucracy. Worse, the contest became an episode in the personally vitriolic Clark-Daly feud when Clark decided to champion Helena against his rival's town.⁴²

During September and October 1894, Anaconda and Helena forces campaigned through the editorial pages of the state's newspapers and in political rallies with buttons, slogans, banners, and all manner of promotional hoopla. Anaconda-for-Capital and Helena-for-Capital clubs formed around the state. Loyalties divided towns, as Daly's lieutenants fanned across the state, money and favors in hand for Anaconda supporters. Clark's men tramped behind them, raising the bid wherever they could. The campaign featured specious arguments and crass appeals for votes, each side portraying the other as a menace to democracy. Helena branded Anaconda an industrial company town with an unhealthy climate, dominated by a single industry and under the control of a single man. Anaconda characterized Helena as a selfish and political town with no sound economic base, a proven untrustworthiness, and pretensions to greatness.⁴³

Rhetoric often displaced reason. Five hundred or more "Anaconda spies," the *Independent* claimed, roamed the state snooping on citizens "in hotels, the

clubs, the saloons" to steal into "other people's business." For its part, Anaconda ridiculed Helena's social pretentiousness in a widely distributed pamphlet, which suggested that it would be against the workingman's best interests to locate the capital in Helena. "How many silk hats are seen on the streets of Helena and Anaconda?" The pamphleteer answered: 2,625 in Helena and 5 in Anaconda. "How many ladies with poodle dogs?" Helena had 774; none could be found in Anaconda. *Helena's Social Supremacy* cleverly tapped that well of anti-Helena sentiment that had plagued the capital city for decades.⁴⁴

Anaconda and its supporters rode the Helena greed-and-power theme as hard as they could. "The question of the capital location," Butte's *Populist Tribune* editorialized,

is narrowed down to an issue between the people of Montana. . . and Helena dictatorship. . . . Today Helena's mailed hand is encased in a velvet glove; tomorrow she may reach out for the N.P. hospital at Missoula; [and] the N.P. shops at Livingston. . . . There is neither limit to her greed nor bounds to her selfishness.

45. (Butte) *Populist Tribune*, October 3, 1894; (Missoula) *Western Democrat*, October 3, 1894; *Avant Courier*, October 6, 1894.

46. *Anaconda Standard*, September 27, October 4, 1894. The Chinese population of Anaconda in 1890 was 452; Helena's Chinese population was 606.

47. (Helena) *Colored Citizen*, October 8, October 22, October 24, November 5, 1894. The black population of Helena in 1890 was 680; Anaconda's black population was 177.

48. Malone, *Battle for Butte*, 99-104; *Anaconda Standard*, September 24, September 26, 1894; *Butte Miner*, October 16, 1894; *Helena Independent*, October 6, October 13, October 18, October 19, 1894.

49. *Helena Independent*, November 7, November 8, November 10, November 11, November 13, 1894.

42. Michael P. Malone, *Battle for Butte: Mining and Politics on the Northern Frontier, 1864-1906* (Seattle: University of Washington Press, 1981), 100-103, has the fullest discussion of the Clark-Daly feud in print. See also David Emmons, "The Orange and the Green in Montana: A Reconsideration of the Clark-Daly Feud," *Arizona and the West* 28 (Autumn 1986): 225-245.

43. J. A. MacKnight, "The Montana Capital Fight," *Harper's Weekly* 38 (October 27, 1894): 1049.

44. *Helena's Social Supremacy* (Helena: n.p., n.d.), 25, 42; *Anaconda Standard*, September 22, 1894.

Missoula's *Western Democrat* also flung critical barbs, asking what Helena had done in the 1893 legislature. Self-interest and power plays, the *Democrat* maintained, had dictated Helena's behavior during the fights over institutions. "Helena did absolutely nothing to secure the university for Missoula; absolutely nothing. . . ." With some of the same complaints, Bozeman's *Avant Courier* added: "Helena has been extremely indiscreet . . . she has been offensively exacting, domineering, intolerant and autocratic."⁴⁵

The contest even extended to racial mudslinging. Anaconda called out the popular demon of the "Yellow Peril." Anti-Chinese sentiment, which had flared in Montana during the 1870s, resuscitated during the 1890s as hard economic times asked for available scapegoats. Helena was awash in Chinese, the *Anaconda Standard* charged, because Helena was an anti-labor, low wage-paying town. Anaconda, the *Standard* boasted, "was entirely free of the pest. . . the people of Anaconda have succeeded in reducing the total number of pigtailed in this city to less than a dozen all told."⁴⁶

Helena retaliated by soliciting Montana's black voters. The large and well-organized black community published the *Colored Citizen*, a paper financially supported by whites to encourage blacks in Butte, Bozeman, and Anaconda to vote for Helena. Black editor J. P. Ball, Jr., bragged that Helena had no color line, while Anaconda was controlled by the "iron claw of corporate infernalism [that] has always crushed out the black man from every factory or workshop." Calling on all Montana blacks to mark their ballots for Helena, Ball warned in a tone as racist as his opponents: "The Anaconda Mining Company does NOT employ a solitary colored man. Dagoes and foreigners are preferred to native colored Americans."⁴⁷

Whether these appeals made any significant difference in the outcome is difficult to tell, as is which side in the contest had the upper hand in bombast, hyperbole, excoriation, and straightforward bribery. In the realm of entrepreneurial deals—from promising Missoula an extension of the Butte, Anaconda & Pacific Railroad to finagling for Great Falls, Butte, and Bozeman votes—Anaconda easily beat out Helena. But in the arena of pomp and power, Helena outdistanced Anaconda by trooping Thomas H. Carter, Thomas J. Walsh, Samuel T. Hauser, J. K. Toole, and other political luminaries from town to town in extravagant productions that reeked of condescension. Both cities stayed in character to the final scene. Helena expected dirty tricks from Anaconda, and the smelter city knew that Helena wire-pullers would stop at nothing to prevail.⁴⁸

On the night of November 6, 1894, hundreds of people jammed Broadway Avenue in front of the *Helena Independent* building. Singing hurrahs and hissing boos, they watched the returns flashed on a huge canvas draped on the Masonic building across Broadway, where the numbers were projected from a stereopticon in the *Independent's* offices. In county after county, Anaconda and Helena matched each other precinct by precinct. Even in Bozeman, Missoula, and Great Falls, the tallies were close. Butte had the largest block of votes and the crowd cheered wildly whenever the Butte precinct returns lit the canvas drape. Butte's vote, they knew, would likely make the difference. Long into the night and throughout the next day the precinct returns trickled in. Clark's efforts in Butte garnered Helena nearly 40 per cent of the mining city's vote, enough to give Helena the victory. Helena had won by a narrow margin—1,905 votes out of 52,142 cast. By late afternoon on Wednesday, November 7, the city had begun a wild and spontaneous celebration.

Fireworks, impromptu parades, speeches, dancing in the streets, and other revelries lasted through the night. But it was just a warm-up for the official celebration. On November 12, over fifteen thousand people marched through Helena, representing nearly every sizable town in the state, including Anaconda. When W. A. Clark arrived at the Montana Central depot, he saw huge pictures of himself tacked to poles and slapped on walls. Two hundred enthusiasts unhitched a carriage and pulled him around town before the cheering crowds. Festooned arches spanned Helena's Main Street, a huge bonfire on Mount Helena lit the sky, and the celebrants danced at the Electric Hall and drank until dawn on W. A. Clark's tab. It was the greatest party Helena has ever seen.⁴⁹

Helena's celebration served as an upbeat conclusion to the spoils battles. But like a hangover on the morning after, the disputed elections, broken legislatures, fumbled senatorial balloting, and self-interested politics of the previous five years cast a long shadow over the revelries. Montanans had learned how parochial and self-interested they could be when money and prestige were at stake, and they had watched the Clark and Daly forces pervert legislative purpose and debauch the electoral process. They had become accustomed to cynicism and had grown even more suspicious of power brokers. During that first decade of statehood, Montanans had found state-making a painful process and they had discovered how much division existed in a geographically expansive state whose potential they could barely perceive. *AM*

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