

REFERENCE

THE MINNESOTA  
LEGISLATURE  
OF 1909

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LYNN HAINES

# The Minnesota Legislature of 1909

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A History of the Session, with an Inside  
View of Men and  
Measures

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## A Foreword.

A few years ago a distinguished American scholar, in a public address, pointed out how, from time to time, the moral leadership of the American people had shifted from one class of leaders to another. At one time moral leadership came principally from the clergy, at another from lawyers, at still another from college professors, etc. Coming to our own day, he hesitated, apologized for apparent flippancy, assured his hearers that he was in sober earnest, and then declared that our moral leadership now comes principally from the "ten cent magazines." The allusion was to their "literature of exposure." On the other hand, President Roosevelt, himself both a product and a producer of such literature, has fastened upon it the name of "muck raking." That trenchant phrase, expressed perhaps in a moment of exasperation at some of its undeniable shortcomings, and not representing a deliberate judgment, has contributed powerfully to create prejudice against that type of literature among thousands of persons who ordinarily are foremost to welcome and applaud any new forces that make for better things in American life. The true estimate of the "literature of exposure" probably lies between these two extreme views. Often sensational in expression, harsh in its judgments, and

sometimes mistaken in its facts, it is, nevertheless, one of the most powerful factors in the life of our day, and none but the temperamentally or wilfully blind can fail to perceive that, taken as a whole, it is doing a noble work in the war for higher civic ideals and the discovery and application of more honest, more enlightened, and more humane methods of carrying on the work of society in the United States.

This book belongs to the "literature of exposure." It is an honest, sincere attempt to inform the people of Minnesota about the actual methods by which the laws of the state are made. As such it deserves candid, discriminating, yet sympathetic perusal by every friend of good government. The author has made a close, careful personal investigation. His opportunities for gathering information have been extensive. In his zeal for better government and for the public interest as opposed to private interests, he may, at times, have fallen into errors both of fact and of judgment. The signers of this foreword can not vouch for the complete accuracy of the book. They do attest their unqualified confidence in the author's honesty, sincerity, and single-minded devotion to the public welfare. The witness is undoubtedly qualified to testify. Let his testimony speak for itself.

S. M. OWEN,  
WILLIS M. WEST,  
T. J. KNOX,  
JOHN H. GRASS.  
STILES P. JONES.

## In the Beginning.

*"The voice is Jacob's voice, but the  
hands are the hands of Esau."*

Like Esau, when the world was young, the people of Minnesota seem to have despised their political birthright, saying, "and what profit shall this birthright do to me?" The great mass of the voters have yet to learn the power of the ballot and the value of the individual protest against the mess of pottage, which controlling political combinations give to the people in exchange for their inheritance.

The great captains of industry realize only too well the necessity of having the government a friendly partner in their business. They know that in order to control the resources of wealth theirs must be the dominating force in the political machinery of the state. And in order to shape government for their own benefit, they have recourse to an adroit system of political deception. Though the methods differ from those of the days of Isaac, there are all too many hands covered with goatskin, reaching out for the inheritance of the land.

That bit of Bible history shows that politics has

remained much the same throughout the centuries. The campaign between Jacob and Esau centered about the possession of the father's blessing—one of the rich special privileges of that political epoch. Jacob and his mother pooled their interests, and collaborated in the scheme to deceive the aged Isaac. When Jacob, successfully masked as the elder brother, appeared to claim the parental blessing, Isaac, blind and in dotage, gave expression to the prevailing political doubt of our own day—"the voice is Jacob's voice, but the hands are the hands of Esau."

That ancient incident illustrates well the methods of modern politics. The people, heedless of the value of their birthright of citizenship, and blinded by partisanship and the subtle misdirection of public opinion, cannot easily discern how they are being betrayed by their representatives. And the practiced eye can see the parallel of the scheming mother and son in the alliance of the professional politicians and the predatory corporations with whom our story has to deal.

I first heard Jacob's voice and saw the hands of Esau in Minnesota law-making at a caucus of the Seventh District Republican House members in Granite Falls, in December, 1906. This caucus was called to take action in the selection of a speaker for the pending session. Most of the candidates for that position were present—some with voices and hairy hands that did not harmonize.

Wells and Nolan and Hugo and Johnson and Rockne were there, each seemingly present for the sole purpose of demonstrating that he was to be the winner. Even

then, ignorant of the fundamental principles of politics as I was, it amazed me to see how the band-wagon argument moved the unpledged Seventh District members. Their whole concern seemed to be to pick the winner. Like myself, they had been taught to believe that good committee positions were everything, and that all their legislative influence and usefulness would be lost unless they were with the winner. I felt, rather than understood, the forces that were at work. I knew that the caucus, in executive session, called in each of the candidates, one at a time. I knew that these candidates were questioned, not as to what they stood for or how they would use the great powers and opportunities of the speakership, but as to their strength as candidates, their chance to win.

It was my lot to see and study almost every session of the 1907 legislature, and it gradually dawned upon me that this "picking the winner" was the least important of the many issues involved in the selection of a presiding and organizing officer of the House. In much the same evolutionary way I came to understand also that the Senate machinery was so manipulated as to make beneficent legislation almost impossible.

Again, during the session of 1909, I had an opportunity to continue my observation of the system's methods, and to study the system's representatives. I then saw things more clearly, because I knew where and how to look. And it impressed me powerfully to witness how a legislature could manifest so little of statesmanship, so woeful a lack of patriotic plan and purpose.

This story of the session of 1909 does not attempt to turn the spotlight upon more than a small part of the duplicities and iniquities of our legislative life. Nor can it hope to unmask all the political Jacobs that have done the bidding of the private interest and Big Business Rebeckahs of the State. But it is my hope that it may serve to suggest something of the real situation, and to stimulate a more general study of men and measures in Minnesota law-making.

I have no quarrel with individual legislators, and no desire to bring them into disrepute with the people. This book, therefore, does not discuss two of the most deplorable phases of legislation—straight out-and-out bribery, and the persistent use of the allurements of the more flagrant forms of vice to break down the moral stamina of men and bring them under the control of the system's agents. These, singly or in combination, have been responsible for the ruin of many a man who began his political career with no other purpose than to work for the public interest.

I know of members who have taken money for their votes and influence—sometimes when they did not vote and had no influence. All manner of bribery has been used—from the seemingly innocuous practice of ticket giving, up to the buying off of “leg pulling” schemers, and on into that insidious, but even more demoralizing kind which consists in furnishing tips on the option market, and actual gifts of stocks and bonds—the more subtle, but equally effective methods used on occasions by Big Interests with legislative axes to grind.

Lest this history seem to suggest too much of the

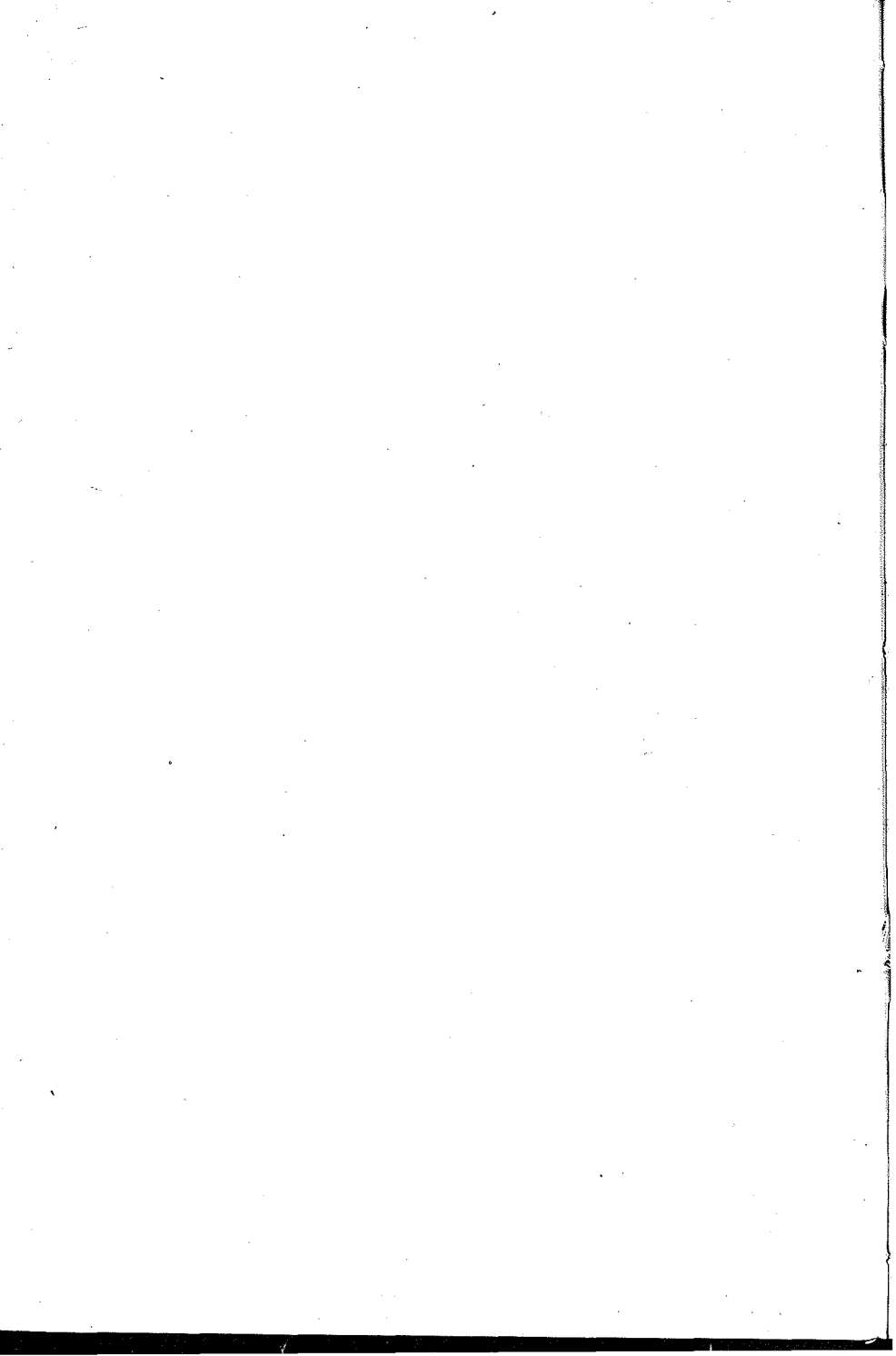
unwholesome in law making, and too little of patriotic endeavor on the part of members, let it be understood that the last legislature contained some of the ablest and most conscientious citizens of the state. I would willingly devote every page to their work; but it is necessary, rather, to emphasize those forces and influences which tended to neutralize or nullify their efforts at reform.

Among the members who stood conspicuously for the public interests were:

Senators B. E. Sundberg, A. L. Hanson, Thomas E. Cashman, Victor L. Johnson, John Moonan, Ole O. Sageng, J. T. Elwell, Jos. M. Hackney, Manley Fosseen, C. J. Gunderson, O. O. Canestorp, E. H. Canfield, J. J. Ahman, O. K. Naeseth, S. A. Nelson, F. H. Peterson, S. B. Bedford and O. G. Dale.

Representatives H. O. Bjorge, J. N. Johnson, E. E. Adams, John Sangstad, C. M. Bendixen, W. C. Bicknell, J. A. A. Burnquist, W. A. Campbell, N. J. Holmberg, C. J. Swensen, J. O. Hauglund, Kerry E. Conley, Thos. H. Horton, Jno. Holten, C. E. Johnson, H. A. Putnam, J. J. Opsahl, C. J. Wright, A. K. Ware, Iver J. Lee, E. E. Lobeck, John McGrath, G. H. Mattson, C. K. Melby, C. L. Sawyer, C. L. Sulerud, John Rustad, John A. Sampson, E. M. Nagel, C. J. Carlson, Jos. Davies, T. E. Noble, J. F. Rosenwald, Henry Rines, Thos. Kneeland, and W. D. Washburn.

To such this volume is dedicated. It must be devoted largely to the leaders of the other class, with comparatively little comment on the legislative character and work of the middle class of members in both branches who did not stand very consistently for either the people or the pool.



## CHAPTER I.

## THE POOL, THE POLITICIANS AND THE PRESS.

Pennsylvania is still known as the political estate of Quay. Some critics hold that our own commonwealth is nearly as bad. I can hardly believe this to be true. But it cannot be disputed that in both states the bad political conditions are principally due to three influences:

First, each state is the home of a number of powerful corporations which have pooled their political interests.

Second, politics has been elevated, or perhaps I might better say degraded, into a profession in which some of the brainiest of manipulators devote their time and talent to the service of the corporations.

Third, actual conditions and the real character of public men are kept concealed and public opinion perverted by the press of the state, particularly the largest city dailies.

CONCERNING THE CORPORATIONS—Among the predatory interests that are merged for the political control of Minnesota are: (1) The Steel Trust, which is practically the same as Standard Oil; (2) a number of transportation systems known legislatively as "the railroad ring;" (3) The Minnesota Liquor Dealers' Association, which includes all the saloon and liquor forces in the state; and (4) a number of public service corporations, like the Twin City Rapid Transit Company.

Each of these special interests sends its quota of representatives to the legislature—the steel trust a few, the railroad ring a few, the brewery combine a good many and every public utility company its quota. None of

these could control alone. That is why all unite their forces and form a single controlling combination.

The corporations composing this pool represent vast political and financial resources. With all their forces and influences united for the accomplishment of a common purpose, working through the all powerful committee system of legislation, with their methods and their political employees screened from publicity, it is not at all difficult to account for the success that has crowned their efforts to control in the legislature.

**SERVANTS OF THE SYSTEM**—No one will presume to deny that the interest of the corporations forming the pool is not the public interest. Nor will anyone deny that the record of members upon measures affecting these special interests is a fair test of what they represented in the legislature. Judged in that way, which will be corroborated later in a detailed discussion, a few conspicuous servants of the system are entitled to notice here.

The commander of the coterie of politicians that manipulated things in the last legislature was Senator E. E. Smith, of Minneapolis. An entire volume might be written about his character and achievements as the legislative representative of Big Business. So far as I have been able to learn he has no other business except to play politics and run the legislature.

Personally Smith is a princely fellow. I like him and so does every other man who knows him well. That is the secret of his success. Were he not so likeable he could never have become what he undoubtedly is today—the biggest personal power in Minnesota politics.

Smith's lieutenants are almost invariably the presiding officer and such colleagues as Calhoun, Laybourn, Hall, Stephens, Sullivan, Campbell, Dunn, Hinton, Pugh, Vail, and Seward. In the House Smith works with and through such representatives as Brady, Dalzell, Dorsey, Doyle, L. H. Johnson, Kling, Lennon, MacKenzie, Nimocks, W. A. Nolan, Rodenberg, Rowe, Selb, Stuart, Thayer, Wells,

F. B. Wright, and Zelch. Others in both branches, popularly regarded as reformers, are just as essentially associates of Smith and servitors of the system.

THE PUBLIC PRESS—This attempt to tell the story of the session would be unnecessary if the daily papers were doing their duty. But instead of fulfilling their mission of enlightening the people and directing public opinion for the general good, some of the largest city dailies are employing their almost immeasurable influence to misdirect the public mind and dull the public conscience.

These newspapers know all about Senator Smith. They possess complete information regarding the legislative conditions that he and his followers have worked to create. But hardly a suggestion of the truth ever creeps into their columns. On the contrary, most of the papers labor in season and out to deceive the people into the belief that such men are patriotic and of full statesman stature.

This problem of publicity is the most perplexing phase of the whole political situation, and it is becoming more perplexing with every passing year. The corporations and politicians realize that the state of public sentiment must determine how far and how long any injustice can continue, and they have organized most of the agencies for diffusing information into a medium of misrepresentation. That is the modern and "respectable" way of getting results.

The old way was through raw graft and bribery. They still colonize voters and stuff ballots in isolated cases; they still influence elections and shape legislation in the primitive way; but it is easier and safer now to use the public press to so shape sentiment that intelligent and conscientious citizens will vote professional politicians into power, not knowing what they do.

I have in mind two significant examples of how the best intentioned people have been misled by the public press into supporting the wrong kind of candidates for the legislature. The first case is that of W. A. Molan of Grand Meadow. For years he was so persistently paraded

before the people of the state as a sincere reformer that he was generally regarded and accepted as such. At one time he was prominently in the field as candidate for Speaker of the House and even now is being given some consideration as a prospective lieutenant governor.

F. E. Nimocks of Minneapolis is in the same class and should share with Mr. Nolan the distinction of being one of the two most pernicious politicians in the House. And yet the newspapers have made known so little of his real character that when a candidate for re-election to the last legislature he was able to secure the endorsement of many of the most substantial business men in his district.

Nolan and Nimocks are somewhat exaggerated examples, yet they are typical of the class of politicians that dominate in Minnesota law-making. The real significance of the political reign of such men can be appreciated only when one comprehends their relation to the great corporations that control the rich resources of the state. And the real meaning and menace of the situation as a whole is apparent only when we realize the almost omnipotent power of the public press as it protects the politicians and serves their masters.

## CHAPTER II.

### THE SPEAKERSHIP.

To be Speaker of the House of Representatives is to occupy a position and possess a power in the making of laws greater than that of the governor of the state. The Speaker organizes and sets in motion the machinery of the House; he selects its committees; he directs its business. So far as the lower and more numerous body is concerned, the Speaker is the key to the control of the legislature. Backed by no more than forty confederates in control of the important committees, a corporation speaker can block and delay and distort the reform efforts of the other seventy-nine. Manipulation of the machinery means everything; and the character of the Speaker almost entirely decides whether the House shall be organized to serve private interest or the people.

The speakership fight preliminary to the 1907 session was unique and interesting in many ways. It resulted in the selection of the corporations' choice for that office, and must be explained in order to make plain the contest of 1909.

At that time there were six men in the field as candidates for Speaker, but only three were prominent in the race. These were L. H. Johnson of Minneapolis, Ambrose Tighe of St. Paul and A. J. Rockne of Zumbrota. The two last named were men whom the corporations feared to trust in so important a position. Mr. Tighe never appeared very formidable, for the reason that he had not been a member at the previous session and was not well known to the newer representatives, and in addition he

was the very kind of candidate that the city press would not advertise. But it was different with Mr. Rockne. He had many elements of strength, and it was to accomplish his defeat that things were "framed up" with Lawrence H. Johnson as the candidate of the pool.

There were at the finish six candidates: Messrs. Johnson, W. A. Nolan, Wells, Hugo, Tighe and Rockne. In reality, in response to the manipulation of Smith and the interests, the candidacies of Nolan, Wells and Hugo were hardly bona fide, these men being stalking horses for Johnson. In the ninth Wells came out to hold that district away from Rockne until the Johnson combination could control. It was the same with Nolan and his district. And ultimately the same situation developed in relation to Hugo and the Duluth steel trust representatives. It was the corporations against the people. With only Johnson and Rockne in the race the people would have won; so the combination was accomplished; Johnson-Nolan-Wells-Hugo vs. Rockne, and in the final analysis the quartette meant just one man.

The candidacy of R. J. Wells for Speaker was a farce. It was obviously a game to help Johnson and bring political plunder to Wells. But it assisted the scheme. A few of the younger, newly elected representatives in the ninth, who would naturally have supported Rockne, were prevented from taking that stand during the crisis of the contest.

It was through W. A. Nolan that the scheme worked the greatest injury to Rockne. "Reciprocal Demurrage" Nolan, by reason of his improvised reform reputation, was able to accomplish much for his political friends. This he did in the speakership fight by yielding to the solicitation of Senator Smith to become a candidate—in the interest of Johnson. Votes had to be kept away from Rockne. It is a well-known fact that Smith attended the first district speakership caucus and that he helped to accomplish the results of that caucus, which declared for Nolan, as the Johnson forces wanted it to do.

It cannot be asserted that Hugo was a stalking horse for Johnson at the start. This candidate no doubt began his campaign intending to win for himself, if possible. But later, as he and his friends discovered that he had no chance of success, he became an instrument in the hands of the combination crowd. Following a secret conference in an upper room in the Merchant's Hotel in St. Paul on the seventeenth day of December, 1906, Hugo returned to the lobby and announced that he had withdrawn from the contest in favor of Johnson. That settled the fight. L. H. Johnson was chosen speaker.

It would scarcely be too much to say that every interest with a legislative ax to grind was favorable to Johnson for Speaker. So far as corporation activity has come to light, their support was all on the side of the Minneapolis man, with the possible exception of certain Flour City brewery interests which at first made the mistake of thinking that Johnson's promises to the Anti-Saloon League would be fulfilled. The Minnesota Liquor Dealers' Association had the situation sized up differently. Early in the contest the attorney who represented the saloon people became convinced that Johnson would be "fair" and he undoubtedly was. It is said by men who ought to know that their lawyer personally picked the members of the temperance committee. In this connection two things are certain: (1) That the saloon interests had no reason to complain over the results of the session; and (2) that Speaker Johnson was certainly "fair" to them not only in the selection of the temperance committee, but also in permitting them to be represented by such saloon lobbyists as ex-Representative Selb, in daily violation of Rules 42 and 65 of the regulations under which the House was supposedly governed.

The railroad representative who was most active for Mr. Johnson was Solicitor Root of the Milwaukee system. Mr. Root is perhaps the most expert politician of all the Minnesota railroad men who are interested in the great game of legislation. He is both smooth and shrewd, with strings

of influence extending in numerous directions all over the state. Just prior to the settlement of the speakership contest on December seventeenth it is said that Mr. Root "got busy" tightening his strings here and there. By means of the long distance telephone he communicated with his friends throughout the state, seeking to start a band-wagon movement for Johnson.

Another specific instance of corporation support for Mr. Johnson is supplied in the activity of the Twin City Rapid Transit Company in his behalf. On the day before the primary election the street car company procured several thousand copies of the Minneapolis Tribune, each of which contained a sample of the official ballots. Out of these papers they cut the portion containing the ballots and after being marked to indicate the candidates for which they wished their men to vote, these were given the employees as they left work in the evening. The name of L. H. Johnson was among those checked. A large number of street car employees reside in Johnson's district.

Johnson and Rockne were again the leading candidates for Speaker of the last session. The former would undoubtedly have suited the interests better than his rival but the situation had changed materially in two years. Rockne himself appeared to have changed.

Up to a certain critical stage of the 1907 session Rockne was recognized as the floor leader of the reform forces. And he certainly seemed to merit that distinction. Then came the culmination of the terrific tonnage tax fight of that year and the Zumbrota man turned about and at the last moment helped to defeat the bill. He had previously consulted with the framers of the bill and was considered one of its staunchest supporters, so his reversal of attitude occasioned much surprise and no small amount of uncomplimentary comment. Personally, I have never been able to explain the change. But it should be said that Rockne was then supremely interested in the passage of his very meritorious anti-watered stock bill and he may

have been led to believe that if he helped the Duluth delegation accomplish their chief purpose they would reciprocate in the interest of his railroad reform. If this "trade" theory be true, it only remains to notice that it didn't work out, for the pool was too compact and powerful. Both Rockne's bill and the tonnage tax fell by the wayside in the 1907 session.

Whatever the cause, Rockne changed and he has not been the same fearless champion of the people since. Probably it was ambition that promoted the change; perhaps at that time the steel trust assured him of the speakership at the next session. At any rate that interest backed his candidacy and together with the brewery-controlled Ramsey county members turned the tide in his favor, and he was duly installed as Speaker of the last legislature.

Please do not forget the existence and activity of the pool. This composite creature is always of particular importance when one considers the speakership. Two component parts of it—the steel trust and the liquor forces—seemed positively agreeable to Rockne's candidacy. "The railroad ring" seemed passively to consent because no very vital issues affecting those interests were likely to come before the session. The railroads were safeguarded by having the whole rate situation somnambulating in the courts. And the public service corporation class felt reasonably safe, at least after seeing the machinery set in motion, by having such members as Nolan and Dalzell on guard at the gateway of crucial committees.

## CHAPTER III.

## HOW THE HOUSE WAS ORGANIZED.

Speaker Rockne, as organizer of the House machinery, had an opportunity to place the more important committees in the hands of the better class of members. He could have done this without any violation of the partisan idea that "to the victors belong the spoils;" for it happened that almost all of the real reformers were his supporters for the speakership. This need not necessarily signify that he was an ideal candidate, but as between him and L. H. Johnson those who were for the people generally choose the lesser evil. But the pool had little reason to complain at the way things were organized.

The steel trust was, of course, chiefly concerned in the personnel of the committee on Taxes and Tax Laws. John Dalzell of Renville County was given the chairmanship of that committee. No better selection could possibly have been made, from the view point of the steel trust. Among the members of that committee were such unprogressives as L. H. Johnson, Rines, Borgen, Congdon, Wells, Zelch, Thayer, Nolan, MacKenzie, Selb, Dorsey and Gates. A good working majority were either sincerely against the tonnage tax or else insincerely for it.

"The railroad ring" is always interested in the tax committee and in the committee on railroads. The latter was headed by J. O. Haugland of Chippewa County. He was an insurgent, but his committee contained too many such men as W. A. Nolan, Brady, Christianson, Lennon, Nimocks, Goodspeed, Graham, Congdon and Wells.

The Minnesota Liquor Dealers' Association certainly had no cause for complaint as to the make-up of the "temperance" committee. Of its fifteen members ten were solidly and unalterably opposed to every anti-saloon measure that came before them.

The public service corporations came most directly in contact with the committee on Express, Telephones and Electric Lines. The chairman of that committee was the masked reformer, W. A. Nolan, who was aided in attempting to carry out the Twin City Rapid Transit Company's legislative program by such committee associates as Brady, Conroy, Lennon, L. H. Johnson, Kling and Grant.

A number of other standing committees bore an important relation to the control of legislation, but I shall call attention to only one of them at this time—the committee on Rules and Joint Rules. Its chairman was Henry Rines of Mora, a well-meaning member, but lacking in appreciation of how vitally the rules and the system are related to all that is done. J. N. Johnson of Yellow Medicine County was one of the five members of this committee. He was one of very best men in the House, but was serving his first term and not in a position to realize wherein the methods of legislation needed reforming, until the rules of the session had been adopted. The three majority members of this committee, tried and "dependable" manipulators, were White, Dalzell and Austin.

As an organizer Rockne deserves criticism. But as a presiding officer he was probably the ablest and fairest that the House of Representatives has ever known.

#### CHAPTER IV. SMITH AND THE SENATE.

Our national congress is controlled by its committees, dominated by the men who in turn control the committees. In the House Speaker Cannon controls the machinery. The higher body is popularly supposed to organize its own standing committees. This task naturally falls to the Rhode Island gentleman who is so largely the United States Senate. The Minnesota Legislature follows this general plan.

Theoretically, the Lieutenant Governor selects the committees of the body over which he presides; in practice, the appointing is done by Smith in the Senate. Mr. Smith would probably deny this, just as Aldrich denies that he rules the House of Lords at Washington; and so perhaps the majority of the members of the Minnesota Senate would deny the fact of Smith's supremacy. Some would refuse to admit the truth because they do not know; others would disagree because it is to their interest to shield Smith and conceal their own subserviency.

One of the "unmanageable" country senators once said to me: "It ain't true that Ed Smith runs the Senate. He never said a word to me about voting against anything."

"Do you know, Mr. Canestorp," I answered, "that you have unintentionally paid yourself the highest compliment that you could possibly receive? Of course Smith doesn't ask you to help carry out his schemes. He knows too well that you wouldn't stand for anything against the interests of the people and that it would be hazardous and foolish to show his hand to such men as you."

That is the way it goes. The Smith crowd is a kind of close corporation whose secrets and schemes are carefully guarded from those senators whom they cannot trust. That is how it happens that many of the progressive members of the Senate itself are about as ignorant of his influence as are citizens on the outside. That is why I do not expect any corroboration from either his friends or his enemies in the Senate. But I make these statements of his czarship, not caring for either protest or approval, because I know them to be true.

The real organization of the Senate begins before the session starts. For one thing, the "patronage" has to be doled out, which brings Smith into prominence, behind the scenes. Senators who seek important clerkships or other positions for their political friends do not go to the Lieutenant Governor, or if they do the matter ultimately comes around to Smith. His slate is the one that wins. Even one of the progressives when asked to appoint a certain young man as one of the Senate employees admitted that he would have to go to Minneapolis to see Smith.

The opening session of the Senate is given largely to routine resolutions. The performance is interesting and instructive because it furnishes a good line on Smith's leading lieutenants. The resolutions are prepared previously and members selected to introduce them. For example, on the first day of the last session:

Mr. Laybourn of Duluth and the steel trust, introduced the resolution naming a long list of employees;

Mr. Sullivan, attorney for the Twin City Rapid Transit Company, presented the resolution authorizing the Secretary of the Senate to purchase stationery and supplies.

Mr. Seward introduced a resolution in reference to the rules, which was an indication that he had been slated for re-appointment as chairman of that committee.

Senator Dunn, of Hamm Brewing Company fame, resolved some pages into existence.

Mr. Hall, champion of the railroads, offered a sergeant-at-arms resolution.

Mr. Seward gained recognition again and moved the appointment of nine members on rules and without the least hesitation the President of the Senate named: Seward, Smith, Schaller, Campbell, Hinton, Durment, Alderman, Laybourn and Stephens—reactionaries, every one.

Then Cooke, Clague and Peterson followed with unimportant resolutions. The last named senator was in no sense of the Smith type, but was "noticed" in that small way in the hope that he would make less trouble in the session when the ax fell removing him from the chairmanship of the committee on finance.

That was the only change made in the standing committees. It looked bad to single out just one senator for slaughter but Smith and his associates knew that it was necessary. Control of the Committee on Finance, which corresponds to the Committee on Appropriations in the House, was absolutely essential in all their plans and they could not manage a fearless fighter like Peterson, so he was deposed and Stephens of Crookston placed in that position. The latter was not only "safe" but a very large individual factor in "the system."

Smith himself was chairman of the Committee on Taxes and Tax Laws, a carefully chosen body containing Collier, Calhoun, Stephens, Laybourn, Thorp, Putnam, Hinton, Seward, Cooke, Anderson, Dunn, Sullivan, Alderman Gunn, Schaller, and V. L. Johnson.

D. S. Hall of Renville County headed the Committee on Railroads, which had its hands full defeating the Railroad Rate Reforms fed to it through two sessions by Senator T. E. Cashman, of Owatonna.

The Temperance Committee of nine had among its members only one advocate of county option, Senator Elwell of Minneapolis. The other eight were Campbell, Hinton, C. A. Johnson, Hardy, Alderman, Hall, Laybourn, and Donaldson.

The Committees on Elections, Insurance, Judiciary and Municipal Corporations, the latter headed by Calhoun, also had much to do with the unsatisfactory results of the session.

The importance to the corporations of controlling the organization of both branches cannot be over-stated. When in command of the legislative machinery, aided by the existing methods of legislation, a compact minority has more power over legislation than an unorganized majority.

## CHAPTER V.

## NEW MEMBERS AND THE SYSTEM.

If this story serves no other purpose than to gain for new members of both branches an understanding of the position in which they find themselves and to insure for them sympathy and support instead of censure, when they fail, it will not have been written in vain. The corporations and politicians have perfected such a subtle system for the control of the newly elected members that, even though their intentions may be of the best, they are too often lost to the people beyond recall before they realize which road they have taken.

For the roads fork right at the beginning, and the wrong way is made the easy way. And it is not strange that so many take it, because it is so easy and its way may not be seen at the start.

The creation of a controlling combination in the last legislature was an interesting study. First, there was the St. Louis County representatives, always solidly for the steel trust and whatever the pool might require. Next, the brewery-controlled St. Paul delegation, with the exception of one in the House and one in the Senate, all arrayed with "the system." Then came the big Hennepin County delegation, dominated by Smith, and including such political schemers as John G. Lennon, F. E. Nimocks, Hugh N. Allen, F. B. Wright, J. F. Calhoun, and others of less note, most of them elected with the assistance of the public service corporations, and bound to serve those interests. There were a few notable exceptions, such as Fos-

seen and Elwell in the Senate, and Campbell, Sawyer, Washburn and Kneeland in the house.

The tri-county delegation, the largest and by far the most powerful standing committee in the House, had for its chairman John G. Lennon, the irrepressible friend of special interests.

Next, there can be added to the combination the one senator and three representatives from Winona—Tawney's home county—making the whole membership from the four large counties of the state almost a unit, and constituting a formidable nucleus, for the system that controlled the Legislature.

Then include such country senators as Alderman, Campbell, Collier, Gunn, Hall, Hinton, F. E. Putnam, Robinson, Schaller, Seward, Stephens, and Sullivan, and such country representatives as Dalzell, Dorsey, Doyle, Gartside, MacKenzie, McGarry, W. A. Nolan, Stuart, Thayer, Wells, Frank T. White, and Zelch, all men who had previously qualified or were naturally patrons and part of "the system," and we are ready to consider the artificial means of gaining recruits for the combination from the new members.

The Legislature is divided into "sets," like society. "The system's" lieutenants are the leaders, and they control the social situation. They take the uninitiated by the hand and help them up a high mountain, where the alluring valleys and fertile fields of social standing stretch out in a panorama of pleasant prospect. Then they go down with them into the valleys of "brewery birthday dinners" and wine suppers, and the mountain view becomes real—and reactionary.

Many members begin their first session conscious of a lack of "culture" and worried because they are not properly equipped to shine socially with the more polished statesmen. Feeling thus, they are naturally surprised and pleased out of their independence to find so royal a welcome. Nimocks with his perennial bouquet, and winning smile and

"glad hand," and Nolan with white waistcoat and diamond stud, receive all on a plane of perfect social equality.

Social good times are made so easy, and so economical, too. New members are confidentially advised of an unfailing supply of theater tickets. They do not know that the theaters have been "held up" for this graft. They realize only that it is a mighty fine thing to be able to take their constituents to places of amusement, without expense to themselves, whenever they happen to be in the capital city. Even this subtle method of "control" harks back to the "standing at home" question. Just as the old manipulators wedge themselves into the good graces of the new members by placing before them these opportunities, so do the country members make use of such means of entertainment to carry favor with their local constituents.

Next, it surprises these new members who unknowingly start upon the wrong road to discover how kindly the city dailies accept their presence in the Legislature. They are "mentioned" in a complimentary way by some one of the big papers almost ever day. These notices are invariably copied by the local papers, and it all adds its mite to give the member importance and standing at home.

Then comes the master stroke—the all-important controlling issue of local appropriations. I here reproduce a portion of a newspaper letter issued soon after the 1907 session in which I touched upon this phase of "the system":

Amidst a silence that was intense, the Honorable John Zelch paused in his speech and glanced scornfully across the chamber: then—"The gentleman from Otter Tail has made himself very obnoxious."

It was the voice of the combination, speaking its protest against the legislative life and influence of Elmer E. Adams of Fergus Falls.

This simple scene was strangely fascinating to me. For hours the words rang in my ears. That rift in the oratory, through which flashed the sud-

den storm, seemed to set in motion a panoramic picture. I saw both the accuser and the "obnoxious" member as each had labored throughout the session. These two typified the two contending classes in the law-making body. One stood for himself and the special interests. The other had struck out boldly abreast of the current; he had opposed the plundering policy of the powers that were; he had tried to turn the spotlight of publicity upon schemes which he was powerless to prevent—he had made himself "obnoxious" to the system.

One ranked as a king in the combination, a man of commanding consequence and power. The other was unpopular and lacking in influence, save with the unorganized faction; he was sent home "empty-handed" of legislative honors. This was the price of daily loyalty to his constituents and his state, the penalty he paid for opposing the combination.

The opposite course and its sequel is illustrated in the following clipping from a Benton County newspaper:

"Hon. Otis F. Doyle, who represented this district in the legislature during the last session, was instrumental in securing more and larger appropriations than any member who has been sent to St. Paul in recent years. Mr. Doyle was able to persuade his fellow members to give \$5,000 out of the road and bridge fund for the bridge at Rice. He is responsible, too, for the appropriation of \$4,000 to be expended at the discretion of the Benton County commissioners during the next two years. And in addition to these amounts, Mr. Doyle obtained \$2,000 for the Elk river bridge, making a total of \$11,000 this county will receive during the next two years."

Because Mr. Doyle became a private in the ranks of "the combination" the ruling powers permitted him to return to his constituents heavily laden with

local appropriations. He did the bidding of the corporation cabinet, voting with that crowd on certain tests of combine strength, dodging such bills as the tonnage tax and the Rockne stock regulation measure, and the combination paid for this sundry service in the enactment of his local bills. He was made a big man at home by being small and "useful" in St. Paul."

It might have been the same and much more with Mr. Adams. Had he chosen the easy way and become "safe" for the system, he might have had his name attached to numerous measures of importance. He might have secured large and luscious appropriation plums for his city community. He might have worked wonders for himself locally, had he yielded to the strings that pulled the combination together. But he preferred to remain patriotic and unpopular; to go home "empty-handed," to hear the voice of the combination speaking its spite—"The gentleman from Otter Tail has made himself very obnoxious."

I specialize the cases of Adams and Doyle because the "combination" was built largely upon threats and trades. The general scheme gave members a choice of being "obnoxious" and going home "empty-handed," or of doing the bidding of the cabinet on the big questions affecting the corporations, and in return receiving a substantial share of local appropriations and special laws for their communities.

The foregoing should suggest the crux of the whole matter. Local appropriations is the mess of pottage for which many new members barter away their legislative independence. They go to St. Paul dominated with a determination to "make good," which, according to the usual interpretation, means to secure such appropriations and legislation as their districts desire. They see only the commendation of constituents; they neither understand

nor measure the price they pay for high standing at home.

It is a strong statement, yet unquestionably true, that not a single item of appropriation made by the legislature is ever considered strictly on its own merits. Barter is the basis for almost every bit of public money voted away by the legislature. The gang is in control, and the members have the alternative of becoming one with the combination and obtaining a share for their constituents, or of staying out and getting nothing.

The system doesn't care particularly about the financial needs of any state institution or of any community; its great concern is for the predatory pool. But they know that there is no means of controlling members and building up an adequate organization quite so effective as trading in appropriations. That is why the two chief appropriation measures, the omnibus bill and the road and bridge bill, the latter referred to in well-merited derision as "the pork barrel," are both in reality little more than a giant patchwork of bribery—the money coming from the state treasury to buy members a standing at home, in return for which a majority help to carry out the schemes of the corporation managers.

And if members "insurge"—if they take the other fork of the road—they are lonely and without influence during the session, and have to face hard ingratitude, because of a misunderstanding of law-making methods, when they return to their constituents without the mess of appropriation pottage. For such the entire journey is different. They fall outside the social breastworks. There are no free theater tickets, no brewery banquets to cheer them on their way. And instead of "standing in" with subsidized reporters, they are mentioned only at such times and in such ways as will tend to belittle and discredit them both at home and at the seat of government.

## CHAPTER VI.

### REFORMING THE RULES.

The title of this chapter may be misleading. There was no reform of the rules—only an attempt toward that end. It furnished the first real test of strength in the session-long contest between the pool and the people.

The rules need reforming. I do not believe that it will ever be found possible to legislate justly in this state until the rules are radically revised. All bills are referred to standing committees, which do about as they please with them. If the committee is packed with servants of the system, as practically all the important committees were at the last session, good bills can be smothered or emasculated with almost complete immunity. No public records are kept of committee actions, and members feel safe in serving selfish interests there in ways that would mean their political death if performed out in the open.

The standing committee evil could be substantially lessened: (1) by compelling every committee to keep a complete public record of all its acts; and (2) by requiring every standing committee to report all bills back to the Senate and House within a stated time after receiving them. The first would prevent a lot of legislative iniquity by turning on the light, and the second would do away with the congestion of business in the closing days of the session that is inevitable under the existing system. It is in the haste and confusion of the last few days that bad bills are railroaded through and important measures neglected.

When the committee on rules in both branches reported their "regulations" for the session, ineffectual attempts were made to adopt amendments which would curtail the

power of standing committees. In the House on Jan. 7, Mr. Haugland offered an amendment requiring committees to report bills back within fifteen days after receiving them, unless the House should grant an extension of time for further consideration.

John G. Lennon moved to lay this amendment on the table, and it was killed in that way by the following vote of 60 to 44, those voting "aye" being against the reform.

Those who voted in the affirmative were: Anderson, Austin, Baldwin, Borgen, Brady, Buck, Christensen, Conroy, Davis, Dorsey, Dower, Doyle, Emmel, Ferguson, Gartside, Gates, Goodspeed, Grant, Greene, Handlan, Henry, Herzberg, Horton, Jorgenson, Kelly, Kling, Lennon, MacKenzie, McGarry, McMartin, McNeil, Nagel, Nimocks, Nolan, Nye, O'Brien, Perry, Peterson, Phillips, W. H. Putnam, Rines, Robertson, Rodenberg, Rowe, Sahler, Selb, Sikorshi, Spence, Spooner, Stone, Sullivan, Swendsen, Thayer, Virtue, Webb, Welter, Wohlhuter, F. B. Wright, Zelch, and Mr. Speaker.

Those who voted in the negative were: Adams, Bendixen, Bicknell, Burnquist, Campbell, Carley, Carlson, Conley, Davis, Denzer, Duea, Fitzpatrick, Friedman, Haugland, Hinds, Holmberg, Holten, C. E. Johnson, J. N. Johnson, J. T. Johnson, Lee, Lende, Lobeck, Mattson, McGrath, Melby, Mork, Murphy, H. Nelson, O. B. Nelson, Noble, Opsahl, Pfaender, H. A. Putnam, Rosenwald, Rustad, Sampson, Saugstad, Stuart, Sulerud, Wallace, Ware, Washburn, and C. J. Wright.

A somewhat similar attempt was made to curtail the power of standing committees in the Senate. On Jan 12, Senator Sageng, of Otter Tail County, moved to amend Rule 66, to make it read as follows:

Rule 66. All committees, except Finance Committee, to which any bill or resolution has been referred, shall return the same to the Senate with or without its recommendations and report not later than twenty days from the day of reference, unless at the formal request of the committee the Senate has granted a

definite extension of the time during which the bill or resolution may be held for consideration in committee.

Whenever any bill or resolution is held in committee contrary to the provisions of this rule, on the demand of the one-third of the total membership of the Senate, it may be recalled from the committee and placed on general orders of the day.

This amendment was referred to the Committee on Rules of the Senate, and on Jan. 19, without a minority report this committee recommended that the Sageng amendment be "indefinitely postponed." Senator Sageng argued for the amendment, and Senator Seward of Lyon County spoke against it. The amendment was first amended by striking out the second paragraph, and then "indefinitely postponed" by the following vote:

Those who voted in the affirmative, were:

Alderman, Anderson, Briggs, Calhoun, Campbell, Cane-storp, Canfield, Carpenter, Clague, Collier, Cooke, Dale, Donaldson, Dunn, Durment, Dutoit, French, Glotzbach, Gunderson, Gunn, Hackney, Hall, Hanson, Hardy, Hinton, C. A. Johnson, V. L. Johnson, Laybourn, Moonan, Naeseth, Pauly, Robinson, Schaller, Seward, Smith, Stephens, Sullivan, Swanson, Vail, Weis, White, Wilson, Witherstine, Works and Wright.

Those who voted in the negative were:

Farrington, McGowan, Sundberg, Cashman, A. L. Hanson, and Sageng.

The fact that only six senators voted for this most vital and necessary reform which would have made equitable legislation possible speaks volumes for the completeness of the Smith control in the Senate. Possibly some failed to realize what the reform meant, but most of them did not care to incur the displeasure of those in control.

And so it happened that these attempts to make both House and Senate real deliberative bodies came to naught, and the pool continued to rule because it continued to make and manipulate the rules.

## CHAPTER VII.

## THE BATTLE FOR A TONNAGE TAX.

A million dollars is a lot of money. Men will struggle desperately where such a sum is involved. That, in a word, explains why the fight for a tonnage tax on iron ore was by far the biggest battle of the last session.

The United States Steel Corporation has little interest in Minnesota except to get its iron ore out of the state at the lowest possible expense in taxes and transportation. Unlike almost every other industry it does nothing to develop the state. On the contrary it is depleting our greatest nature resource, leaving less than nothing in return. When its mining operations are over in any locality there remains only an unsightly and worthless hole in the ground. The ore is taken to the manufacturing plants in Pittsburg; the money resulting from the mining in Minnesota goes to the financial home of this trust in Wall Street. The Bjorge bill, recognizing that the steel trust was not contributing anything like its share of the tax burden, provided that for every ton of ore taken out of the ground there should be left in the state treasury from two to five cents, according to the quality of the ore. This tonnage tax would have meant a million or more each year in additional taxes to the state.

On one side of this contest was arrayed the steel trust, which has become the mightiest, most uncompromising power in Minnesota politics. Opposed to this great holding company, with its Wall Street connections, its subsidized newspapers, its city support and its retinue of hungry politicians, were only the purely agricultural sec-

tions of the state, and even there, in several farming communities, political influence led members to disregard the sentiment of their districts and vote against the bill.

### Principals in the Fight.

H. O. BJORGE, 60TH DISTRICT, BECKER COUNTY.—The Legislature has never contained a man who worked harder, more unselfishly and against greater obstacles than did this member. In 1907 he and R. H. Jefferson of Cottonwood County were joint authors of the bill for a tonnage tax, but Mr. Jefferson was punished by being defeated at the last election, and Mr. Bjorge had to bear the brunt of the battle alone in the last House. This he did with rare courage and ability. He produced a bill which some of the best attorneys in the state pronounced free from unconstitutionality and eminently fair to every interest involved. He fortified himself for the terrific fight by almost ceaseless investigation of every phase of the question, and during the crisis of the contest, when pitted against the brainiest political and legal talent that a great trust could command, proved himself master of the situation. His speech in advocacy of the measure on the day of its passage in the House was easily the greatest argument made by any member of that body during the winter. It contained no abuse of any member or of the special interest so many of them served—it was simply a justification of the measure on its merits.

Mr. Bjorge stood squarely for the public interest on every other question that came before the session.

C. A. CONGDON, 51ST DISTRICT, DULUTH—led the opposition to the tonnage tax bill. He cannot be criticized for taking that position for he was himself a wealthy mine owner and represented the sentiment of his district. He brought to bear upon the situation fine legal ability and the prestige of being the House floor leader of the steel trust. Mr. Congdon was invariably with the pool throughout the session.

THE DULUTH DELEGATION.—The members of both House and Senate from St. Louis County were men with a single legislative purpose, which was to defeat the tonnage tax. They stood ready at all times, as one man, to do anything that would aid in the accomplishment of that object. As individuals they were entirely submerged in the steel trust. They took practically no part in any constructive legislation, their mission being not to enact laws, but to defeat a single measure. They were masters in the art of legislative "log-rolling," but they had only one thing for which to trade—votes against the tonnage tax. They were always ready to do whatever would marshal votes to defeat the Bjorge bill, it mattered not how or what.

These St. Louis County members of both branches need no other classification nor characterization. They were for the steel trust, and with the pool in every contest, with a single exception, the J. N. Johnson anti-watered stock measure. This bill came up on its final passage very soon after the Bjorge bill passed the House. The steel trust representatives voted for this railroad reform in order that it might also pass into the Senate. Then they would be in a position to say to the railroad ring, the best organized and strongest single influence in the upper body: "You railroad men help us defeat the tonnage tax or we will help pass this Johnston stock regulation bill."

Ordinarily this situation would not have been possible, but it must be remembered that public opinion is more powerful even than the pool. Some of the railroad ring's most dependable members were forced to support the tonnage tax in both House and Senate because their districts would tolerate no other course.

The "Duluth Delegation" in the Senate comprised Laybourn, Pugh and Vail. In the House those from St. Louis County were Austin, Borgen, Buck, Congdon, Graham, and Grant.

### House Vote on Tonnage Tax.

It is not necessary to review the long fight on this bill before the final vote was taken. The steel trust had on its side a friendly speaker and a most favorable organization of the House machinery. But the people were awake and watching, so the issue had to be met squarely, and out in the open. The Bjorge bill was voted upon March 17th and passed, 61 to 57, every member voting except John Spence, of Le Sueur, as follows:

Those who voted in the affirmative were: Adams, Baldwin, Bendixen, Bicknell, Bjorge, Campbell, Carey, Carley, Carlson, Conley, Davies, Denzer, Dorsey, Duea, Fitzpatrick, Friedman, Haugland, Herzberg, Holmberg, Holten, C. E. Johnson, J. N. Johnson, J. T. Johnson, Jorgenson, Kelly, Lee, Lende, Lobeck, Mattson, McGrath, McMartin, McNeil, Melby, Mork, Murphy, Nagel, H. Nelson, O. B. Nelson, Noble, Nolan, Opsahl, Peters, Peterson, Pfaender, Phillips, H. A. Putnam, Robertson, Rosenwald, Rustad, Sampson, Saugstad, Sikorski, Spooner, Sulerud, Swendsen, Thayer, Ware, Wells, Wescott, Wohlhuter, and C. J. Wright.

Those who voted in the negative were: Allen, Anderson, Austin, Borgen, Brady, Brown, Buck, Burnquist, Christensen, Congdon, Conroy, Dalzell, Davis, Dower, Doyle, Emmel, Ferguson, Gartside, Gates, Goodspeed, Graham, Grant, Greene, Handlan, Henry, Hinds, Horton, L. H. Johnson, Kling, Kneeland, Krause, Lennon, MacKenzie, McGarry, Nimocks, Nye, O'Brien, Perry, W. H. Putnam, Rines, Rodenberg, Rowe, Sahler, Sawyer, Selb, Stone, Stuart Sullivan, Virtue, Wallace, Washburn, Webb, Welter, White, F. B. Wright, Zelch, and Mr. Speaker.

### Where the Votes Came From.

A sectional analysis of the votes on the Bjorge bill is interesting. Every House member from the four large counties—Hennepin, Ramsey, St. Louis and Winona—voted against the measure except Sikorski of Winona and Camp-

bell and McNeil of Minneapolis. In the First Congressional District, out of its sixteen representatives only Henry, Gartside and Virtue voted "no"; in the second only Stuart voted against the bill; in the third Rockne, Gates, W. H. Putnam, Welter, Krause, and MacKenzie voted in the negative, and Spence did not vote either way; in the Fourth all thirteen were opposed to the measure; in Hennepin County only Campbell and McNeil voted for it; in the Sixth Doyle, Kling, Brown, Dower, Hinds and Emmel were opposed to it; in the Seventh only John Daltzell voted against the bill; in the Eighth all were on the negative; and in the Ninth every member voted for the bill.

#### Why the Bill Passed.

The real reason why the House passed the Bjorge bill has already been suggested. The sentiment for such a law in most of the rural districts was too strong to be ignored. Members did not dare disobey the known wishes of their constituents. The position in which several found themselves is illustrated in the experience of R. J. Wells, of Breckenridge. Two years before he had voted against the measure and would probably have done the same at this session had he not been forced to support the bill in order to get re-elected. In the debate he explained that the tonnage tax had been made an issue in his district and implied that his affirmative vote was due to that embarrassing fact.

Another factor in the passage of the bill was the temporary disorganization of the combination forces in the House. The Bjorge bill was placed on its final passage just after the disruption caused by the Nolan street railway bill,—discussed in another chapter. L. H. Johnson was one of those frightened into a change of attitude on the Nolan bill by the popular uproar against it, and when he attempted to lead a stampede against the tonnage tax a few of those whom he had deserted in the other fight doubtless retaliated by voting for it.

Still another factor that favored Bjorge in his battle was a little mistake in generalship on the part of the democratic "kitchen cabinet." In the previous campaign the state ticket had had a distinct strategic advantage in the southern districts in the fact that a Republican House had defeated the tonnage tax. They expected that the bill would also fail of passage in the House at this session, and in order to be in the best possible position to profit from the situation as a party, rather encouraged the House Democrats to support the measure, which twelve of the twenty-one did. But after the bill reached the Senate the "kitchen cabinet" worked heroically to kill it there and save the executive the responsibility of a veto. Had they displayed the same activity in the House it is not improbable that the measure would have been defeated in that body.

#### **Bjorge Bill in the Senate.**

Without an aroused public opinion demanding honest consideration of the measure—a power before which politicians become cowardly and responsive—the friends of the tonnage tax in the Senate would never have been able to force the bill to a vote. The people were watching and that alone saved the day.

H. F. No. 227, after passing the House, was referred to Smith's Committee on Taxes and Tax Laws, where it reposed peacefully until Senator Sageng offered the following resolution of April 7th, which explains itself:

**Whereas**, Public sentiment in the state demands that the tonnage tax bill passed by the House of Representatives on March 17th, be given full and fair consideration by the Senate.

**Whereas**, This bill has been in the hands of the Senate Committee on Taxes and Tax Laws nearly three weeks, and in view of the fact that only a few days of the session now remain and that any further delay in reporting the bill to the Senate

necessarily means that this important measure cannot be reached in the regular order of business and thus fail to be considered by this Senate; therefore, be it

**Resolved,** That the Senate requests and directs its Committee on Taxes and Tax Laws to report H. F. No. 227 back to the Senate not later than at the opening of the session of this body on Monday, April 12, 1909.

Senator Calhoun temporarily blocked this attempt to force the bill into the Senate, and the measure did not emerge from that committee until April 14th, when it came "without recommendation." But a minority report, signed by Frank E. Putnam, L. O. Thorpe, B. N. Anderson, and V. B. Seward, asked that it be made a special order for April 16th, and Mr. Clague moved that this minority report be substituted for the majority committee report.

The meaning of these reports should be plainly understood. Under the provision of the minority report the bill was to be placed on its final passage in two days. The majority report meant that it would go to the foot of general orders, to be passed on by the Senate, sitting as a committee of the whole, after which, if favorable action were taken at that point, the bill would be placed at the foot of the calendar, where the chances were a thousand to one it could not be reached before the session ended.

Another all-important difference in the two reports was this: If the majority report had been adopted the bill would have gone to "general orders." This is a legislative proceeding where no rolls are called on votes, and without an "aye" and "no" vote to place insincere supporters of the bill on record, the measure would undoubtedly have been killed by amendment at this point. An amendment of any kind would have defeated it, because it would have had to repass the House, which could hardly have been possible with the influences then at work in that body.

The Clague motion for the adoption of the minority report carried, 40 to 22, but Lieutenant Governor Eberhart declared it lost, ruling that it required a two-thirds vote to advance a bill out of its regular order. This bit of Cannonism would have killed the tonnage tax but for the fact that the situation created so much comment that the enemies of the bill were frightened into surrendering the advantage, and themselves voted to reconsider and adopt the minority report.

Two democratic senators, Works and Witherstine, united in a resolution which provided for the death of the tonnage tax by referring the whole question to the Tax Commission. Failing in that attempt to defeat the measure Witherstine finally voted for the bill on its final passage. Works was more consistent in his opposition and voted "no."

#### The Vote in the Senate.

After a terrific fight on April 16th, in which thirteen separate attempts were made to defeat the measure by amendment, it passed the Senate by the following vote of 38 to 24:

Those who voted in the affirmative were: Anderson, Bedford, Briggs, Campbell, Canestorp, Canfield, Carpenter, Cashman, Clague, Cooke, Dale, Donaldson, Dutoit, Farrington, Fosseen, Glotzbach, Gunderson, A. L. Hanson, H. E. Hanson, Hinton, C. A. Johnson, Johnston, McColl, McGowan, Moonan, Naeseth, Nelson, Peterson, Poehler, Putnam, Sageng, Seward, Sundberg, Thorpe, Weis, White, Witherstine, and Wright.

Those who voted in the negative were: Alderman, Calhoun, Coller, Dunn, Durment, Elwell, French, Gunn, Hackney, Hall, Hardy, V. L. Johnson, Laybourn, Pauly, Pugh, Robinson, Schaller, Smith, Stephens, Sullivan, Swanson, Vail, Wilson, and Works.

## CHAPTER VIII.

## THE RAILROAD RING IN TWO SESSIONS.

The railroad managers of the country are past masters in politics. They thoroughly understand the great game of legislation. No subtle turn or sharp trick was ever devised that they have not known and used in their attempts to manipulate government for their own predatory purposes. I trust that this installment of the story may suggest some of their questionable practices as they have been exemplified in the Minnesota Legislature during the last two sessions.

Four bills will be considered here and the history of each will reveal a different degree and kind of "railroad ring" method in lawmaking: (1) Cashman's distance tariff; (2) the two-cent fare law; (3) J. N. Johnson's stock regulation measure; and (4) the notorious Rodenberg bill.

## The Distance Tariff Bill.

Thomas E. Cashman, 8th District, Owatonna, was the author of this bill and fought heroically for its passage in the last two sessions. But the railroad organization was too effectively entrenched in the Senate and too successful in subterfuge for him to do more than force the measure to a final vote. Even that was a remarkable achievement, considering the unequal conditions of the contest.

Briefly stated, his Distance Tariff Bill provided that freight rates should be on an equal basis throughout the state, that the small shipper would not have to pay any

more per ton per mile than the large shipper, regardless of whether the shipper might live in a small town or large center. Such a law would place a producer and shipper in a small town, on an equal basis with a man handling a like commodity in a large center. The mileage to control the rates in all cases. The evil that he was fighting and which his bill aimed to correct was discrimination between communities. This bill, S. F. No. 37, was practically a copy of the Iowa statute on the same subject. Iowa has had such a distance tariff law for more than twenty years and its wholesome effect is seen in the even distribution of the people and industries of that state. Iowa has no very large cities, but is full of small manufacturing and distributing centers. On the other hand, Minnesota has been the victim of the grossest discrimination in rates for many years. The concentration of its population and industries in two large commercial centers—St. Paul and Minneapolis being one, and Duluth the other—must be attributed in large measure to this kind of discrimination.

Cashman came to the Senate in 1907 with a clear conception of the causes and economic results of this Minnesota condition. He knew that great railroad minds recognized two freight rate theories, the one having to do with many small centers and short hauls, which meant the minimum of freight receipts for the transportation companies; the other dealing with a few big centers, long hauls and the maximum of business for the railroads—which was the Minnesota condition.

Because our state legislature had never had a member with so clear a vision and so dogged a determination to remedy the inequitable situation, the railroads of Minnesota had gone on unmolested in their piratical policy of discriminative rates, which built up big centers at the expense of all other sections of the state. Cashman's own section, the southern part of the state, was hampered beyond reason by this kind of discrimination. No town could grow into a manufacturing and distributing center because of higher freight rates than Twin City competitors had

to pay. This, of course, retarded the development of the surrounding country as well as dwarfed the towns and little cities.

The "railroad ring" has usually been successful in defeating legislative attempts at regulation, whenever regulation threatened to affect their revenues, but Cashman gave them a royal battle with his distance tariff bill. He had justice on his side and was armed with unanswerable facts and figures; more than that, he was entitled to the support of every country member because no country district was free from the abuses his measure would have corrected. The railroad organization in the Senate, however, was equal to the task.

First in the 1907 session, Cashman had to fight a packed Railroad Committee, headed by D. S. Hall of Renville. After a struggle that would have disheartened a less determined man, he finally succeeded in outwitting the railroad allies in that committee and got his bill before the Senate.

Then the politicians became alarmed at the situation. They knew that the people were beginning to appreciate the importance of the issue and that it was likely to be a choice between "cringing to the power of the Great Northern" or facing an aroused and enraged constituency. So they resorted to subterfuge. Something just as good (as the friends of the bill put it) was provided in the Commodity Rate law of 1907 which was hurriedly framed up and passed under suspension of the rules in the House, the same evening it was introduced, which, by the way, was a few hours after the Distance Tariff Bill was killed. Events were so manipulated that the same city papers that told of the defeat of the distance tariff bill announced the passage of the substitute, which would never have been considered at all if railroad members had dared to vote against the Cashman bill without the justification of something "just as good."

The commodity rate law was a subterfuge. It never became effective and possibly never will, being still en-

gaged in a snail-like course through the courts, with the final result in doubt. I believe that the real reason why the substitute was adopted was because its chief supporters were close to railroad attorneys and knew that it would not survive judicial scrutiny, whereas the Cashman bill had already been proved constitutional as an Iowa statute.

**Frank Clague, 19th District, Lamberton**—was one of the leaders who provided the commodity rate law of 1907 as a substitute for the Cashman bill, and in the 1909 session he openly headed the opposition to the distance tariff. In the debate on the question he condemned S. F. No. 37 as impracticable and also justified his position against it by contending that any legislation on the subject would complicate pending litigation on the commodity rate law. Clague voted for the tonnage tax but proved himself unprogressive by standing for the repeal of the primary, against its extension to the state officers and the direct election of United States senators.

#### **The Vote on the Cashman Bill.**

This measure was defeated for a second time in the Senate on March 25th, 1909, by the following vote:

Those who voted in the affirmative were: Ahmann, Bedford, Canestorp, Canfield, Cashman, Collier, Farrington, Glotzbach, Gunderson, A. L. Hanson, C. A. Johnson, Moonan, Naeseth, Robinson, Sageng, Schaller, Seward, Sundberg, Weis, White, Witherstine, Works and Wright.

Those who voted in the negative were: Alderman, Anderson, Briggs, Calhoun, Clague, Dale, Dunn, Durment, Dutoit, V. L. Johnson, Elwell, Fosseen, French, Gunn, Hackney, Hall, H. E. Hanson, Hardy, Hinton, Laybourn, McColl, Peterson, Pugh, Smith, Stephens, Swanson, Thorpe and Wilson.

#### **An Obituary on the Bill.**

The following newspaper comment was written after the

defeat of the measure in the 1907 session:

"DIED—On Tuesday, April 9th, 1907, in the Senate, the Cashman Distance Tariff Bill. Interment from the Smith morgue in the legislative cemetery for anti-corporation children.

"It is with the deepest regret that we are called upon to chronicle the untimely death of the Cashman distance tariff bill. This industrial relief infant was born January 9th, 1907, and early gave promise of the usual allotment of life and usefulness. But the dread contagion, corporationitis, which has resulted in the sudden demise of so many meritorious measures, had marked this bill for mortality, and although its parent and friends worked day and night to avert the final summons, all their efforts were in vain. Later in the development of the disease the trouble was complicated by an attack of moneyitis, and the measure, worn and wasted by the weary weeks of terrible struggle with the first form of infection, could only await the inevitable dissolution.

"It cannot be said that the bill died a natural death—it had doctors, the best that money could procure. But these practitioners were all from the combine school of surgery, and labored in perfect harmony with the coroner and the sexton.

"The remains were taken to the overworked Smith morgue and later interred in the large legislative cemetery for anti-corporation children, beside the numerous other victims of the same dread disease. Besides the sorrowing parent, a score of senators assisted in the obsequies, but this little assembly of sympathizers did not constitute all the mourners. From every section of the state thousands are in darkest gloom, for upon the operation of this Cashman bill were the masses of Minnesota depending for relief from railroad arrogance and despotism."

But the people of Minnesota will not forget the relief

offered had this Bill become a law and no doubt will see to it that the men chosen to represent their respective districts in 1910 will be pledged to support this or a similar measure at the coming Session of the Minnesota Legislature.

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### Jockeying With Two-Cent Fare.

My only object in making any reference to the two-cent fare law of the 1907 session is to suggest one of the many ways in which legislators may serve the corporations, and still appear loyal to their constituents. The incident also serves to emphasize the importance of having the legislative machinery in the hands of friends of the people.

It will be remembered that several two-cent fare bills were introduced in the House at the beginning of that session. All were referred to the Committee on Railroads where they were held until many members became impatient at the unnecessary delay. When this impatience had attained a state acute enough for their purposes, the politicians carried out one of the smoothest schemes ever attempted in any law-making body.

Frank T. White, of Elk River, was the first actor in the play. He arose one morning and attacked the Railroad Committee, criticizing it for failure to report back a two-cent fare bill, and moved that all two-cent fare bills be recalled from that committee and referred to a special committee for speedy action. After an acrimonious controversy over the motion, W. I. Nolan of Minneapolis, offered a substitute motion that the Railroad Committee be instructed to report back one of these bills within five days, which was adopted.

That same afternoon Chairman Spooner called his Railroad Committee together and all the two-cent fare bills were referred to a sub-committee consisting of Burdette Thayer, R. J. Wells, Dr. Dorsey, John Zelch and Webster,

who were instructed to select the best bill or make a redraft for the whole committee. This was done with such surprising haste as to suggest the possibility that some outside expert may have lent assistance to the task. The joker in the bill resulting from the labors of these five would also tend to indicate that it may have emanated from some railroad office.

Just a few minutes before a morning session of the House the Railroad Committee assembled to receive the report from this sub-committee. With almost no consideration of the new bill, the committee voted to present it to the House with the recommendation that it "do pass."

Then occurred another subtly planned step in the proceeding. Thayer moved, after the Railroad Committee bill had been received by the House, that it be made a special order for the following Tuesday, which was the day the Senate had decided to act upon a similar measure. This brought about debate in which it was suggested that the House take up the bill at an earlier date and thus secure the honor of having passed a two-cent fare bill a head of the Senate. When the discussion had reached the psychological point Wells took the floor and plausibly explained that both political parties had promised the people two-cent fare; that he had come to St. Paul prepared to vote for such a bill, and that he was ready to vote for it then and there; whereupon he moved that the rules be suspended and the bill placed upon its final passage, all of which was done in the midst of a carefully pre-arranged confusion which made it impossible for anyone to give consideration to the reading of the measure.

The bill voted upon that morning and carried almost unanimously, would not have given the people two-cent fare. It contained a subtle provision which made it incumbent on the state to test its validity in the courts before it could be enforced, if the railroads chose to attack it. Years of litigation would have resulted, with the burden of proof upon the state rather than the railroads.

I believe that these manipulators had planned a stam-

pede of the Senate in the same way. This was Thursday and the Senate had taken an adjournment until Monday at 8:00 o'clock. Many country members would not have returned for that short evening session and in all probability the "railroad ring" would have had enough of its members on hand to rush the House bill through under suspension of the rules if its vicious character had not been discovered.

I was in the House chamber that morning but was unable to detect anything wrong with the bill. The excitement during its reading prevented the real character of the bill from being grasped. Yet I had a feeling that something was wrong. This was strengthened when I noticed the attitude of a member, the protege of one of the leading manipulators of the House. The face of this individual was a sort of barometer; the smile or frown which he wore invariably told whether things were running smoothly for the interests he served. On this occasion his demeanor indicated abundant happiness. I was not surprised, upon consulting with some insurgents to whom I imparted my fears, to find that they too were apprehensive. Careful examination of the bill disclosed the joker. Insurgents in the Senate were put on guard. That ended the bill, for after its real character became known its sponsors dared not push it, and so let it die.

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### The J. N. Johnson Stock Regulation Bill.

The people of Minnesota are paying freight rate taxes on millions of dollars worth of water in railroad stocks and bonds. J. N. Johnson of Canby introduced and championed a bill aimed at this evil. It gave the Railroad and Warehouse Commission supervision over the issuance of stocks and bonds by railroad companies. It passed the House, partly because of reasons suggested in the chapter dealing with the tonnage tax bill, but was smothered in the Senate Committee on Railroads.

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All of the St. Louis County delegation voted for H. F. No. 490 and it is urged by supporters of the tonnage tax that the steel trust influence assisted in passing this measure through the House for the reason that the enemies of the tonnage tax bill wanted to use this anti-railroad bill in the Senate as a club to line up the railroad ring against the Bjorge bill. For an exactly opposite reason Mr. Bjorge, author of the tonnage tax measure, and possibly others, voted against this Johnson bill.

This bill, H. F. No. 490, passed the House March 26th, by the following vote:

Those who voted in the affirmative were: Austin, Bendixen, Bicknell, Borgen, Brown, Buck, Burnquist, Campbell, Carley, Carlson, Congdon, Conley, Davies, Dorsey, Doyle, Duea, Ferguson, Friedman, Gartside, Gates, Graham, Grant, Haugland, Henry, Hinds, Holmberg, Horton, C. E. Johnson, J. N. Johnson, Kling, Kneeland, Lee, Lende, Lobeck, McGarry, Melby, Murphy, Nagel, H. Nelson, O. B. Nelson, Noble, Nye, Opsahl, Perry, Peterson, H. A. Putnam, W. H. Putnam, Rines, Rodenberg, Rosenwald, Rustad, Sampson, Spooner, Stuart, Sulerud, Swendsen, Wallace, Ware, Washburn, Webb, Welter, White, and Mr. Speaker.

Those who voted in the negative were: Allen, Anderson, Baldwin, Bjorge, Brady, Conroy, Dalzell, Davis, Denzer, Dower, Emmel, Goodspeed, Greene, Handlan, Herzberg, Jorgenson, Kelly, Krause, Lennon, MacKenzie, Mattson, McGrath, McMartin, McNeil, Mork, Nimocks, Nolan, O'Brien, Peters, Pfaender, Phillips, Robertson, Rowe, Saugstad, Sawyer, Selb, Sikorski, Spence, Sullivan, Virtue, Wells, Westcott, Wohlhuter, and C. J. Wright.

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**The Rodenberg Bill.**

Since the story of how this monstrous woodchuck stealthily slipped through the legislature of 1907 is told in a newspaper article published after the close of that ses-

sion, I here reproduce a portion of that article:

"One afternoon in March, 1907, as I was strolling down Broadway in the capital city, pondering upon the proposition that, even though the railroads should prove their power to prevent the passage of large reforms like the Rockne bill and the distance tariff, they certainly could not hope to secure the enactment of any law that would render conditions more favorable to them than at the beginning of the session, I chanced to meet an oddly proportioned pair. They were Representative Rodenberg, a St. Paul law-giver, and Tony Manley, the railroads' legislative errand boy. The two were headed for the Great Northern offices.

There was nothing especially significant in this incident—at that time—nor did it occasion any surprise, or even the slightest show of interest when a few days later, on the 25th of March, Mr. Rodenberg introduced House File No. 938.

This bill was neglected from the start. No one appeared to pay any attention to it. But that was in accordance with the program. It was not intended that anyone—except the inner circle fellows—should know about the purposes and provisions of the measure. Honest, intelligent inspection would have proved fatal. So there was no heralding of trumpets, no explanations from the corporation press, when H. F. No. 938 started its course through the law-making mill.

"I was present at the time it took its quiet flight through both branches, but was then as profoundly ignorant of its pernicious purposes as were the many sincere reformers who voted for the measure. Probably no bad bill ever passed any law-making body more stealthily and at the same time more easily. As was once said of a similar attempt at crooked legislation, the railroads put "gum shoes on the bill, laid their fingers on their lips and held their breath."

Another interesting thing to study in connection with the very instructive history of this measure is the legisla-

tive standing of the man who introduced the bill. Publicity was not in the least desired by those behind the move. Attention was what they did not want. And in accordance with this desire that none should become so curious as to want to take a peep beneath the mask, a rather obscure and inoffensive member fathered the woodchuck. If any one of certain members whom I might mention had introduced H. F. No. 938 insurgents like Adams and Rockne would have been upon the bill in a minute, making a microscopic investigation of its intentions. But the real reformers were all so intently engaged with the "cabinet" and what the cabinet had already set in motion, that they were completely fooled and paid no attention to the obscure introducer and his monstrous woodchuck, which bestows upon the railroads unprecedented powers and political privileges.

When introduced in the House, March 25th, by Representative Rodenberg of St. Paul, the title of this bill was so constructed as to convey no hint of its pernicious provisions. It was merely "An act to amend Section 2895 of the Revised Laws, 1905." The bill was referred to the Railroad Committee and on April 4th it was reported back, with the title amended by the addition of the words, "Relating to the purchase, lease or control of one railroad by another," and the recommendation that it "do pass." I believe that this bill was of such vital interest to the railroads and so much depended upon its real purposes continuing undiscovered that they did not dare to protest in the Railroad Committee when a member suggested that amendment to the title. But no one appeared to notice, and it really did not matter, for when the bill was placed on its final passage the tell-tale title was not as the Railroad Committee had inadvertently amended it, but as it was first introduced, simply, "An act to amend Section 2,895 of the Revised Laws, 1905." Either the chief clerk or the speaker had, criminally or carelessly, printed the bill in the records minus the amendment. As the law now appears on the statutes, the words, "Relating to the pur-

chase, lease or control of one railroad by another," appear in the title, so one must conclude that they were omitted from certain House records for no other purpose than to aid in the stealthy passage of the measure through the Legislature.

Tuesday, April 23d, was the last day for the passage of bills. On the afternoon of that last day the Rodenberg bill was placed on its final passage in the House. It was a most opportune time to decide its destiny. Up to this time its real character was undiscovered. The House was then swamped with business which had to be done before midnight or not at all. Almost every member had some measure in which he was vitally interested, and for anyone to have stopped the legislative mill long enough for a critical analysis of any bill at that time might have proved fatal to his own. At any rate, H. F. No. 938 slipped through without difficulty. It passed the House by a vote of 81 to 6, Messrs. Adams, Bendixen, Knutson, Mork, Noble and Schrooten voting in the negative.

The bill was then hurried over to the Senate where it narrowly escaped a closer scrutiny. But the warning of Senators Sageng and Moonan went unheeded and it passed that body, under suspension of the rules by a vote of 34 to 13. The day following the bill was signed by Governor Johnson and became a law of the land.

What first aroused my suspicions of crookedness was the presence and activity of all the big railroad lobbyists. It was the last day of the session, remember, and all the important railroad bills had been disposed of, excepting the Senator Johnston live stock bill, and the assassination of that had been arranged for. Yet all the large lobby luminaries were in the capitol and sweating blood in their anxiety about something. They not only captured the corridors, but were seen on the floor of both House and Senate. When H. F. No. 938 came up in the upper branch that last evening, Messrs. Root, Wilkinson, Beggs and others of their ilk were actually seated in the Senate, while Tony Manley, the ex-G. N. conductor who "shadowed"

the session for the railroads, hung about the door in instant readiness to perform any errand-boy duty that might arise, should the mask be torn from the bill. But there was only a little flurry, and when their victory was assured these exceedingly clever and successful manipulators dispersed, each clothed in expansive smiles of satisfaction. Their glee was justifiable for, aided by a select few and without the knowledge of the rest, they had "pulled off" what was probably the smoothest piece of legislation ever attempted in this state.

### The Bill Itself.

Now study this statute carefully and then you will be in a position to appreciate what it may accomplish:

#### CHAPTER 395—H. F. NO. 938.

An ACT to amend section 2895 of the Revised Laws, 1905, relating to the purchase, lease or control of one railroad by another.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Section 2895 of the Revised Laws, 1905, is hereby amended to read as follows:

"Section 2895. Any domestic or foreign railroad corporation may LEASE, PURCHASE, OR IN ANY OTHER WAY BECOME THE OWNER OF, OR MAY CONTROL OR HOLD THE STOCK OF ANY OTHER RAILROAD COMPANY, WHENEVER THEIR RESPECTIVE ROADS CAN BE LAWFULLY CONNECTED AND OPERATED TOGETHER, SO AS TO CONSTITUTE ONE CONTINUOUS LINE, WITH OR WITHOUT BRANCHES. Whenever such lease or purchase shall be made by a foreign corporation it shall not be effectual for any purpose until such corporation shall have first complied with all the laws of this state pertaining to such corporation, when it shall have the same rights, powers, privileges, and be subject to the same duties, obligations and liabilities in respect to the railroad

so leased or purchased, as pertained to such road. The corporation so leasing or purchasing shall be subject to any law of this state now in force or hereafter enacted relating to the taxation of the properties so leased or purchased. But no railroad corporation shall consolidate with, lease or purchase, or in any way become the owner or have the control of any other railroad corporation, or any of the stock or franchises thereof, which owns or controls a railroad parallel to and competing with the railroad owned or controlled by such leasing or purchasing corporation; nor shall any railroad corporation purchase or in any way become the owner of any property owned and operated by any other railroad corporation as a part of a railroad which is parallel and competing to and with the railroad of such purchasing company; and the question whether any of such railroads are parallel or competing lines shall, at the election of the party complaining, be decided by a jury as in civil cases. Any railroad corporation which shall consolidate with, lease or purchase, or in any other way become the owner or acquire the control of any other railroad corporation, or any of the stock or franchises thereof, which owns or controls a railroad parallel and competing with the railroad owned or controlled by such leasing or purchasing railroad corporation, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one thousand nor more than twenty thousand dollars; and any officer of such leasing or purchasing company who shall aid, abet or participate in any violation of this section shall be guilty of a misdemeanor.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 24, 1907.

#### The Law in Operation.

This law legalizes "Alton deals" in the north star state. It gives the sanction of the statute to the "Harrimanizing"

of railroad values. When President Roosevelt and several state legislatures were just beginning to reach and attempt to punish the Harriman-Stickney sort of offenders, the law-makers of Minnesota, unwittingly, I believe, granted complete immunity to the worst class of criminals of the age, the fiends of finance who make millions from the manipulation of nothing and then compel the public to make productive of dividends all the vast irrigated areas in their stocks and bonds. The Minnesota legislature not only tied the hands of those who would regulate the Harriman brand of outrage by killing the Rockne bill, but it took a long step backward in the fight for control by the passage of H. F. No. 938.

This statute practically repeals the anti-merger statute in this state, which was intended to secure to the people the safeguard of competition.

When this bill bobbed up in the House that last day, when that august body was in the midst of a brain-storm of hilarity—such lapses of intelligence and decorum usually occur during some hour of every “last day” of a Minnesota legislature—one member stopped throwing paper long enough to inquire why the railroads wanted it passed, and then resumed his contribution to the confusion when Representative Lennon plausibly explained that one road merely desired to purchase an unimportant piece of terminal property belonging to another road, which could not be done under the old anti-merger act.

If the House had not engaged in that fierce sham battle of paper pellets, that would have been a psychic moment for some reformer to inquire why such a simple motive as the transfer of a little terminal property should make necessary all the studied phraseology that the bill contained concerning stocks, continuous lines, branches, and so forth. It would also have been the proper time to ask if a law which would permit one railroad to buy the terminal of another, would not under the same statute bestow the authority to purchase the entire system of the other road. But it all happened at an opportune time and

neither these nor any other pertinent queries were propounded.

Who drew H. F. No. 938 and arranged for its introduction? I would tell if I knew. But I feel safe in saying that the bill was drafted by some railroad man higher in efficiency than a section boss. Two attempts were made to get a similar measure through the Indiana legislature, and Gilson Gardner, in *Collier's Weekly*, asserted that the Indiana bill was drawn in the office of Francis Lynde Stetson, general counsel for J. Pierpont Morgan. Even though Mr. Hill and Mr. Morgan are known to be closely associated, commercially, this Indiana incident may not suggest any solution of the mystery concerning the real sireship of H. F. No. 938.

Coming as it did, in the very face of the wave of sentiment for reform that was sweeping the state, H. F. No. 938 was a marvelous victory for the railroads. But more marvelous than anything that the bill is or can accomplish is the fact that such a law can be enacted without the knowledge of the Legislature itself. When you consider that nearly every reformer in the House and a large share of those in the Senate voted for the passage of a bill that might eventually invalidate almost all the laws that they had passed relating to railroads, you will agree that it is not to be wondered at that the public has not as yet even heard of H. F. No. 938."

## CHAPTER IX.

## THE SALOONS AND THE LEGISLATURE.

The Minnesota Liquor Dealers' Association is a wide-awake and powerful organization in politics. No other special interest with legislative axes to grind was so active and successful. It did things systematically and thoroughly, opening up strong and sticking to the task until the session was over.

The reform forces might learn valuable lessons from the methods of the liquor forces in legislation. They started in a business like way by making a complete estimate of the situation in every district before the primaries. Where saloon candidates were not in the field, men who would stand by their program from start to finish were brought into the contests. Then they aided actively in the election of their candidates.

John F. Selb, himself a House Member from St. Paul, was one of those in charge of this pre-election work. Prominent among his field assistants was John T. Jones, of Minneapolis, for several sessions reading clerk of the House, and especially well fitted for the task by his knowledge of legislative affairs and acquaintance with public men in every district. Mr. Jones fully earned the substantial recompence he received of reappointment as reading clerk, and he continued to serve those interests during the session by lobbying for their bills and against such vital reform measures as the Initiative and Referendum.

The next step of the saloon forces was to make sure of things in the Speakership fight. With the same Lieutenant Governor as at the previous session, they had nothing

to fear from the organization of the Senate. Thus it happened that the "temperance" committees of both branches were safe and satisfactory. Having been successful in a majority of the election contests, it now only remained for them to go ahead with their legislative program.

### **Killing County Option.**

The first concern of the brewers and whiskey dealers was to defeat a county option law. Such a statute would have given the citizens of each county the right to vote for or against saloons in their county.

No one expected that a county option bill would pass. The results of the legislative elections precluded the possibility of that; but the arbitrary action of the House in shutting off all debate on the bill, thus preventing the discussion that a measure of such importance merited, and likewise preventing the opportunity of making the bill more satisfactory by amendment, was such a flagrant injustice as to inspire general disgust.

In all higher deliberative bodies, "moving the previous question" is considered high-handed and unstatesmanlike, and is never resorted to except in cases where some extraordinary necessity seems to justify its use. But the ethics of the situation evidently carried no weight with the petty politicians who made use of this cowardly parliamentary device to serve their brewery friends. At the same time, by shutting off all debate, they saved themselves from the necessity of defending their position.

The county option bill voted upon was H. F. No. 215, introduced by Mr. Ware of Northfield. The House Committee on Temperance considered it, the whole committee membership of fifteen being present. Ten of these, MacKenzie, Henry, Lennon, Goodspeed, McGarry, Rowe, Brady, Baldwin, Kling and Hinds, voted to kill the bill by "indefinite postponement." The other five members of the committee, Saugstad, Melby, Rustad, Mattson, and Swendsen, voted in favor of the passage of the bill,

and presented a minority report to the House with that recommendation. The fight came on February 4, upon the question of the adoption of the reports from the Temperance Committee.

### **The Vote on "the Previous Question."**

Chairman MacKenzie, of the Temperance Committee, moved that the majority report for "indefinite postponement" be adopted. Mr. Saugstad made a substitute motion that the minority report be adopted. At this point Mr. Wells of Breckenridge moved "the previous question," which was not debatable under the rules, and which when carried shut off all discussion on the main question.

The vote on Mr. Wells' motion for "the previous question" was as follows:

Those who voted in the affirmative were: Allen, Anderson, Austin, Baldwin, Brady, Brown, Buck, Conroy, Dalzell, Dorsey, Dower, Doyle, Duea, Emmel, Fitzpatrick, Friedman, Gartside, Goodspeed, Graham, Grant, Greene, Handlan, Borgen, Herzberg, Hinds, L. H. Johnson, Jorgenson, Kelly, Kling, Krause, Lende, Lennon, McGarry, McNeil, Mork, Murphy, Nagel, Nelson, Nimocks, Nolan, Nye, O'Brien, Peters, Peterson, Cary, Carley, Christensen, Congdon, Pfaender, Phillips, Rodenberg, Rowe, Sahler, Selb, Sikorski, Spence, Stone, Stuart, Sullivan, Virtue, Wells, Welter, Wescott, Wohlhuter, F. B. Wright and Zelch.

Those who voted in the negative were: Adams, Bendixen, Bicknell, Bjorge, Burnquist, Campbell, Carlson, Conley, Davies, Davis, Denzer, Ferguson, Gates, Haugland, Henry, Holmberg, Holten, Horton, C. E. Johnson, J. N. Johnson, J. T. Johnson, Lee, Lobeck, MacKenzie, Mattson, McGrath, McMartin, Melby, O. B. Nelson, Noble, Opsahl, Perry, H. A. Putnam, W. H. Putnam, Rines, Robertson, Rosenwald, Rustad, Sampson, Saugstad, Sawyer, Spooner, Sulerud, Swendson, Thayer, Wallace, Ware, Washburn, White, C. J. Wright, and Mr. Speaker.

**The Test on County Option.**

Mr. Wells' motion having carried, the following vote was then taken on the Saugstad motion for the adoption of the minority report, those voting in the affirmative being for the bill:

Those who voted in the affirmative were: Adams, Bendixen, Bicknell, Bjorge, Burnquist, Campbell, Carlson, Conley, Davies, Davis, Ferguson, Gates, Haugland, Holmberg, Holten, Horton, C. E. Johnson, J. N. Johnson, J. T. Johnson, Lee, Lobeck, Mattson, McGrath, McMartin, Melby, Nagel, O. B. Nelson, Noble, Opsahl, H. A. Putnam, W. H. Putnam, Rines, Robertson, Rosenwald, Rustad, Sampson, Saugstad, Sawyer, Spooner, Sulerud, Swendsen, Wallace, Ware and C. J. Wright.

Those who voted in the negative were: Allen, Anderson, Austin, Borgen, Baldwin, Brady, Brown, Buck, Cary, Carley, Christensen, Congdon, Conroy, Dalzell, Denzer, Dorsey, Dower, Doyle, Duea, Emmel, Fitzpatrick, Freidman, Gartside, Goodspeed, Graham, Grant, Greene, Handlan, Henry, Herzberg, Hinds, L. H. Johnson, Jorgenson, Kelly, Kling, Krause, Lende, Lennon, MacKenzie, McGarry, McNeil, Mork, Murphy, H. Nelson, Nimocks, Nolan, Nye, O'Brien, Perry, Peters, Peterson, Pfaender, Phillips, Rodenberg, Rowe, Sahler, Selb, Sikorski, Spence, Stone, Stuart, Sullivan, Thayer, Virtue, Washburn, Wells, Welter, Wescott, White, Wohlhuter, F. B. Wright, Zelch and Mr. Speaker.

The majority report, killing the bill by "indefinite postponement," was then adopted by an "aye" and "no" vote.

The early action in the House in killing the county option bill enabled the Senate to avoid going on record on that question at the last session.

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**A Brewery Bill.**

While the saloon forces were chiefly concerned in defeat-

ing temperance measures, in one instance they took advantage of their control of the situation to pass a pro-saloon measure. This was accomplished easily, because the bill was masked as "a concession to the temperance people."

The measure to which I refer was introduced in the Senate by S. F. Alderman of Brainard, and in the House by Frank T. White of Elk River.

Mr. Alderman's bill, S. F. No. 149, was the one which passed. This law limits the number of new saloons that can be licensed in a village or city to one for each five hundred of population, but does not disturb the legal status of the saloons having licenses at the time it was enacted. Many members who were stoutly opposed to the liquor program voted for it, in the belief that it was a reform measure, not seeing through the mask it wore. In reality this was a subtle scheme to give the big breweries a monopoly of the business.

There is said to be a "gentlemen's agreement" among the large breweries operating in the state. Each is to be supreme and free from competition in certain communities. The Alderman law makes that arrangement possible. Before the statute was changed any independent saloon keeper might start in business at almost any time or place. Now, with the number of licenses limited to a definite number, it is more easy for the big brewers to secure and keep control of the saloon situation in any district. The loss that they will suffer in a few sections through a decrease in number of saloons is richly compensated for in three ways: (1) the elimination of competition; (2) the payment of fewer license fees; and (3) the development of what might be likened to a franchise value for each license controlled under the new scheme.

Those who voted for the Alderman bill in the Senate were: Ahmann, Alderman, Anderson, Bedford, Briggs, Calhoun, Campbell, Canfield, Cashman, Clague, Coller, Donaldson, Dunn, Dutoit, Farrington, Fosseen, French, Glotzbach, Gunderson, Gunn, Hackney, Hall, Hardy, Hin-

ton, C. A. Johnson, V. L. Johnson, Johnston, Laybourn, McColl, McGowan, Naeseth, Poehler, Pugh, Putnam, Robinson, Schaller, Seward, Sullivan, Sunberg, Swanson, Witherstine, Works, and Wright.

Those who voted in the negative were: Canestorp, Dale, Elwell, A. L. Hanson, Nelson, Sageng, and Thorpe.

In the House the temperance element had more time to analyze the measure, and there was a much larger vote against it, as follows:

Those who voted in the affirmative were: Anderson, Austin, Baldwin, Bendixen, Bjorge, Borgen, Brady, Brown, Buck, Campbell, Cary, Carley, Congdon, Conroy, Dalzell, Denzer, Dorsey, Dower, Doyle, Duea, Ferguson, Fitzpatrick, Gartside, Goodspeed, Graham, Grant, Greene, Handlan, Henry, Herzberg, Hinds, L. H. Johnson, Jorgenson, Kelly, Kling, Kneeland, Krause, Lende, Lennon, McKenzie, McGarry, McGrath, McNeil, Mork, Murphy, Nagel, Nimocks, Nolan, Nye, Perry, Peters, Peterson, Pfaender, Phillips, Rodenberg, Rowe, Sawyer, Selb, Sikorski, Spence, Stone, Stuart, Sullivan, Thayer, Virtue, Wallace, Webb, Wells, Welter, Wescott, White, Wohlhuter, F. B. Wright, and Zelch.

Those who voted in the negative were: Adams, Burnquist, Carlson, Conley, Davies, Davis, Emmel, Friedman, Gates, Haugland, Holmberg, Holten, Horton, C. E. Johnson, J. N. Johnson, J. T. Johnson, Lee, Lobeck, Mattson, McMartin, Melby, O. B. Nelson, Noble, Opsahl, H. A. Putnam, W. H. Putnam, Rines, Robertson, Rosenwald, Rustad, Sampson, Saugstad, Sulerud, Swendsen, Ware, Washburn and C. J. Wright.

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### Statewide Prohibition.

State wide prohibition was indirectly voted upon March 23. E. E. Lobeck's bill, H. F. No. 743, providing for an amendment to the state constitution to prohibit the manufacture, sale or transportation of alcoholic liquors, was re-

ported back from the Temperance Committee with the recommendation that it be "indefinitely postponed." Mr. Lobeck moved that the bill be placed on general orders. The vote on his substitute motion was as follows, those voting "aye" being for the bill:

Those who voted in the affirmative were: Adams, Bicknell, Bjorge, Burnquist, Carlson, Conley, Davies, Dorsey, Duea, Holmberg, Holten, Horton, C. E. Johnson, J. N. Johnson, Lee, Lobeck, Mattson, McGrath, McMartin, H. Nelson, Noble, Opsahl, H. A. Putnam, W. H. Putnam, Rines, Robertson, Rustad, Sampson, Saugstad, Sawyer, Spence, Spooner, Selurud, Swendsen, Ware, Washburn, Wells and C. J. Wright.

Those who voted in the negative were: Allen, Anderson, Austin, Baldwin, Borgen, Brady, Brown, Buck, Campbell, Carey, Carley, Christensen, Congdon, Conroy, Dalzell, Davis, Denzer, Doyle, Emmel, Ferguson, Fitzpatrick, Friedman, Gartside, Gates, Goodspeed, Graham, Grant, Greene, Henry, Herzberg, Jorgenson, Kelly, Kling, Kneeland, Krause, Lende, Lennon, MacKenzie, McGarry, Nagel, O. B. Nelson, Nimocks, Nolan, Nye, Perry, Peters, Peterson, Phillips, Rodenberg, Rowe, Selb, Sikorski, Stone, Sullivan, Thayer, Wallace, Welter, Wescott, White, Wohlhuter, and F. B. Wright.

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### The Club Bill.

The fight for the passage of a law giving clubs the right to sell liquor without a license was an interesting and spirited struggle. It failed in the Senate, and did not get the regular anti-temperance vote in the House because a part of the saloon influence objected to the discrimination and advantage this would have given commercial and social clubs over regularly licensed saloons.

When the bill, H. F. No. 536, introduced by the Tri-County Delegation, was placed upon its final passage in

the House but 58 members voted for it, two short of the number required to pass it. Then occurred a very unusual performance. The vote was not announced for several minutes, while friends of the bill skirmished about in the corridors and pleaded with opponents of the bill, in a desperate endeavor to find the two votes. Otis F. Doyle, of St. Cloud, was finally found somewhere, and he recorded his vote for the bill, bringing the total to 59. M. V. Fitzpatrick of Stewartville, then yielded to the heavy pressure brought to bear upon him, and changed his vote from "no" to "yes," which gave the necessary 60 to pass it.

The vote in the House was as follows:

Those who voted in the affirmative were: Adams, Allen, Anderson, Austin, Bjorge, Borgen, Brown, Brady, Buck, Christensen, Congdon, Conroy, Dalzell, Denzer, Dower, Doyle, Emmel, Ferguson, Fitzpatrick, Friedman, Gartside, Goodspeed, Graham, Grant, Greene, Henry, Herzberg, L. H. Johnson, Jorgenson, Kelly, Kling, Kneeland, Lennon, MacKenzie, McGarry, McNeil, Mork, Murphy, O. B. Nelson, Nimocks, Nye, O'Brien, Perry, Peters, Peterson, Sahler, Sawyer, Selb, Sikorski, Stone, Sullivan, Virtue, Wallace, Washburn, Webb, Wells, White, Wohlhuter, F. B. Wright, and Zelch.

Those who voted in the negative were: Baldwin, Bendixen, Bicknell, Burnquist, Campbell, Carey, Carley, Carlson, Conley, Davies, Davis, Dorsey, Duea, Gates, Handlan, Haugland, Hinds, Holmberg, Holten, Horton, C. E. Johnson, J. N. Johnson, J. T. Johnson, Krause, Lee, Lobeck, Mattson, McGrath, McMartin, Melby, Nagel, H. Nelson, Noble, Nolan, Opsahl, Pfaender, Phillips, H. A. Putnam, W. H. Putnam, Rines, Robertson, Rosenwald, Rowe, Rustad, Sampson, Saugstad, Spooner, Stuart, Sulerud, Swendsen, Thayer, Ware, Welter, Wescott, C. J. Wright, and Mr. Speaker.

This club bill was killed in the Senate after a spirited fight at an evening session, April 21, prolonged until after midnight. Some of the amendments by which it was

hoped to eliminate questionable features are interesting and suggestive.

Senator Hackney, one of the leaders in the fight against the bill, offered this amendment:

By adding at the end of paragraph six, after the words "school fraternal clubs" the following:

"Provided, further, that no such club shall be authorized and permitted in any district of the state where the sale of intoxicating liquors is now prohibited by law."

Senator Elwell then submitted these two amendments:

By adding at the end of line five, on page one of the printed bill, the following words:

"Provided, that no club shall be located within one mile of state university."

By striking out after the word "that" in line six on page one of the printed bill the following words:

"no license shall be required of a duly incorporated social club," and inserting in lieu thereof the following words, to-wit: "A revenue license of One Thousand Dollars (\$1,000.00) shall be paid annually to the city wherein such club is located when said club is located in a city of the first class; all other clubs organized under the provisions of this act shall pay a revenue license of Five Hundred Dollars (\$500.00) to the city or municipal corporation wherein such club is located."

Senator Peterson moved to amend the bill as follows:

By adding to the end of Section One, the following words:

"Provided further, That all the laws of the State of Minnesota regulating and controlling the sale of intoxicating liquors shall apply to sales made under this chapter."

But every amendment was rejected, which did not matter, as the bill itself was defeated by the following vote of 26 to 33:

Those who voted in the affirmative were: Alderman,

Calhoun, Carpenter, Dunn, Durment, Dutoit, Fosseen, French, Glotzbach, Gunn, Hall, Hardy, C. A. Johnson, Johnston, Laybourn, McColl, McGowan, Pauly, Poehler, Pugh, Robinson, Smith, Sullivan, Vail, Wilson and Works.

Those who voted in the negative were: Ahmann, Anderson, Bedford, Campbell, Canestorp, Canfield, Cashman, Clague, Cooke, Dale, Donaldson, Elwell, Gunderson, Hackney, A. L. Hanson, H. E. Hanson, Hinton, V. L. Johnson, Moonan, Naeseth, Nelson, Peterson, Putnam, Sageng, Schaller, Seward, Stephens, Sundberg, Thorpe, Weis, White, Witherstine and Wright.

## CHAPTER X.

THE STREET RAILWAY'S LEGISLATIVE  
PROGRAM.

The politicians who dominated the last legislature were courageous plunderers so long as their schemes could be concealed from the public, but they became a cowardly crowd just as soon as the people saw into their schemes to aid the corporations. An aroused public sentiment is mightier than the powers of the pool. This fact should encourage all who are interested in more representative government and teach them that eternal vigilance can accomplish wonders, even in a legislature like the last one.

The 1909 Legislature failed to repeal the primary election law, because it knew the public would not stand for this step backward. The Tonnage Tax Bill passed for the same reason—their constituents were watching. But probably the most striking illustrations of the power of public opinion relate to measures forming a part of the Twin City Rapid Transit Company's legislative program.

In order that the reader may understand the situation, it will be necessary to remind him that municipal conditions in Minneapolis have been changed materially in the last few years. The Voters' League and other militant reform influences had so educated and aroused public sentiment and brought about such an improved situation in the City Council, that the Twin City Rapid Transit Company could no longer expect to secure the usual favors from

municipal sources. This and other public-service corporations realized the necessity for getting away from the control of municipal authority, and they turned naturally to the Legislature for succor.

There was introduced a Public Utilities Commission bill, which provided that the State Railroad and Warehouse Commission should have sole authority over them. The reader who is familiar with the altogether beautiful harmony existing between that body and the transportation companies over which it exercises control, will commend the good judgment of these Minneapolis public utilities in seeking to escape the watchful eyes of the people at home and to get into the jurisdiction of this "safe" state tribunal.

But the scheme failed, because the people saw through it and let the Legislature know that they saw through it.

This public utilities commission bill was H. F. No. 300. It was introduced jointly by Messrs. Wallace, W. H. Putnam and Dorsey. A trip to the Wisconsin capital, and a careful investigation of the operation of the Wisconsin law, which seems to be working well in that state, largely because an exceptional governor had appointed an exceptional commission to enforce it, convinced these gentlemen that the principle could wisely be applied to the Minnesota situation.

H. F. No. 300 was introduced January 28th and appeared certain of passage. On Feb. 4th printed copies were in the hands of members, an unusual distinction for a bill still in its committee. Later, five hundred more copies were printed. Then nothing more was officially heard of the bill until April 14th, when it was quietly chloroformed by the Committee on General Legislation. It seemed that the Saturday Lunch Club of Minneapolis, and other organizations, had appeared on the scene and made it known that the people knew all about the parentage and purpose of the bill. After that demonstration

of alert public sentiment, no amount of corporation influence could have enacted it into law.

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### Nolan's Street Railway Bill.

Public opinion also killed an even more vicious street railway bill. This was H. F. No. 266, introduced by W. A. Nolan of Grand Meadow. Since the bill tells its own story, it is here reproduced. As originally introduced in the House, the full text of the bill was as follows:

"A Bill for an Act Placing Street Railways under the Jurisdiction of the Railroad and Warehouse Commission.

Be it enacted by the Legislature of the State of Minnesota.

Section 1. That all street railways and street railway companies shall hereafter be subject to the supervision and control of the Railroad and Warehouse Commission, and all power and authority now vested by law, ordinance, charter, contract, or otherwise, in Common Councils or other governing bodies of any city or other municipality in this state over street railways and street railway companies, is hereby vested exclusively in the Railroad and Warehouse Commission, and in the exercise of such power and authority, said Committee shall proceed, as nearly as practicable, in the manner provided in Chapter 28 of the Revised Laws of 1905 and the several acts amendatory thereof.

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Section 3. This act to be in force from and after its passage."

The language is very plain. The bill as introduced destroyed all council and other local authority over these municipal franchise corporations. It vested all power and

authority "exclusively" in the hands of the Railroad and Warehouse Commission, a body of men not elected by the people to perform this duty and without special training or qualifications for such service.

On January 26th, this bill was referred to the author's own committee on Express, Telegraph and Electric Railways, composed of the following members: Messrs. Nolan, J. T. Johnson, Thayer, Wohlhuter, Stuart, Gates, Brady, Greene, Stone, Sullivan, Conroy, Lennon, L. H. Johnson, Davis, Kling, J. N. Johnson and Grant.

On February 19, H. F. No. 266 was reported back to the House from this committee with the following important amendment added to the end of section 2:

"But nothing herein contained shall authorize the modification, or impairment of any duty, obligation, right or privilege imposed by or contained in any law, contract, obligation or any ordinance or resolution heretofore adopted."

The bill as amended provided very clearly that street railway companies would be free to conduct their business as they pleased, with neither the municipalities nor the state having any right of regulation beyond the local laws then in force.

Impossible as it may seem, this notorious corporation scheme progressed as far as the calendar in the House. There was no protest when Nolan's Committee on Express, Telegraph and Electric Railways reported it back with the "joker" amendment and the recommendation that it "do pass." And a majority of the House, sitting as a committee of the whole, voted to advance it to the calendar on March 12. There was vigorous opposition at this point, but a majority voted with Nolan and L. H. Johnson because there was no roll call, and consequently no public record of their support. The discreet and cowardly conduct of members who know the public is looking, or will later have an opportunity to review the records, was evidenced at this point in the attitude of L. H. Johnson, the former speaker. When the fight was being made

to get the bill past general orders, a proceeding in which only an "aye" and "no" vote was taken, Mr. Johnson made the strongest speech for the measure. Later when the roll was called and a permanent record made, he voted against it.

In the meantime public opinion was at work. The people of the Twin Cities became so generally aroused that even the big dailies took notice and joined in the agitation against the bill. The measure remained on the calendar until March 16, its author not daring to risk a vote on its final passage. Then Burnquist, the only House insurgent from St. Paul, moved that it be sent to the Judiciary Committee for a public hearing. A roll call was demanded, which furnished the only record on the bill. Burnquist's motion carried by the following vote, those voting "aye" being either honestly against the bill or afraid to openly support it:

Those who voted in the affirmative were: Adams, Anderson, Austin, Baldwin, Bendixen, Bicknell, Borgen, Brady, Burnquist, Campbell, Carey, Carley, Carlson, Congdon, Conley, Davies, Denzer, Emmel, Ferguson, Friedman, Greene, Handlan, Haugland, Herzberg, Holmberg, Horton, J. N. Johnson, J. T. Johnson, L. H. Johnson, Kelly, Kneeland, Krause, Lee, Lende, Lobeck, Mattson, McNeil, Murphy, O. B. Nelson, Noble, Nye, O'Brien, Opsahl, Perry, Peters, Peterson, Pfaender, Phillips, H. A. Putnam, W. H. Putnam, Rines, Rodenberg, Rowe, Sahler, Sampson, Saugstad, Sawyer, Sikorski, Spence, Spooner, Stone, Selerud, Sullivan, Swendsen, Virtue, Wallace, Ware, Washburn, Welter, C. J. Wright, F. B. Wright, and Zelch.

Those who voted in the negative were: Buck, Christensen, Conroy, Dalzell, Davies, Dorsey, Doyle, Duca, Fitzpatrick, Gates, Goodspeed, Grant, Henry, C. E. Johnson, Jorgenson, Kling, Lennon, MacKenzie, McGarry, McGrath, McMartin, Melby, Mork, Nagel, H. Nelson, Nimocks, Nolan, Robertson, Rosenwald, Rustad, Stuart, Thayer, Wells, Wescott, White and Wohlhuter.

After being given into the custody of the Judiciary Com-

mittee, this street railway bill had to submit to a hearing, and the public got the opportunity for a good look into its interior anatomy. Judge W. A. Lancaster and other members of the Minneapolis Bar Association made the examination, which proved to be of a post mortem nature, for it revealed such an acute corporation condition that its parent and supporters did not dare to make an effort to save it.

During this public hearing, and at other times when the measure was under attack, Mr. Nolan contended that its chief purpose was to provide means whereby the Twin City Rapid Transit Company would be forced to let country electric lines into the cities. In this way he tried to create the impression, and he did deceive certain country members, that this was a fight between the Twin City Rapid Transit Company and the Dan Patch Air Line. There was absolutely nothing to this claim. Both concerns were for the bill. No one knew this better than Nolan himself, for as a former stockholder and director of the Dan Patch Air Line he could not have been ignorant of the arrangement made between the two companies by which the outside concern was to enter Minneapolis over the lines of the other.

Still he adhered to that excuse, even after a prospectus of the Dan Patch Company had been produced which contained the signed promise of the Twin City Rapid Transit Company's president to permit that line to use the urban tracks of the Twin City Company. But when W. D. Washburn, Jr., introduced an honest bill, specifically covering this point, Mr. Nolan proved his own insincerity by moving the "indefinite postponement" of both bills on the subject.

## CHAPTER XI.

### DIRECT LEGISLATION AND PRE-ELECTION PLEDGES.

The quiet, irresistible power of the pool was demonstrated most effectively in the defeat of every attempt to pass an Initiative and Referendum bill. No reform program is so much feared by politicians and corporations as direct legislation. They know that if the people had the right to pass upon the acts of a legislature and to initiate legislation, if necessary, corruption and partiality in law-making would well nigh disappear. With the power of veto vested in the people, individuals or interests would rarely take the trouble to bribe or coerce a legislature into the enactment of an iniquitous law.

But I do not need to discuss the merits of the direct legislation idea. Its justification is admirably shown in the character and motive of those who oppose it. If it were not the most vital and necessary of all reforms the pool would never have gone to such extremes to defeat the measure.

In order to kill the Initiative and Referendum bill in the house the pool had to make twenty-eight men repudiate their pre-election promises to their constituents. In private life the man who willfully breaks a promise lays himself open to the censure of a very ugly name. Only the excessive leniency of the American people toward the shortcomings of their legislative representatives deters the public from applying the same name to men who repudiate solemn political promises deliberately entered into.

The Initiative and Referendum bill that came to a vote in the House was H. F. No. 183, introduced and championed by J. N. Johnson, of Canby. The Judiciary Committee of the House acted on this bill when nineteen of the twenty-seven members of the committee were present and voted as follows: Messrs. Austin, Christenson, Congdon, Dalzell, Graham, Grant, Kling, MacKenzie, Pfaender, Selb, Stuart, Wallace and White voted to kill the bill by "indefinite postponement." Messrs. J. N. Johnson, Haugland, Kneeland, Carley, Burnquist and Bicknell voted to recommend the bill for passage.

The House was placed upon record on this measure February twenty-fifth, when "majority" and "minority" reports came from the Judiciary Committee. A report favoring "indefinite postponement" was presented on behalf of the thirteen, and Mr. Bicknell, chairman of the Committee, moved its adoption. Mr. J. N. Johnson made a substitute motion that the "minority" report, signed by himself, Haugland, Carley, Burnquist and Davies recommending that the bill "do pass," be adopted. The vote was as follows, those voting "aye" being for the bill:

Those who voted in the affirmative were: Adams, Anderson, Bendixen, Bjorge, Brown, Burnquist, Campbell, Carley, Carlson, Conley, Davies, Duea, Fitzpatrick, Greene, Haugland, Holton, Horton, Johnson, C. E., Johnson, J. N., Johnson, J. T., Jorgenson, Kneeland, Lee, Lobeck, McGrath, McNeill, Melby, Noble, Nye, Opsahl, Phillips, Putman, H. A., Putman, W. H., Rosenwald, Rustad, Sahler, Sampson, Saugstad, Sawyer, Sulerud, Sullivan, Thayer, Ware, Wright, C. J., Mr. Speaker.

Those who voted in the negative were: Austin, Baldwin, Bicknell, Borgen, Brady, Buck, Carey, Christenson, Congdon, Dalzell, Davis, Denzer, Dorsey, Dower, Doyle, Emmel, Ferguson, Friedman, Gartside, Gates, Goodspeed, Graham, Grant, Handlan, Henry, Herzberg, Hinds, Holmberg, Johnson, L. H., Kelly, Kling, Krause, Lende, Lennon, MacKenzie, Mattson, McGarry, McMartin, Mork, Nagel, Nelson, H., Nelson, O. B., Nimocks, Nolan,

O'Brien, Perry, Peters, Peterson, Pfaender, Rines, Robertson, Rodenberg, Rowe, Selb, Sikorski, Spence, Spooner, Stone, Stuart, Swendsen, Wallace, Webb, Wells, White, Wohlhuter, Washburn, Wright, F. B., Zelch.

The last Democratic state platform contained this plank:

"Recognizing the Initiative and Referendum as a most efficient means by which the citizenship of this state may beneficently control legislation and strengthen and perpetuate democratic government, we pledge the Democratic administration of Minnesota and the Democratic members of the Senate and House of Representatives to the support of the measure before the last legislature, known as S. F. No. 78, the Fitzpatrick bill, or of some measure equally effective, and we appeal to all citizens of Minnesota, regardless of party, to see that this most important measure is enacted into law in the coming session."

Twenty-one Democratic members in the House were elected on that platform, and yet only five of that number voted for the bill.

The Democrats who violated their party platform obligation by voting "no" on this bill were: Baldwin, Brady, Dorsey, Emmel, Friedland, Handlan, Herzberg, Kelly, O'Brien, Peters, Pfaender, Sikorski and Spence. Three of the twenty-one Democrats in the House, Murphy, Virtue and Welter, dodged the vote, which amounted to the same thing as voting against it.

The Minnesota Federation of Labor secured even more specific pledges of support from forty-five House members, and yet eighteen of that forty-five repudiated their promises, given over their own signatures.

The eighteen members who broke their agreement with the Federation of Labor were the following: Brady, Christensen, Dorsey, MacKenzie, Mattson, Nimocks, Perry, Pfaender, Rodenberg, Rowe, Gates, Handlan, L. H. Johnson, Selb, Spence, Spooner, Wallace and White.

It would be mighty interesting to know the character

of the influence or the coercion that was used to induce thirteen Democrats to violate their contract with the people, expressed so plainly in the party platform, and to move eighteen House members to openly repudiate their written pledges to support the measure.

A similar Initiative and Referendum bill was introduced in the Senate by Ole O. Sageng, of Otter Tail county. It passed into the hands of the Judiciary Committee on January 22, where it hibernated during the winter. The bill is still sleeping in that committee.

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### Muzzling the Masses.

While the pool was able, in its desperate fight against direct legislation, to compel those eighteen men to break their pre-election promises, these interests did not find it easy to deal with such a situation.

At the previous session of 1907, anticipating just such difficulties, the pool attempted to make unlawful any and all reform efforts of this kind. In order that the people may know what was contemplated by this pernicious measure, which was introduced by Senator Hinton, I here reproduce the bill, with a record of the vote upon it in the Senate:

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Any person, either individually or as an officer, or member of any committee, corporation or association, which solicits or demands of any candidate for school director, member of a board of education, or for member of any legislative body, either municipal, state or federal, that he shall vote for or against any particular bill or measure which may come before such body to which he may be elected, and any candidate who signs or gives any pledge that he will vote for or against any such bill

or measure that may be brought before such body, is guilty of a misdemeanor, and any candidate convicted under the provisions of this section is, in addition, disqualified from holding the office to which he may be elected.

The provisions of this section do not apply to any pledge or promise that any such candidate may give to a convention by which he may be nominated to such office, or those who sign a certificate of his nomination, or to the voters of the municipality, district or state wherein he is candidate for election, either in public addresses or through the press, or in any other public way.

Section 2. This act shall take effect and be in force from and after its passage.

The Hinton bill was defeated, the vote being as follows:

Those who voted in the affirmative were: Anderson, Briggs, Calhoun, Campbell, Coller, Cooke, Dunn, Durement, Farrington, Gunn, Hall, Hardy, Hinton, Laybourn, McColl, Pugh, Putnam, Seward, Smith, Stephens, Vail and White—22.

Those who voted in the negative were: Ahmann, Alderman, Canestorp, Canfield, Carpenter, Cashman, Dale, Donaldson, Elwell, Fitzpatrick, Fosseen, Glotzbach, Gunderson, Hackney, H. E. Hanson, A. L. Hanson, V. L. Johnson, McGowan, Naeseth, Nelson, Pauly, Peterson, Robinson, Sageng, Sullivan, Sundberg, Swanson, Thorpe, Weis, Witherstine, Works and Wright—33.

Bedford, Clague, Dutoit, C. A. Johnson, Johnston, Moonan, Poehler, Schaller and Wilson did not vote either way on the Hinton bill.

Although great pressure was brought to bear upon members to support the Hinton bill, especially by the liquor interests, only twenty-two senators dared to go on record as favoring so vicious and un-American a principle as that embodied in the measure. The right of his constituents to initiate legislative policies ought to be encouraged by every honest representative of the people, if

he desires to represent in good faith those who elected him.

The passage of the Hinton bill would have given the special interests substantial aid in their fight to continue their control of the politics of the state and the making of its laws. And it would have taken from the people the right they now possess of compelling candidates publicly and privately to pledge themselves on questions of common concern.

## CHAPTER XII.

## WOMAN SUFFRAGE.

The question of woman suffrage should be considered in connection with the Initiative and Referendum because they are two of the biggest educational reform movements in our political life. One of the most interesting things about the defeat of both of these issues is that the enemies of both are invariably the same and the same methods used to defeat one defeat the other. The special privileged classes and the professional politicians are constitutionally opposed to more voters and to the extension of more power to those who now vote. The enfranchisement of woman would mean the one and direct legislation the other.

The merits of both of these measures, direct legislation and votes for women, are emphasized in the character and purpose of the opposition to their enactment. Senator W. W. Dunn, attorney and lobbyist for the brewery interests, was most active against the Sageng Woman Suffrage bill in the Senate. Other components of the pool were equally interested in the defeat of this measure in both branches of the legislature.

The Sageng bill was reported for "indefinite postponement" by Senator Dunn's Committee on Elections, February 25th. Senator Sageng refused to submit to that kind of death for the measure and moved that the bill be printed and placed on "general orders." His motion had to give place to a substitute motion by Senator Seward that the bill be re-referred to the Committee on Elections, which carried. On March 4th that committee reported

the bill without recommendation, and it therefore progressed to "general orders," where the Senate, sitting in committee of the whole, "indefinitely postponed" it, March 29th. Up to this stage the measure had been so manipulated as to save its opponents the necessity of going on record. But on March 31st Senator Sageng moved a reconsideration of the vote by which the bill had been indefinitely postponed on general orders and demanded a roll call. The motion was defeated, 26 to 29, as follows, those voting "aye" being for the advancement of the bill:

Those voting in the affirmative were: Bedford, Cashman, Clague, Collier, Cooke, Dale, Donaldson, Elwell, Gunderson, Hackney, H. E. Hanson, V. L. Johnson, Moonan, Nelson, Pauly, Peterson, Putnam, Sageng, Schaller, Seward, Sundberg, Thorpe, White, Wilson, Witherstine and Wright.

Those voting in the negative were: Ahmann, Alderman, Briggs, Calhoun, Campbell, Canestorp, Canfield, Carpenter, Dunn, Durment, Dutoit, French, Gunn, Hall, Hardy, C. A. Johnson, Johnston, Laybourn, McColl, Naeseth, Pugh, Robinson, Smith, Stephens, Sullivan, Swanson, Vail, Weis and Works.

J. N. Johnson, author of the Initiative and Referendum bill, also championed woman suffrage in the House. His bill, H. F. No. 228, was reported from the Committee on Elections "without recommendation." Mr. Johnson moved that it be advanced to "general orders," and Mr. O'Brien made a substitute motion that the bill be "indefinitely postponed." The roll call was upon this substitute motion, those voting "aye" being against the bill.

Those voting in the affirmative were: Anderson, Baldwin, Borgen, Brown, Buck, Burnquist, Carey, Conroy, Dalzell, Davis, Denzer, Emmel, Friedman, Gartside, Gates, Goodspeed, Graham, Grant, Greene, Handlan, Henry, Herzberg, L. H. Johnson, Jorgenson, Kelly, Kling, Krause, Lende, Lennon, MacKenzie, Mattson, McGarry, McNeil, Murphy, Nagel, H. Nelson, O. B. Nelson, Nim-

ocks, Nolan, Nye, O'Brien, Perry, Peterson, Pfaender, Rodenberg, Rowe, Rustad, Sahler, Selb, Sikorski, Spence, Stone, Sullivan, Wallace, Wells, Welter, Wescott, White and F. B. Wright.

Those who voted in the negative were: Adams, Allen, Bendixen, Bicknell, Bjorge, Campbell, Carley, Carlson, Conley, Davies, Dorsey, Duea, Ferguson, Fitzpatrick, Haugland, Hinds, Holmberg, Holten, Horton, C. E. Johnson, J. N. Johnson, J. T. Johnson, Kneeland, Lee, Lobeck, McGrath, McMartin, Melby, Noble, Opsahl, Phillip, H. A. Putnam, W. H. Putnam, Rines, Robertson, Rosenwald, Sampson, Saugstad, Sawyer, Spooner, Stuart, Sulerud, Swendsen, Ware, Wohlhuter and C. J. Wright.

## CHAPTER XIII.

## THE POOL AND THE PRIMARY.

While Minnesota was among the first to adopt the primary election principle, it has since dropped out of the progressive class by failing to extend the popular primary to the nomination of all state officials and United States senators. Rather than advance the legislature has indicated a disposition to go back to the old boss-ruled convention system. Several bills repealing the primary election law were introduced at the last session, but the measure that came nearest to the finishing line, and the one that would certainly have been enacted had the pool and politicians dared outrage the sentiment of the state, was Senator Canfield's S. F. No. 362.

Mr. Canfield did not belong to the crowd that worked with him for the passage of this bill. In all save his belief that the primary was ineffectual, he was an insurgent. That was why the gang got back of his bill. A bad bill always slides along easier and goes farther with a patriot than a politician pushing it.

The Canfield bill provided that nominations for all elective officers should be made by delegates in convention. It meant a return to the old discredited system.

Senator W. W. Dunn, of the Hamm Brewing Company, and general all-around lobbyist for the liquor interests, was chairman of the Senate Committee on Elections. The interests that he represented preferred conventions to primaries, and naturally he did his best to get S. F. No. 362 out of his committee without a minority report. On February 24 he got the Elections Committee together un-

der circumstances which made it impossible for Senators Cashman, Gunderson and Peterson to attend. Thus these three members, all favorable to the primary, had no opportunity to protest before the bill came before the Senate.

The Canfield bill was defeated in the Senate by the following vote of 23 to 34:

Those who voted in the affirmative were: Anderson, Briggs, Calhoun, Campbell, Canfield, Carpenter, Collier, Cooke, Dale, Dunn, French, Gunn, Hall, H. E. Hanson, Hinton, C. A. Johnson, Johnston, Putnam, Smith, Stephens, Thorpe, Witherstine, and Wright.

Those who voted in the negative were: Ahmann, Bedford, Canestorp, Cashman, Clague, Donaldson, Durment, Elwell, Fosseen, Glotzbach, Gunderson, A. L. Hanson, Hardy, V. L. Johnson, Laybourn, McColl, McGowan, Nae-seth, Nelson, Pauly, Peterson, Poehler, Pugh, Robinson, Sageng, Schaller, Seward, Sullivan, Sunberg, Vail, Weis, White, Wilson, and Works.

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### **A State Wide Primary.**

Senator Moonan made an attempt through S. F. No. 69 to extend the primary to all elective officers, but the Senate refused to make this advance by a vote of 28 to 32, as follows:

Those who voted in the affirmative were: Ahmann, Anderson, Canestorp, Cashman, Dale, Donaldson, Dutoit, Elwell, Fosseen, Glotzbach, A. L. Hanson, H. E. Hanson, Hardy, V. L. Johnson, McColl, McGowan, Moonan, Nae-seth, Pauly, Peterson, Poehler, Robinson, Sageng, Schaller, Seward, Sundberg, Weis and Works.

Those who voted in the negative were: Alderman, Bedford, Briggs, Calhoun, Campbell, Canfield, Carpenter, Clague, Collier, Cooke, Dunn, Durment, French, Gunderson, Gunn, Hall, Hinton, C. A. Johnson, Johnston, Lay-

bourn, Nelson, Pugh, Putnam, Smith, Stephens, Sullivan, Thorpe, Vail, White, Wilson, Witherstine and Wright.

\* \* \*

### The McColl Bill.

Senator McColl's bill, S. F. No. 374, providing for the election of United States senators by direct vote of the people, was reported upon by the Senate Committee on Elections, February 15, their recommendation being that the bill be "indefinitely postponed." This report was adopted. But on March 15 Senator McColl moved that the vote by which the report of the Committee on Elections upon S. F. No. 374 was adopted be reconsidered. This provided the only test upon the question, and resulted as follows, those voting "aye" being for the direct election of United States senators:

Those who voted in the affirmative were: Ahmann, Bedford, Cashman, Collier, Donaldson, Dutoit, Elwell, Farrington, Fosseen, Glotzbach, A. L. Hanson, H. E. Hanson, Hardy, McColl, McGowan, Moonan, Pauly, Poehler, Robinson, Sageng, Schaller, Sundberg, Vail, Weis, Witherstine, and Works.

Those who voted in the negative were: Alderman, Anderson, Briggs, Calhoun, Campbell, Canestorp, Canfield, Carpenter, Clague, Cooke, Dale, Dunn, Durment, French, Gunderson, Gunn, Hackney, Hall, Hinton, C. A. Johnson, V. L. Johnson, Johnston, Laybourn, Naeseth, Nelson, Peterson, Pugh, Putnam, Seward, Smith, Stephens, Sullivan, Swanson, Thorpe, White, Wilson and Wright.

\* \* \*

### Repealing the "Corrupt Practices" Act.

There was a pair of bad election bills that the pool wanted passed. One was the repeal of the primary elec-

tion law. Its companion was S. F. No. 111, introduced by D. S. Hall, a bill repealing every section of the "corrupt practices act." The scope and extent of this bill was changed greatly by the following amendment proposed by Senator F. H. Peterson:

Amend both title and section one (1) thereof by striking out the words and figures "three hundred and forty-eight (348) to three hundred and fifty-eight (358)" and inserting in lieu thereof the words and figures, "three hundred and forty-nine (349)."

Modified by this amendment the bill repeals only that section of the corrupt practices act which placed a limit upon the amount different candidates could expend legally on election.

The vote in the Senate upon the final passage of the bill as amended was 33 to 11, as follows:

Those who voted in the affirmative were: Alderman, Anderson, Calhoun, Canestorp, Carpenter, Cooke, Dale, Dunn, Dutoit, Farrington, French, Glotzbach, Gunn, Hall, H. E. Hanson, Hinton, C. A. Johnson, Johnston, McGowan, Nelson, Peterson, Poehler, Pugh, Putnam, Robinson, Smith, Stephens, Sullivan, Thorpe, Weis, Wilson, Works and Wright.

Those who voted in the negative were: Ahmann, Bedford, Briggs, Cashman, Donaldson, Durment, Fosseen, A. L. Hanson, Sageng, Sundberg, and White.

This measure was defeated in the House April 21 by a vote of 49 to 65, as follows:

Those who voted in the affirmative were: Allen, Anderson, Austin, Borgen, Brady, Brown, Buck, Christensen, Congdon, Conroy, Dalzell, Denzer, Doyle, Ferguson, Fitzpatrick, Gartside, Grant, Greene, Handlan, Henry, L. H. Johnson, Kelly, Kling, Krause, Lennon, MacKenzie, McGarry, McNeil, Mork, Nagel, Nimocks, Nolan, Nye, O'Brien, Perry, Peters, Peterson, Phillips, Rines, Rodenberg, Sahler, Selb, Stone, Sullivan, Virtue, Wescott, White, F. B. Wright and Zelch.

Those who voted in the negative were: Baldwin, Ben-

dixen, Bicknell, Bjorge, Burnquist, Campbell, Carey, Carley, Carlson, Conley, Davies, Davis, Dorsey, Dower, Duea, Emmel, Friedman, Gates, Goodspeed, Haugland, Hinds, Holmberg, Holten, Horton, C. E. Johnson, J. N. Johnson, J. T. Johnson, Jorgenson, Kneeland, Lee, Lende, Lobeck, Mattson, McGrath, McMartin, Melby, Murphy, H. Nelson, O. B. Nelson, Noble, Opsahl, Pfaender, H. A. Putnam, W. H. Putnam, Robertson, Rosenwald, Rustad, Sampson, Saugstad, Sawyer, Sikorski, Spence, Spooner, Stuart, Sulerud, Swendsen, Thayer, Wallace, Ware, Washburn, Webb, Welter, Wohlhuter, C. J. Wright, and Mr. Speaker.

Neither the people nor their political enemies either lost or gained much through the changed election laws, which suited the politicians and corporations very well. The people unquestionably should have been given a general extension of the primary.

## CHAPTER XIV.

## LOG-ROLLING—AN EXAMPLE AND A REMEDY.

I have already suggested the existence of that pernicious evil in Minnesota law-making, known as log-rolling. Under this system practically nothing is considered on its own merits. Every measure is a matter of barter.

If it were possible to legislate to that end, and a bill were introduced to bring Heaven to Minnesota and keep it here, the measure could hardly pass our state legislature unless the author were willing to secure votes through log-rolling. He would have to promise to support the pet measure of each of a majority of his colleagues before he could obtain their support for his bill. "You do this and I'll do that," is the attitude of almost every member.

I believe that few legislators realize that this amounts to bribery. But substantially that is what it is. One member sells his vote on a certain measure and buys a vote for his own. It is none the less bribery because no money is involved. Under this system votes are the medium of exchange.

Ole O. Sageng, 59th District, Otter Tail County—is probably the freest from this "trading" taint of any member of either branch. He recognized the evil clearly and fought it at every opportunity. When the Cass Lake Normal School bill was before the Senate he attacked it in one of the strongest speeches of the session. That measure had little to commend it, yet so diligently and energetically did its authors "trade" that it passed both House and Senate.

Mr. Sageng has made an enviable record in many ways. With him every measure has always been supported or opposed solely because of its provisions and purposes. He was possibly the only member in either body who always read and studied every bill that was acted upon. Up to the middle of the last session he had earned a distinction probably never before equalled in any legislative body. During one term in the House and a session and a half in the Senate, Mr. Sageng missed only one roll call, which occurred when he had temporarily left the chamber to get a book.

Senator Sageng's greatest service to the state consisted in his fight to reform the rules, curtail the power of standing committees and change the system that controls legislative procedure. He had sufficient ability to see that legislative methods must be reformed before other reforms would be possible. He fought not Cannon, but Cannonism, as that element in law-making manifested itself in the legislature.

Always alert and fearless and fair, Sageng stood as the advocate of a more deliberate Senate, with honesty and the public welfare as the basis of the consideration of every measure.

**D. M. Gunn, 52nd District, Grand Rapids.**—The Cass Lake Normal bill was in charge of Gunn in the Senate. Since its foundation and superstructure were built of barter, his performance in getting it through the upper branch would brand him as about the leading exponent of legislative log-rolling. He stood with the pool in everything.

**P. H. McGarry, 52nd District, Walker**—had charge of the Cass Lake bill in the House and succeeded in trading it through that body. He needs no further characterization as a patron of the pool and its methods.

#### **The Cass Lake Normal Bill.**

There has already been sufficient suggestion as to the character of this measure. It passed the Senate by the following vote:

Those who voted in the affirmative were: Alderman, Calhoun, Campbell, Collier, Dunn, Durnment, Dutoit, Farrington, Glotzbach, Gunn, Hall, Hardy, Hinton, C. A. Johnson, V. L. Johnson, Laybourn, McColl, McGowan, Moonan, Pauly, Poehler, Pugh, Putnam, Robinson, Seward, Smith, Sullivan, Swanson, Vail, Weis, Wilson, and Witherstine—32.

Those who voted in the negative were: Ahmann, Anderson, Bedford, Briggs, Canestorp, Canfield, Cashman, Clague, Cooke, Dale, Donaldson, Elwell, Fosseen, French, Gunderson, A. L. Hanson, H. E. Hanson, Johnston, Nacseth, Nelson, Peterson, Sageng, Thorpe, White and Works—25.

### The Bill in the House.

This bill passed the House April 2nd with just enough votes, as follows:

Those who voted in the affirmative were: Allen, Anderson, Austin, Baldwin, Bjorge, Borgen, Brady, Brown, Buck, Carley, Christenson, Congdon, Dalzell, Denzer, Dorsey, Emmel, Ferguson, Fitzpatrick, Friedman, Gates, Goodspeed, Graham, Grant, Greene, Handlan, Herzberg, L. H. Johnson, Jorgenson, Kelly, Kling, Lende, Lennon, MacKenzie, McGarry, McMartin, Melby, Nimocks, Nolan, O'Brien, Perry, Peters, Pfaender, Phillips, Rodenberg, Rowe, Sahler, Selb, Sikorski, Spence, Stone, Stuart, Sullivan, Thayer, Virtue, Wells, Welter, Wescott, White, Wohlhuter, and F. B. Wright.—60.

Those who voted in the negative were: Adams, Bendixen, Bicknell, Burnquist, Campbell, Carlson, Conley, Davies, Davis, Dower, Doyle, Duea, Gartside, Haugland, Hinds, Holmberg, Holton, Horton, C. E. Johnson, J. N. Johnson, J. T. Johnson, Kneeland, Krause, Lee, Lobeck, Mattson, McGrath, McNeil, Nagel, H. Nelson, O. B. Nelson, Noble, Nye, Opsahl, Peterson, H. A. Putnam, W. H. Putnam, Rines, Rosenwald, Robertson, Rustad, Sampson,

Saugstad, Sawyer, Spooner, Sulerud, Swendsen, Wallace, Ware, Washburn, Webb, and C. J. Wright—52.

\* \* \*

### A Remedy for Log-Rolling.

Direct legislation, discussed in a previous chapter, would give the people power over all such situations as above recited. If the people had the weapon ready for use it would not be necessary to invoke the referendum except under extraordinary conditions, but the remedy would be at hand if it were needed to undo the work of the system.

Here is a constitutional amendment proposed for the state of Oregon which would undoubtedly help much to end the log-rolling evil:

"Every citizen shall have the right to bring an action in the circuit court at the seat of government against any measure within ten days after it is passed by the legislative assembly, alleging that the same was passed by bargaining, trading, log-rolling or other forms of undue influence. Summons and a copy of the complaint shall be served upon the attorney general and the presiding officers of both houses as other process is served. The attorney general shall defend the action, but senators and representatives may employ assistant counsel. The case shall be advanced on the docket if necessary and tried within twenty days after the close of the session. The verdict of the jury shall be on preponderance of evidence. If the jury finds from the evidence that they believe the bill was passed by any undue influence, that verdict shall be filed with the secretary of state; and as to such measure the verdict shall have the same effect as a petition for the referendum; said bill shall be referred to the

people by the secretary of state for approval or rejection at the next regular general election. Senators, representatives, officers and other persons may be subpoenaed and compelled to testify after the close of the session, but they shall not be prosecuted criminally or civilly for any action to which they shall testify."

Since log-rolling is the commonest and worst of all legislative practices, I believe that members of both House and Senate should take the following additional oath of office:

"I do further affirm and promise the voters of the State of Minnesota that during my term of office, in acting or voting as such officer upon any measure, I will always vote solely on my judgment that the bill or resolution will or will not advance the general welfare, and without reference to the vote, action or caucus of members on that or any other measure, and without any understanding except my public pledge to the people or instructions from the people in any form with any member or person that I will aid or be friendly to a measure in which he is interested because he will or may be inclined to aid one in which I am interested."

## CHAPTER XV.

## MINNEAPOLIS AND THE GAS TRUST.

The so-called "Eminent Domain" bill furnished one of the best tests of the session of the temper of the legislature on issues involving the interests of the people as against those of the corporations.

This bill was brought forward to aid the Minneapolis public in a situation, then almost at hand, that affects in a most vital way the future relations between the Minneapolis Gas Light Company and its patrons. This company, one of the subsidiary concerns of the great Philadelphia Gas Trust, is operating under a franchise granted in 1870, and continuing forty years. The grant provides that at the expiration of the forty year term, on February 24th, 1910, the city shall have the right to purchase the company's property; and, on its failure to do so, that the franchise shall continue twenty years longer, under the same terms as named in the original contract.

The city had no legal means of securing the money with which to purchase the property, and in the absence of this was in no position to deal with the situation advantageously for the public interests. The advantage was all in favor of the company. The city seemingly was in a desperate plight, with no recourse other than to accept any terms that the company might make. Legislation, giving the city more adequate power to meet the situation was an absolute necessity, and the only hope left.

With this worthy purpose in view, Senator J. T. Ellwell introduced and championed S. F. No. 308, a bill authorizing cities of more than 50,000 population "to ac-

quire lighting and water plants and property therefor by exercise of eminent domain." The bill was referred to the Tri-County delegation, the chairman of which was that crafty champion of the Gas Trust, Senator J. F. Calhoun. This fact explains why it was that the real fight on this important measure took place in the House instead of the Senate.

The Elwell bill was introduced in the Senate February 2nd. For more than two months Senator Calhoun was able to sit on the lid and hold this measure in his committee, which was made up of all the Senate members from the three large counties. No pressure or influence availed to bring the bill from that committee until it became apparent that the Senate would be forced to go on record on a similar measure introduced by C. L. Sawyer in the House. Then Calhoun permitted the Elwell bill to come from the Tri-County delegation. This was on April 15th, too late in the session to get it through both branches, with business badly congested and reform measures handicapped by a hostile organization and interpretation of the rules. This situation furnishes a striking illustration of the power for evil of the standing committee in legislation.

The arbitrary attitude of Calhoun and his committee had, before this, convinced the friends of the measure that the Elwell bill could never become a law, and, on March 29th, they started a similar bill through the House, with C. L. Sawyer in charge. Mindful of the experience of the bill in the Senate, they did not allow the Sawyer measure to go to the Tri-County delegation in the House. There it would surely have encountered just as faithful a friend of the Gas Trust as Senator Calhoun, in the person of Representative John G. Lennon, chairman of that committee.

In order to keep the bill out of Lennon's clutches, Sawyer, in introducing it, moved that it be laid on the table. On the following day, L. H. Johnson moved that it be placed on general orders. Lennon promptly offered a substitute

motion that it be referred to the Tri-County delegation. The Johnson motion carried, and the bill went to general orders, and in this way escaped the Lennon committee and the sure fate that awaited it.

On April 3rd Sawyer moved that the bill be taken from general orders and placed at the head of special orders. At this point Frank T. White came to the rescue of the city friends of the gas company by moving the previous question, thus shutting off all debate on the merits of the bill. A full and free discussion of the question would have enlisted the support of certain country members who had had no opportunity to learn the real significance of the bill. Sawyer's motion carried, 67 to 43, but it was declared lost, the Speaker ruling that it required a two-thirds vote to advance a bill out of its regular order. The bill remained on general orders.

The vote on the Sawyer motion should be studied carefully, particularly by Minneapolis voters, as it furnishes the only real test of the attitude of their representatives on this bill. The vote on the final passage of the measure, both in House and Senate, does not disclose its enemies, for, after failing to kill the bill in committee and to block it by sharp parliamentary practice, they saved their records by standing with the members responsible for its enactment.

The vote on the Sawyer motion to advance the bill to the head of special orders was as follows, the names of Minneapolis members being in black faced type, those voting "no" standing for the Gas Trust:

Those who voted in the affirmative were: Adams, Anderson, Bendizen, Bicknell, Bjorge, Borgen, Brown, Buck, Burnquist, **Campbell**, Carlson, Conley, Davies, Dorsey, Dower, Duea, Emmel, Gartside, Graham, Handlan, Haugland, Hinds, Holmberg, Holton, Horton, J. N. Johnson, J. T. Johnson, **L. H. Johnson**, Kling, **Kneeland**, Lee, Lobeck, McMartin, Melby, Mork, Murphy, Nagel, O. B. Nelson, Noble, O'Brien, Opsahl, Perry, Peterson, Pfaender, H. A. Putnam, Rines, Rosenwald, Rustad, **Sahler**, Sampson,

Saugstad, **Sawyer**, Spence, Spooner, Sulerud, **Sullivan**, Swenson, Virtue, **Wallace**, Ware, **Washburn**, Welter, Westcott, Wohlhuter, C. J. Wright, Zelch, Mr. Speaker—67.

Those who voted in the negative were: **Allen**, Austin, Baldwin, Brady, Carey, Carey, Christensen, Congdon, **Conroy**, Dalzell, Davis, Denzer, Ferguson, Friedman, Gates, **Goodspeed**, Grant, Greene, Henry, Herzberg, Kelly, Krause, Lende, **Lennon**, MacKenzie, McGarry **McNeil**, H. Nelson, **Nimocks**, Nolan, **Nye**, Phillips, W. H. Putnam, Rodenberg, Rowe, Selb, Sikorski, Stone, Stuart, Webb, Wells, White, **F. B. Wright**—43.

On April 13th an attempt was made to kill the bill from a subtle and unexpected source. One of the country members, Representative Ole Peterson, of Nicollet county, moved to take the Sawyer bill from general orders. Only a few more than a quorum were in the House chamber at that time, and the measure certainly would have been defeated. But its friends were alert and watchful, and they succeeded in voting down the Peterson motion.

Three days later, under more favorable conditions, Sawyer moved that the bill be taken from general orders and placed on its final passage. Lennon raised the point of order that it required a two-thirds vote to advance the bill. Speaker Rockne ruled with Sawyer, and the latter's motion carried. The fight ended right there. The bill was then placed upon its final passage, and passed unanimously, 84 to 0. Some of the enemies of the measure sought shelter by voting for it, others by not voting at all. None dared go on record against it.

The Sawyer bill then went to the Senate, where it was immediately placed on general orders, on motion of Senator Wilson. In this manner it escaped Calhoun's committee. The bill passed the Senate April 20th by a vote of 43 to 0.

## CHAPTER XVI.

## SUPPLIES AND EMPLOYEES.

Political plunder of all kinds abounds in the Minnesota legislature. Two kinds will be briefly considered in this chapter—(1) that which relates to the purchase of legislative supplies and (2) the employment of assistants for the session.

The first form I investigated thoroughly at the close of the 1907 session. The result of that inquiry is partly set forth in the following extract from a newspaper article written then, and reproduced here because it suggests the same general conditions that prevailed in the last legislature:

Not long ago a gentleman in a position to know informed me that, speaking purely from a financial point of view, he would prefer the position of chief clerk to any other office in the state of Minnesota. When pressed for a reason, he would only smile and say, "He purchases all the House Supplies." Following out this suggestion the records disclose some very interesting omissions.

"On the first day of the 1907 session Representative Zelch introduced the following resolution, which was adopted unanimously:

"Resolved, that the chief clerk be and is hereby instructed to purchase such supplies as are necessary for expediting the business of the House.

"Also to prepare a small pocket manual, containing a list of the members, with addresses, perma-

nent and local, the Rules of the House, and standing committees (when appointed and announced), the sub-committees and so forth, all to be conveniently indexed, together with such other information as he may deem to be of value to the members of the House."

This resolution constituted the authority by which the chief clerk purchased supplies. No one will dispute that it was ample. But it proved to be a wide-open, unrestricted sort of authority. It gave the chief clerk unlimited power to buy goods and pay bills, with no committee or person, except possibly the speaker, to act as a check upon him. Under this scheme the chief clerk ordered supplies and filled out vouchers in payment, these being signed also by the speaker. These vouchers went to the office of the state auditor, where they were filed and exchanged for warrants upon the state treasurer. No committee ever audited these expenses, and no itemized statement of supplies purchased was ever presented to the House. So far as I have been able to ascertain, no person excepting himself ever saw the bills which were paid by the chief clerk. The matter of "supplies" seems to have been left entirely to him. He contracted for supplies and paid the bills, when and what he pleased.

The vouchers in the auditor's office tell a tale, if not of graft, at least of gross extravagance. The details of certain vouchers follow:

No.	For what given.	Amount.
16.	Supplies by secretary of state.....	\$1,009.50
17.	Envelopes .....	28.00
18.	Supplies .....	625.55
26.	Supplies .....	383.15
30.	Supplies .....	339.70
46.	Supplies by secretary of state.....	309.75
47.	Supplies .....	559.33
49.	Supplies .....	1,808.78

79. Supplies .....	971.61
114. Supplies .....	42.00
130. Supplies .....	205.45
137. Supplies .....	48.65
178. Supplies .....	40.70

These items do not include all the expenditures for supplies and other legislative expenses, but they are sufficient to show something of the goodness of the chief clerk, if not to himself, at least to certain individuals and firms. I do not presume to say that there was a commission for the purchasing official in these transactions, or a fancy price for the firms selling the supplies. But one thing seems certain: that while the average spent for supplies for each of the 119 House members amounts to about sixty dollars, the supplies actually received by the average member should not have cost to exceed twenty-five dollars. The original supply of stationery, pens, pencils, ink, knives, corkscrews, binders, and so forth, ordered by the secretary of state and paid for by voucher No. 16, amounted to only a little over eight dollars per member. After that the supplies consisted largely of stationery, yet the average cost for each member crept up to sixty dollars. Not all the members received the same consideration in the matter of supplies. Some, notably those who were most active and consistent in "the combination," received a larger share of stationery and supplies. Favoritism was shown, yet it is hardly possible that the pets of the administration powers could have received enough to make the total average cost legitimately reach so high a figure.

It would be manifestly unfair to suggest extravagance on the part of the chief clerk as purchasing agent of the House and not imply the same thing concerning the secretary of the Senate, inasmuch as the same conditions obtain. Samuel A.

Langum filled that office during the 1907 session. He had that same unquestioned, unrestrained authority in purchasing "supplies," and he used his power in much the same way. On the whole, the average amount paid out for each senator was about the same as for each representative, between fifty-five and sixty dollars.

It was very necessary to "the combination" that the chief clerk of the House and the secretary of the Senate should be men in sympathy with their aims and purposes. At the beginning of the 1907 session, Carroll Wells, the young son of Representative R. J. Wells, was appointed "sergeant of the Speaker's room" at a salary of five dollars a day. Early in February this youth was taken ill; but his pay did not cease. The boy's father, one of the leaders of the combination, signed the son's name on the payroll and drew the salary during his absence. Such things could not occur without the knowledge and sanction of the speaker and chief clerk.

The position of "sergeant of the speaker's room" was created and filled by "Bob Wells' boy," not because of any necessity for such an office, but simply because it afforded the speaker an opportunity to pay a political debt and do a substantial favor to the Breckenridge man. Proof of this is supplied in the fact that no one was appointed to take his place during the several weeks that Carroll Wells was absent. The real "doorkeeper" of the speaker's room was Sherman S. Smith, who received \$7.50 a day; but the duties of the position enabled him to find plenty of time to attend to his cigar stand in the postoffice lobby and also to collaborate with Tony Manley and Col. Wilkinson, the railroad lobbyists, and Messrs. Selb and Kelly, the lobbyists of the liquor interests.

I have not made as careful an investigation of the "pay-

roll" of the 1909 session as at the previous session. Nor have I looked into the purchase of supplies as thoroughly. But the suggestions in the article on that phase of the 1907 legislature quoted above are pertinent at this time, because this business was done in the same un-businesslike way at the last session.

### THE THIRD HOUSE.

The employees for the session collectively are known as "the third House." They include clerks of all kinds, stenographers, pages, door keepers, sergeants of various titles, janitors, etc. They are unnecessarily numerous because they represent a very important part of the political machinery of members. Just as a congressman builds up a machine of postmasters, so do members of the legislature hold the allegiance of their lesser political helpers by bestowing upon them these positions. This fact also explains in large part why it is practically impossible to eliminate a lot of needless expense by reducing the employees to a number commensurate with the work to be done.

It would not be so deplorable a situation if the pool and the politicians did not control most of the appointments and place in the more important positions men and women who can be used for improper legislative purposes. Instances have been known where crooked clerks have changed bills. In the 1907 session the reciprocal demurrage bill was made worthless in this way, and it had to be corrected and repassed twice. And nothing was done to punish the guilty parties.

A rather extreme example is supplied in the case of H. E. Samuelson, who drew five dollars a day during the last two sessions as "sergeant of the press gallery." There was no press gallery, and Mr. Samuelson did no work of any kind in connection with that position, except to draw his salary. He was the regular political reporter of the St. Paul Pioneer Press and covered the House for that

paper. I think it is only fair to infer that he was given about one thousand dollars of the people's money to color his legislative correspondence in the interest of the combination to whom he owed the subsidization. Perhaps this incident may also be used to explain why the public rarely obtains any very damaging reports of the acts and character of the legislature.

Kerry E. Conley, 4th District, Rochester, attempted to reform this "third House" evil in two bills. Both were killed in committee. In his H. F. No. 1020 he proposed to replace the "cloak room keeper" with a locker for each member. This would have improved the service, made the property of members more secure, and at the same time saved the state \$1,350.00 each session. But the House was not interested in securing better service and greater safety and economy for the state,—they preferred the political plunder,—and Mr. Conley was not able to get H. F. No. 1020 out of its committee with a favorable report.

It was the same with his other bill, H. F. No. 1098, which limited the list of employees to the necessary number. This measure would have saved the state \$11,609.50 each session.

Representatives Sawyer, Spooner, and Rosenwald united in three attempts to accomplish a similar saving of money now thrown away on unnecessary employees. Two were in the form of bills, H. F. No. 972 and H. F. No. 1150. Both were killed in committee. Their third effort was a resolution embodying what they had vainly tried to get before the House in their bills. F. B. Wright blocked the resolution and it never came to a vote.

## CHAPTER XVII.

## A FEW FUNDAMENTAL REFORMS.

Before the Minnesota Legislature will be in a position to secure needed reforms for the benefit of the people it must first make some fundamental changes in its methods of legislation. The conditions that this story of the session reveal are the logical and inevitable result of the rules and the system under which laws are made.

1. **Speaker and Lieutenant-Governor.**—It would aid materially in removing the Canonistic conditions in the legislature and make both House and Senate more deliberative bodies if the state constitution were changed by this provision:

The presiding officers of both branches of the legislature shall not hold any other office, and shall be chosen by their respective houses. They shall not appoint standing committees, and shall have no voice or vote on legislative business. They shall preside over the sessions of the body by which they are chosen, shall hold office during its pleasure, and shall have such powers as may be conferred upon them by their respective houses not contrary to the provisions of this article.

2. **Standing Committees.**—The evils due to the present system which makes the standing committee the all-important and almost all-powerful factor in legislation would be largely eliminated if every standing committee were required:

(a) To report each bill or resolution back to the House or Senate within fifteen days after receiving it.

(b) To keep a public record of roll calls, amendments and all other actions in committee.

3. **Majority Rule.**—The rules should be changed wherever necessary to give a majority control over any legislation question or measure at all times.

4. **Limit Time for Introduction of Bills.**—No bill should be introduced after the first fifteen days of the session, except in the case of emergency or natural calamity. At present bills may be introduced up to twenty days of final adjournment, and after that with the permission of the Governor, which is rarely withheld. Much of the

hasty, crude and unconsidered legislation now a part of every session would be impossible if this rule were in force. It would also make it very difficult to rush through giant woodchucks like the Rodenberg law during the closing days of the session.

**A Few Needed Reform Laws.**

After reforming its own rules and established customs the legislature should give the people of the state:

1. **The Initiative and Referendum**, which is the most vital and fundamental reform of all.
2. **Extension of the Direct Primary Election Law** to all state officers and United States Senators.
3. **The election of United States Senators Directly by the People.**
4. **Railroad Regulation** that would prevent discriminations in freight rates, both among individuals and among committees.
5. **County Option**, which would naturally lessen the brewery influence in politics and give to a majority of the people in each county the right to decide whether or not saloons should exist in their county.
6. **A Tonnage Tax on Iron Ore.**
7. **Such rights of local self-government** to all municipalities in the state, particularly the large cities, as will enable them to regulate or own all their public utilities.

## CHAPTER XVIII.

## A CHARACTERIZATION OF MEMBERS.

Those contests in the House which seem to furnish the best test of whether members were representing the people or the corporations are: (1) the Haugland amendment to reform the rules; (2) direct legislation; and (3) county option. The tonnage tax bill is not a good test because public opinion forced certain representatives, both for and against the bill, to take the stand they did. Neither is the J. N. Johnson stock regulation bill a fair test. The pool appeared to assist rather than oppose this measure in the House, thinking that its passage would help defeat the tonnage tax, as has been explained, and knowing that it would be killed in the Senate. A supreme test of Minneapolis members is shown by their attitude on the Nolan street railway bill, and the Sawyer Eminent Domain bill designed to help the city in its fight with the Gas Trust.

## MINNEAPOLIS MEMBERS.

**Hugh N. Allen, 39th District.**—Thorough reactionary; invariably with the pool and against the public interests; dodged vote on rules reform and on Nolan's street railway bill; voted against the interests of his own city in the fight on the Eminent Domain bill. There are no redeeming features in his record.

**W. A. Campbell, 42nd District.**—Active insurgent leader; for reform of rules and direct legislation; always against the pool; took a prominent part in fights against Nolan street railway bill and the Gas Trust; author of Employers' Liability Commission act and the law creating a Woman's Labor Bureau; also secured the enactment of four other labor laws; introduced twenty-four bills, all in the public interest, among them being H. F. 893, extending the primary to state officers; one of the two Minneapolis members to vote for the tonnage tax; active worker for county option and all anti-saloon measures. One of the strongest of the new members; and always alert and fearless in behalf of the people.

**J. F. Conroy, 39th District.**—Another reactionary; against rules reform; dodged vote on direct legislation;

for Nolan street railway bill; voted with the Gas Trust on the Sawyer Eminent Domain bill; invariably with the pool; small capacity for public business.

**John B. Goodspeed, 42nd District.**—One of the new members who started wrong and maintained a consistent opposition to the people's interest throughout the session; stood for Nolan's street railway bill and against Sawyer's gas measure. A mere creature of the machine.

**L. H. Johnson, 43rd District.**—Reactionary leader; did not vote on rules reform; repudiated written pre-election promise to support direct legislation; supported Nolan street railway bill until public opinion frightened him into opposing it; was for Sawyer gas bill; stood with the pool on almost every important issue. Johnson's legislative influence was political, rather than patriotic.

**Thos. Kneeland, 41st District.**—General record good, except on liquor issues; did not vote on rules reform; was for district legislation and the Sawyer gas bill; did excellent work in opposition to the Nolan street railway bill; stood for the saloon program.

**John G. Lennon, 41st District.**—Whole record conspicuously bad; reactionary leader; active and open in his opposition to public interest; led fight against rules reform; was against direct legislation; was for the Nolan street railway bill and against the Sawyer gas bill; was chairman of tri-county delegation, and had large influence which he used regularly to advance the program of the special interests. Lennon was an inveterate talker, and took up more time with purposeless oratory than any other five members.

**Alex McNeil, 44th District.**—Was against rules reform; stood for direct legislation; one of two Minneapolis members to vote for tonnage tax; opposed to Nolan's street railway bill, but voted for the Gas Trust on the Sawyer bill.

**F. E. Nimocks, 40th District.**—A scheming political manipulator and one of the leaders of the pool interests; was against rules reform; repudiated his promise to Minnesota Federation of Labor to support direct legislation; opposed the interests of his city by supporting the Nolan street railway bill and standing for the Gas Trust on the Sawyer bill. Nimock's legislative work was notoriously bad, and his influence pernicious and dangerous.

**Geo. M. Nye, 44th District.**—One of the youngest of the new members; easy prey for the managers of the pool; voted with the special interests, except on direct legislation and the Nolan street railway bill; stood for the Gas Trust on the Sawyer bill.

**E. F. Sahler, 38th District.**—Voted against rules reform; for direct legislation; was against the Nolan street railway bill and for the Sawyer Eminent Domain measure.

**C. L. Sawyer, 41st District.**—Insurgent leader; did not vote on rules reform; stood for direct legislation; was opposed to the pool, except on the tonnage tax; author of the Eminent Domain act which was fought so vigorously by the Gas Trust; was against Nolan street railway bill; author of Teachers' Pension Fund act. Sawyer did excellent service for the people throughout the session.

**M. J. Sullivan, 38th District.**—Voted against rules reform; for direct legislation; against Nolan street railway bill; stood for the Sawyer gas bill; generally with the pool on other important issues.

**Carl L. Wallace, 43rd District.**—Voted for rules reform; repudiated his promise to support direct legislation; voted against Nolan street railway bill; was for the Sawyer gas bill; voted for the J. N. Johnson stock regulation measure and for county option; one of the authors of the public utilities commission bill.

**W. D. Washburn, Jr., 41st District.**—Voted for rules reform; opposed to direct legislation; stood for Minneapolis on both street railway and gas bills; was for the J. N. Johnson stock regulation measure; author of a bill for a legislative reference bureau; took a leading part in the defeat of the Nolan street railway bill by introducing an honest bill on the subject. Washburn was an earnest, energetic legislator, who took his work seriously and kept clear of all kinds of political barter and plunder.

**F. B. Wright, 40th District.**—Reactionary; against rules reform and direct legislation; against the Nolan street railway bill; stood for the Gas Trust on the Sawyer bill; invariably with the pool; record consistently bad.

#### ST. PAUL MEMBERS.

**T. J. Brady, 34th District.**—Reactionary leader; kept democratic members lined up for the pool; against reform of rules; repudiated both his party platform promise and his written pledge to the Minnesota Federation of Labor to support direct legislation; author of H. F. 373, the members' salary bill; introduced a bill repealing the anti-pass law. Brady displayed little ability, but made up for this by unceasing activity for the corporations and politicians.

**J. A. A. Burnquist, 33rd District.**—Insurgent leader; for reform of rules and direct legislation; opposed the pool consistently; took a leading part in the fight against

the Nolan street railway bill; for the Sawyer anti-gas trust bill; introduced sixteen bills, among them one providing for a legislative reference library, after the Wisconsin idea. Burnquist was the only insurgent in the Ramsey county house delegation, a position that required rare courage and conviction. He was forced to fight all his St. Paul colleagues on almost every important measure. As a young man and a new member he made an enviable record.

**O. T. Christenson, 35th District.**—Reactionary; against rules reform; repudiated his written promise to support direct legislation; with the pool on all issues; introduced twenty-nine bills, most of them of a political nature; was author of bill placing street railways under control of Railroad and Warehouse Commission; fought for Nolan street railway bill.

**T. J. Greene, 34th District.**—Against rules reform; for direct legislation; opposed to Nolan street railway bill; generally supported the pool; author of the bill legalizing prize fights.

**James Handlan, 34th District.**—Against reform of rules; repudiated both the democratic party platform and his written promise to support direct legislation; stood with the pool.

**J. D. O'Brien, 36th District.**—Reactionary; voted against reform of rules; voted against direct legislation; was opposed to the Nolan street railway bill; one of the pool's reliables; introduced and championed bill extending the time of closing saloons from 11 o'clock until midnight.

**E. G. Perry, 37th District.**—Voted against reform rules; repudiated his promise to support direct legislation; stood with the pool except on the J. N. Johnson stock regulation bill.

**Alwin Rowe, 37th District.**—Reactionary; against rules reform; repudiated his written promise to the Minnesota Federation of Labor to support direct legislation; with the pool throughout; was chairman of the Ramsey county delegation; introduced ten bills, three of which related to his own business of market gardening.

**Geo. W. Rodenberg, 33rd District.**—Reactionary leader; opposed to rules reform; repudiated his written promise to support direct legislation; was author of Rodenberg law of the 1907 session, which is discussed in chapter on the Railroad Ring.

**J. F. Selb, 35th District.**—Thoroughgoing reactionary; House floor leader for the brewery interests; against reform of rules; repudiated his written promise to support direct legislation; stood with the pool on every issue;

introduced fourteen bills, most of which had a political motive. No member served the interests more consistently than Selb.

**C. E. Stone, 36th District.**—Voted against reform of rules; was opposed to direct legislation; stood with the pool; author of H. F. 488 authorizing bonds for public playgrounds.

#### THE DULUTH DELEGATION.

**Jos. Austin, 49th District.**—One of the Duluth delegation discussed in the chapter on The Battle for a Tonnage Tax; with the pool on everything. Austin indicated a disposition to rebel against the condition which compelled him and all other St. Louis county members to subordinate himself to the steel trust and its legislative interests.

**Anton Borgen, 50th District.**—Voted for rules reform, but otherwise stood with his St. Louis county colleagues and the pool; introduced no bills.

**Geo. W. Buck, 51st District.**—Against reform of rules, and with the pool throughout the session.

**C. A. Congdon, 51st District.**—Leader of the Duluth delegation and House manager for the U. S. Steel Company; with the pool on everything; able lawyer and had large influence in the House; introduced fourteen bills, eleven of which became laws.

**David Graham, 49th District.**—Did not vote on rules reform; opposed direct legislation, and stood with the pool throughout; introduced only one bill.

**Rich R. Grant, 50th District.**—First lieutenant to Congdon, floor leader for the steel trust; opposed rules reform and direct legislation; very active and successful in getting legislation through; introduced twenty-one bills, eleven of which were enacted.

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**Elmer E. Adams, 59th District, Fergus Falls.**—Insurgent leader; discussed in chapter on new members and the system; was author of the only anti-saloon law enacted, which was H. F. No. 99, providing that all buffet cars on which liquor is sold shall pay a license of \$50.00; took very active interest in temperance legislation, introducing several bills in regulation of the liquor traffic, among them being H. F. 330, extending local option to cities of the fourth class; headed special committee to investigate school book trust; stood with Haugland in his fight to reform the rules; voted for direct legislation and against the combination throughout the session. Adams is an experienced legislator, and thoroughly appreciates the evils of the prevailing methods of making laws. He proved

himself one of the most valuable men in the lower body.

**Andrew Anderson, 31st District, Washington County.**—From the same district and a protege of John Zelch; voted for direct legislation, but otherwise stood with the pool; against reform of rules, and for all the special interest program.

**John Baldwin, 14th District, Jackson.**—Was for reform of rules, but otherwise voted with the pool, except on the tonnage tax; one of the democrats who repudiated his party platform pledge to support direct legislation. Baldwin was a new member and not very active.

**C. M. Bendixen, 19th District, Redwood County.**—Insurgent leader; voted for reform of rules and direct legislation; against the pool throughout; introduced thirteen bills, two of which became laws, one relating to the state canvassing board, and the other asserting the state's right to minerals under lakes; introduced and championed a bill abolishing capital punishment. Bendixen was always a thorn in the side of the combination. He stood ably and fearlessly for the public interest on every occasion.

**W. C. Bicknell, 57th District, Morris.**—Insurgent leader; for reform of rules; voted for direct legislation in Judiciary Committee; was against the program of the pool from start to finish; introduced twelve bills, among them being H. F. 39, which provided for greater publicity in the work of the Legislature by making it possible for all papers of the state to receive copies of the journals and other legislative documents; was author of H. F. 858, which compels transportation companies to refund to shippers the difference in freight charges between the rates now in force and those in the commodity rate law of 1907, if the courts uphold the statute; took a leading part in the fight to retain the State Board of Equalization in the 1907 session and stood conspicuously for more equitable tax legislation. Bicknell is a quiet, determined man and one of the strongest reformers in the House.

**H. O. Bjorge, 60th District, Becker County.**—Insurgent leader; discussed in chapter on Battle for a Tonnage Tax; for reform of rules and direct legislation; against the pool on every issue except the J. N. Johnson stock regulation bill, which has been previously explained; championed two measures taxing foreign corporations; concentrated his best effort on the tonnage tax bill. Bjorge was untiring in his efforts for reform and displayed a keen appreciation of the evils of the present system.

**L. D. Brown, 48th District, Little Falls.**—A new member and not very active; did not vote on rules reform;

was for direct legislation, but otherwise with the pool, except on the J. N. Johnson stock regulation bill.

**Hubbard Carey, 6th District, Mower County.**—Did not vote on rules reform; was opposed to direct legislation; did not vote on the J. N. Johnson railroad bill; favored the tonnage tax; was against county option, members' salary bill and club bill and repeal of corrupt practices act.

**J. A. Carley, 3rd District, Wabasha County.**—For reform of rules, direct legislation, and the tonnage tax; was against county option, club bill, and repeal of corrupt practices act.

**C. J. Carlson, 46th District, Wright County.**—Insurgent; voted for reform of rules and direct legislation; opposed the pool throughout the session.

**Kerry E. Conley, 4th District, Rochester.**—Insurgent leader; was for reform of rules and direct legislation; stood consistently against the pool; introduced eleven bills, most of which were important; author of the first bill providing for employers' liability; fathered two bills in reference to the public health. His H. F. 1020 and H. F. 1098 were aimed at the Third House evil discussed in the chapter on Supplies and Employees. Conley was a new member, but proved himself one of the best men in the House. He was always active for greater economy and efficiency in public service.

**J. A. Dalzell, 22nd District, Renville County.**—Reactionary leader; dodged the vote on rules reform; was opposed to direct legislation; as chairman of committee on taxes and tax laws he aided the steel trust in the fight against the tonnage tax; stood consistently for the pool; voted with the Minneapolis public utility corporations in the contests on the Nolan street railway bill and the Sawyer gas bill. Dalzell was one of the most active politicians in the lower branch.

**Joseph Davies, 13th District, Watonwan County.**—Insurgent; was for reform of rules and direct legislation; stood against the pool throughout the session.

**Andrew Davis, 45th District, Sherburne County.**—Was against reform of rules and direct legislation. Stood with the pool, except on temperance measures.

**G. H. Denzer, 27th District, Le Sueur County.**—For rules reform; opposed to direct legislation; stood with the pool except on the tonnage tax; introduced four bills, two of which related to naturopathic practice.

**J. H. Dorsey, 24th District, Glencoe.**—Reactionary; voted against reform of rules and repudiated both his party platform and his written promise to the Minnesota Fed-

eration of Labor to support direct legislation; stood with the pool except on the J. N. Johnson railway bill and the tonnage tax; was one of the authors of the public utilities commission bill discussed in the chapter on the Street Railway's Legislative Program; introduced thirteen bills, many of them relating to military affairs. Dr. Dorsey is discussed in "Jockeying with the 2-cent Fare" in the chapter on the Railroad Ring. He had large influence and was a very shrewd legislator.

**Wm. Dower, 53rd District, Wadena County.**—Was against rules reform and direct legislation; stood with the pool; introduced three bills, all pertaining to his district, none of which were enacted.

**Otis F. Doyle, 47th District, Stearns County.**—Reactionary; was opposed to rules reform and direct legislation; stood with the pool; introduced thirteen bills, two of which were enacted. Doyle is discussed in the chapter on "New Members and the System."

**S. B. Duea, 16th District, Rock County.**—Was for reform of rules and direct legislation; voted for the J. N. Johnson stock regulation bill and the tonnage tax; was opposed to county option, Cass Lake Normal, members' salary bill, club bill, and repeal of the corrupt practices act.

**Henry Emmel, 54th District, Stearns County.**—Against rules reform and direct legislation; stood with the pool; introduced five bills, none of which were enacted.

**T. M. Ferguson, 52nd District, Carlton County.**—Against reform of rules and direct legislation; voted with the pool except on the J. N. Johnson stock regulation bill and county option; introduced ten bills, four of which were enacted, one of them relating to an experimental farm in Carlton county.

**M. D. Fitzpatrick, 4th District, Olmstead County.**—Against rules reform; for direct legislation; voted with the pool except on the tonnage tax. Fitzpatrick gained some attention by changing suddenly his attitude and casting the vote which passed the club bill.

**Joseph Friedman, 54th District, Stearns County.**—For rules reform; against direct legislation; with the pool except on tonnage tax and repeal of corrupt practices act; introduced four bills, all pertaining to local appropriations.

**F. E. Gartside, 2nd District, Winona.**—Reactionary leader; against rules reform and direct legislation; with the pool except on the J. N. Johnson anti-watered stock bill; introduced thirteen bills, six of which were enacted, one being the Sunday baseball law.

**J. A. Gates, 29th District, Goodhue County.**—Voted against reform of rules; repudiated his written promise to support direct legislation; stood for the temperance program, but seemed naturally inclined to stand with the pool. Gates was very active and usually reactionary.

**J. O. Haugland, 18th District, Montevideo.**—Insurgent leader; proved his progressiveness by leading fight for reform of rules; stood for direct legislation and against pool throughout the session. Haugland was one of the strongest men in the House. He has a keen appreciation of the existing evils in our legislative system, has good ability, and is thoroughly loyal to the public interests.

**John C. Henry, 2nd District, Winona.**—Against reform of rules and direct legislation; stood with the pool except on the J. N. Johnson stock regulation bill.

**O. K. Herzberg, 11th District, Blue Earth County.**—Against reform of rules and direct legislation; stood with the pool except on the tonnage tax; introduced only one bill, which pertained to a local appropriation.

**E. R. Hinds, 53rd District, Hubbard County.**—For rules reform; against direct legislation; voted with the pool except on the J. N. Johnson stock regulation bill.

**N. J. Holmberg, 22nd District, Renville County.**—Insurgent leader; for reform of rules; against direct legislation; was very active against the pool throughout the session; especially interested in agriculture, State Fair and the University; introduced eleven bills, three of which were enacted; was the author of two important measures establishing the teaching of agriculture in consolidated rural schools. Holmberg was one of the most alert and dependable of all the House members.

**John Holten, 62nd District, Polk County.**—Insurgent; for rules reform and direct legislation; was opposed to pool throughout the session; author of a bill extending the primary election law. Holten worked consistently for the public interests.

**Thos. H. Horton, 45th District, Isanti County.**—Insurgent; against reform of rules; for direct legislation; was

opposed to the pool except on the tonnage tax, his negative vote on that measure being in accord with the sentiment of his constituents.

**C. E. Johnson, 55th District, Kandiyohi County.**—Insurgent leader; for rules reform and direct legislation; was opposed to the pool on every issue. Johnson introduced few bills himself, but gave assistance to every measure that was for the public interests.

**J. N. Johnson, 17th District, Canby.**—Insurgent leader; for rules reform and direct legislation; opposed the pool on every issue; introduced fourteen bills, two of which were enacted; proved his progressiveness by introducing and ably championing three vital reform measures,—(1) direct legislation (2) woman's suffrage (3) the bill to prevent watering of stock in railroad securities. Although a new member he made a record of great usefulness to the state.

**J. T. Johnson, 59th District, Fergus Falls.**—Insurgent; for rules reform and direct legislation; opposed the pool; voted against the Alderman brewery bill.

**Hans Jorgenson, 11th District, Mankato.**—Against reform of rules; for direct legislation; stood with the pool except on the tonnage tax; introduced seven bills, one of them being a bill to provide for the commission form of government for cities.

**J. L. Kelly, 11th District, Blue Earth.**—Against rules reform and direct legislation; voted with the pool except on the tonnage tax.

**Elmer A. Kling, 48th District, Little Falls.**—Reactionary; against rules reform and direct legislation; stood with the pool except on the J. N. Johnson stock regulation bill. Kling was very active for a new member, but was generally on the unprogressive and political side of issues.

**J. D. Krause, 25th District, Carver County.**—Did not vote on rules reform; against direct legislation; stood with the pool; introduced eight bills, six of which related to animals and hunting.

**Iver J. Lee, 58th District, Glenwood.**—Insurgent leader; for rules reform and direct legislation; stood consistently against the pool. Lee made an excellent record.

**Edward Lende, 56th District, Swift County.**—For rules reform; against direct legislation; supported the J. N. Johnson stock regulation bill and the tonnage tax; opposed repeal of corrupt practices act, also county option. Lende gave good assistance in the fight for a law that would give the smaller municipalities better control of telephone companies.

**E. E. Lobeck, 58th District, Alexandria.**—Insurgent leader; strong for rules reform, and took an active part in the fight for direct legislation; voted consistently against the pool, and was aggressively opposed to all special interest legislation; one of the authors of an initiative and referendum bill, and championed three measures to improve social evils; author of a state wide prohibition bill. Lobeck was a strong and able champion of the people.

**Geo. A. MacKenzie, 21st District, Sibley County.**—Against rules reform; repudiated his written promise to support direct legislation; was with the pool on every issue; chairman of the House temperance committee and made it his special mission to fight anti-saloon measures; was one of the leading advocates of the abolishment of capital punishment.

**G. H. Mattson, 63rd District, Roseau County.**—For reform of rules; repudiated his promise to support direct legislation; voted against the J. N. Johnson anti-watered stock bill; otherwise he was opposed to the pool. Mattson was an insurgent on most issues, and on the whole his work was in the public interest.

**P. H. McGarry, 52nd District, Cass County.**—Reactionary; voted against reform of rules and direct legislation; was generally with the pool. McGarry is discussed in chapter on Log Rolling in connection with the Cass Lake Normal School bill, of which he had charge in the House.

**John McGrath, 60th District, Clay County.**—Insurgent leader; for rules reform and direct legislation; took a prominent part in the opposition to the pool program.

**Finley McMartin, 7th District, Dodge County.**—Against rules reform and direct legislation; voted for the tonnage tax and county option; was generally opposed to the pool.

**C. K. Melby, 17th District, Lyon County.**—Insurgent leader; for rules reform and direct legislation; voted consistently against the pool. Melby was always strong for the public interest.

**A. L. Mork, 12th District, Faribault County.**—For rules reform; against direct legislation; voted with the pool except on the tonnage tax.

**D. J. Murphy, 10th District, Waseca County.**—For rules reform; did not vote on direct legislation; was generally with pool except on the tonnage tax.

**E. M. Nagel, 46th District, Buffalo County.**—Was opposed to rules reform and direct legislation; voted for the J. N. Johnson stock regulation bill, tonnage tax, county option and the Alderman brewery bill; generally opposed to the pool; author of one of the anti-cigarette measures.

**Herman Nelson, 15th District, Murray County.**—Was

for reform of rules; opposed direct legislation; voted for the J. N. Johnson stock regulation bill and the tonnage tax; voted against repeal of corrupt practices act; was opposed to county option, but supported state wide prohibition.

**O. B. Nelson, 1st District, Houston County.**—Was for reform of rules; opposed to direct legislation; generally opposed to the pool.

**F. E. Noble, 9th District, Albert Lea.**—Insurgent; for rules reform and direct legislation; was opposed to the pool throughout the session; author of a measure to obliterate party lines in politics.

**W. A. Nolan, 6th District, Grand Meadow.**—Reactionary leader; voted against rules reform and direct legislation; was a conspicuous patron of the pool except on the tonnage tax. Nolan was the author of H. F. No. 266, the bill discussed in the chapter on "The Street Railway Company's Legislative Program," and was one of the leaders of the republican "steering committee," which was responsible for much of the unstatesmanlike character of the session.

**J. J. Opsahl, 61st District, Bemidji.**—Insurgent leader; stood for reform of rules and direct legislation; was consistently opposed to the pool; one of the leading opponents of the Cass Lake Normal School bill; was very active; introduced thirty-one bills, only one of which was enacted; worked hard for agricultural instruction at Normals, High Schools and rural schools, championed several measures in the interests of northern Minnesota and the conservation of the state's timber resources. Opsahl was one of the most valuable members of the House.

**Jos. Peters, 30th District, Dakota County.**—Did not vote on rules reform; opposed direct legislation; was for the tonnage tax, but otherwise stood with the pool.

**Ole Peterson, 20th District, New Ulm.**—Was opposed to rules reform and direct legislation; a consistent performer for the pool, except on the J. N. Johnson stock regulation bill and the tonnage tax; championed a bill repealing the primary election law.

**Albert Pfaender, 19th District, New Ulm.**—Was for rules reform; repudiated both his party platform and his written promise to support direct legislation; was with the pool except on the tonnage tax.

**J. R. Phillips, 28th District, Faribault.**—Was opposed to rules reform; for direct legislation; voted with the pool except on tonnage tax.

**H. A. Putnam, 59th District, Otter Tail County.**—Insurgent leader; was for rules reform and direct legislation;

was opposed to the pool on every issue; introduced two bills, one relating to leases of state lands, and the other a local appropriation bill, both of which were enacted. Putman was a new member and was always for the public interest.

**W. H. Putnam, 29th District, Red Wing.**—Opposed to rules reform; for direct legislation; voted against the pool except on the tonnage tax; was one of the authors of the public utilities commission bill; as chairman of the appropriations committee he championed the omnibus bill; introduced twenty-one bills, ten of which were enacted.

**Henry Rines, 32nd District, Kanebec County.**—Insurgent; was chairman of committee on rules and opposed rules reform; voted against direct legislation; generally opposed to the pool; author of the law annulling the provision for making mineral leases on state lands, one of the best measures passed at the 1907 session; author of H. F. 497, a bill relating to minerals and water power on state lands. Rines did not meet his opportunity to reform the methods of legislation, but in other respects did some excellent work in the public interest.

**Donald Robertson, 63rd District, Marshall County.**—Opposed to rules reform and direct legislation; voted for the tonnage tax and county option; generally opposed to the pool.

**A. J. Rockne, 29th District, Zumbrota.**—Speaker of the House; discussed in chapter on "Speakership" and "How House was Organized." Voted against rules reform; for direct legislation; was opposed to the tonnage tax and county option; supported the J. N. Johnson stock regulation bill, which was practically the same measure introduced and championed by himself in the 1907 session.

**J. F. Rosenwald, 18th District, Lac Qui Parle County.**—Insurgent leader; for reform of rules and direct legislation; was opposed to the pool; active in the fight for the tonnage tax; attempted to reform the third House evil discussed in chapter on "Supplies and Employees."

**John Rustad, 5th District, Fillmore County.**—Insurgent; for rules reform and direct legislation; always opposed to the pool. Rustad was one of the new members who took the right road at the start.

**John A. Sampson, 23rd District, Meeker County.**—Insurgent; voted for reform of rules and direct legislation; stood for the public interests on every issue.

**John Saugstad, 62nd District, Polk County.**—Insurgent leader; for reform of rules and direct legislation; introduced and championed a bill extending the primary election law to state officers; one of the strongest and most

active advocates of county option. Saugstad worked for greater publicity in connection with the legislative records and was always one of the most progressive champions of the public interests.

**Theodore Sikorski, 2nd District, Winona.**—Against rules reform and direct legislation; was with the pool except on the tonnage tax.

**Lewis C. Spooner, 55th District, Morris County.**—Opposed to rules reform, and repudiated his written promise to support direct legislation; voted for the J. N. Johnson stock regulation bill, tonnage tax and county option; joined actively in the fight for greater economy and efficiency in the matter of legislative employees; was author of an anti-cigarette law, and also secured the passage of bills for a new State Prison and enlargement of the machinery manufacturing plant at the penitentiary.

**John Spence, 27th District, Le Sueur County.**—Opposed rules reform; repudiated both his party platform and written promise to support direct legislation; stood with the pool; was the only House member who did not vote on tonnage tax.

**D. A. Stuart, 14th District, Cottonwood County.**—Reactionary leader; for rules reform; opposed to direct legislation; stood with the pool, even voting against the tonnage tax. Stuart was one of the new members who allied himself actively with the combination.

**C. L. Sullerud, 61st District, Norman County.**—Insurgent; for rules reform and direct legislation; was opposed to the pool on everything.

**C. J. Swendsen, 13th District, Watonwan.**—Insurgent leader; opposed the pool on every bill that came before the session; introduced but few bills himself; author of H. F. 103, which provides for separation of land from villages; secured the passage also of laws giving aid to public school libraries and providing for the inspection of dairies; also of H. F. No. 264, which provides for an examination of the public accounts in cities of less than 10,000. Swendsen was an earnest and active advocate of progressive and equitable legislation of every kind.

**Burdett Thayer, 5th District, Fillmore County.**—Reactionary leader; opposed to rules reform; supported direct legislation; voted for the tonnage tax, but otherwise stood with the pool; took a leading part in the last two sessions in the fight against bills aimed at watered stock in railroad securities.

**Leonard Virtue, 8th District, Steele County.**—Opposed rules reform; did not vote on direct legislation; opposed

the J. N. Johnson bill and tonnage tax; generally stood with the pool.

**A. K. Ware, 28th District, Northfield.**—Insurgent leader; opposed rules reform; voted for direct legislation; was against the pool on every bill; introduced and championed some of the most progressive measures; was author of bills for county option, tonnage tax on iron ore, to prohibit brewers owing saloon buildings, woman's suffrage, extension of primary law to state officers, and a bill compelling large newspapers to publish the names of their stockholders.

**H. P. Webb, 32nd District, Pine County.**—Opposed rules reform and direct legislation; voted for the J. N. Johnson stock regulation bill, but otherwise stood with the pool. Did not vote on county option, repeal of corrupt practices act, on state wide prohibition.

**R. J. Wells, 60th District, Breckenridge County.**—Reactionary leader; did not vote on rules reform; opposed direct legislation; active and consistent performer for the pool except on the tonnage tax; is discussed in the chapters on "The Speakership," "The Battle for a Tonnage Tax," and "Supplies and Employees." Wells was one of the most unprogressive politicians in the House.

**P. J. Welter, 26th District, Scott County.**—Voted against rules reform; did not vote on direct legislation; stood with the pool except on the J. N. Johnson stock regulation bill.

**W. H. Westcott, 30th District, Dakota County.**—Did not vote on rules reform, nor direct legislation; stood with the pool except on the tonnage tax.

**Frank T. White, 45th District, Elk River.**—Reactionary leader; did not vote on rules reform; repudiated his written promise to support direct legislation; voted consistently with the pool; was House champion of Alderman brewery bill. White belongs to the old discredited political school and is thoroughly unprogressive.

**Wm. Wohlhuter, 9th District, Albert Lea.**—Against rules reform and direct legislation; stood with the pool except on tonnage tax.

**C. J. Wright, 59th District, Fergus Falls.**—Insurgent leader; for rules reform and direct legislation; was consistently opposed to the pool. Wright was one of the new members who stood for the people throughout the session.

**John Zelch, 31st District, Washington County.**—Reactionary leader; opposed to rules reform and direct legislation; one of the leaders in the combination that reg-

ularly opposed the public interests. Zelch is discussed in chapter on "New Members and the System."

### THE SENATE.

Some of the most important measures in the Senate were not voted upon out in the open, but were disposed of in standing committees. Because of the skilled manipulation of the Senate combine, such bills as county option, Initiative and Referendum, and the J. N. Johnson stock regulation bill were chloroformed in committees, and members were thereby saved from going on record. Particularly all of the senators voted against the amendment to reform the rules, and for the Alderman brewery bill. The exceptions will be noted. The numerous election measures, the distance tariff, and the tonnage tax, seem to afford about the best tests by which to judge members. The same Senate voted on the vicious Hinton bill discussed in the chapter on Direct Legislation and Protection Pledges.

**J. J. Ahmann, 54th District, Stearns County.**—Insurgent; voted for state wide primary, direct election of United States senators, and against repeal of corrupt practices act and primary election law; stood for distance tariff; did not vote on tonnage law.

**S. S. Alderman, 48th District, Brainerd.**—Reactionary leader; voted against all progressive measures and with the combination from start to finish; was author of Alderman brewery bill, discussed in chapter on Saloons and the Legislature.

**B. N. Anderson, 9th District, Albert Lea.**—Voted for tonnage tax and extension of primary; was opposed to the distance tariff; voted for Hinton bill.

**S. B. Bedford, 15th District, Nobles County.**—Insurgent; voted against the combination on everything except extension of the primary.

**J. Q. Briggs, 1st District, Houston County.**—Stood for direct election of United States senators; was for repeal of primary election law; opposed to all progressive election measures; voted against the distance tariff; was for the tonnage tax; voted for Hinton bill.

**A. S. Campbell, 6th District, Austin.**—Reactionary leader; stood with the combination against all progressive measures except the tonnage tax; was chairman of the temperance committee and one of the champions of the saloon program; voted for the Hinton bill.

**G. C. Carpenter, 46th District, Wright County.**—Was for repeal of the primary election law and against all progressive election measures; supported the tonnage tax.

**O. O. Canestorp, 57th District, Grant County.**—Insurgent leader; was consistently opposed to Smith and the interests on every issue. Voted against the Alderman brewery bill.

**E. H. Canfield, 16th District, Rock County.**—Insurgent leader; was opposed to the combination on everything except the repeal of the primary election law; was the author of S. F. No. 3, one of the most important measures of the session, which provided for a limit to the time when new bills could be introduced. This needed change is discussed in the chapter on "A Few Fundamental Reforms." Canfield was the author of several reform measures and was one of the ablest champions of the people in the Senate.

**T. E. Cashman, 8th District, Owatonna.**—Strong insurgent leader; voted for reform rules; stood consistently against the pool; was opposed to repeal of primary; for all progressive election measures; is discussed in chapter on The Railroad Ring in Two Sessions; was author and champion of the distance tariff bill and secured the enactment of an amendment improving the commodity rate law of the previous session; took a leading part in the fight for the tonnage tax and after the defeat of that measure offered a resolution calling upon the Tax Commission to raise the tax assessment on the iron ore lands to at least \$300,000,000.

**Frank Clague, 19th District, Redwood County.**—Reactionary; took a prominent part in the fight for the tonnage tax; otherwise stood with the pool; was for repeal of primary, and opposed to the extension of the law to the nomination of state officers; did not vote on the repeal of corrupt practices act. Clague led the fight against the distance tariff bill.

**Julius A. Collier, 26th District, Scott County.**—Voted for the distance tariff and the direct election of United States senators; but was otherwise allied with the pool; for Hinton bill.

**L. O. Cooke, 3rd District, Wabasha County.**—Did not vote on distance tariff; voted for the tonnage tax; was generally with the pool; voted for Hinton bill.

**O. G. Dale, 18th District, Lac Qui Parle County.**—Insurgent; voted against Alderman brewery bill and was otherwise opposed to the pool except on the distance tariff.

**C. R. Donaldson, 24th District, McLeod County.**—Stood for all progressive election measures and against repeal of the primary; supported the tonnage tax, but did not vote on the distance tariff.

**F. E. Du Toit, 25th District, Carver County.**—Stood for the direct election of United States senators and extension of the primary; voted against the distance tariff and tonnage tax. *for*

**R. G. Farrington, 56th District, Big Stone County.**—Did not vote on repeal of primary or extension of the law to state officers; was for the distance tariff and the tonnage tax; voted for Hinton bill. Farrington stood conspicuously for the saloon program and attracted some attention by defending the cigarette.

**Geo. H. French, 2nd District, Winona.**—Reactionary; stood conspicuously with the combination on every issue.

**F. L. Glotzbach, 26th District, Faribault.**—Stood on the progressive side of all election measures except that he supported the repeal of the corrupt practices act; voted for the distance tariff and the tonnage tax; opposed the Hinton bill.

**C. J. Gunderson, 58th District, Alexandria.**—Insurgent leader; took a prominent part in the fight for the tonnage tax and supported the distance tariff; was opposed to the repeal of the primary election law, but did not favor its extension and the direct election of United States senators; voted against Hinton bill.

**D. M. Gunn, 52nd District, Itasca County.**—Reactionary leader; discussed in chapter on Log Rolling; had charge of the Cass Lake Normal School bill and traded it through the Senate; voted for Hinton bill; stood with the pool on every issue.

**D. S. Hall, 22nd District, Renville County.**—Reactionary leader; special champion of the railroad ring, for which he labored as chairman of the committee on railroads; led effort to repeal corrupt practices act; voted against the tonnage tax; was for Hinton bill; should be ranked as one of the "big four" in the Senate combine.

**A. L. Hanson, 61st District, Norman County.**—Insurgent leader; voted against the pool on every issue; was one of the six to vote for rules reform; opposed the Alderman brewery bill and the Hinton bill.

**H. E. Hanson, 14th District, Cottowood County.**—Voted for repeal of both primary election law and the corrupt practices act; stood for direct legislation of United States senators and extension of primary; voted against the distance tariff and the tonnage tax.

**W. A. Hinton, 13th District, Martin County.**—Reactionary leader; stood consistently for the pool except on tonnage tax; was author of the attempt to "muzzle the masses" discussed in chapter on direct legislation and pre-

election pledges; was one of Smith's leading lieutenants.

**C. A. Johnson, 20th District, Nicollet County.**—Stood for tonnage tax, but was otherwise generally opposed to public interests.

**V. L. Johnson, 32nd District, Chicago County.**—Strong insurgent leader; voted against the tonnage tax because his constituents demanded it; was one of the firmest opponents of the State combine; saved H. F. 169, a bill aimed at vicious medical advertising, from being killed in Calhoun's committee on municipal corporations; was always alert and active in behalf of public interest; voted against the Hinton bill.

**James Johnston, 53rd District, Todd County.**—Voted for repeal of corrupt practices and primary election law; did not vote on distance tariff or Hinton bill; would stand for public interest if the system were different and the combine less powerful.

**John Moonan, 10th District, Waseca County.**—Strong insurgent leader; opposed the pool throughout his term in Senate; introduced and championed the bill for state wide primary in one of the ablest speeches of the session; took a prominent part in the battle for a tonnage tax; did excellent work for the people in closed committee rooms.

**O. K. Naeseth, 29th District, Goodhue County.**—Insurgent; was a quiet, determined member who stood consistently against the pool; voted against the Hinton bill.

**S. A. Nelson, 5th District, Fillmore County.**—Insurgent; did not vote on tonnage tax, but stood generally for the public interest; voted against the Hinton bill.

**F. H. Peterson, 60th District, Moorhead.**—Insurgent leader; was deposed by the combine as chairman of the finance committee because of his consistent stand for public interest.

**A. A. Poehler, 21st District, Sibley County.**—Was for repeal of primary and favored its extension and the direct election of United States senators; did not vote on distance tariff; was for the tonnage tax; failed to vote on the Hinton bill.

**F. E. Putnam, 12th District, Faribault County.**—Reactionary; voted on unprogressive side of all election bills; stood with the pool except on the tonnage tax; voted for the Hinton bill; gave aid to Smith and the combination by leading the fight for an amendment to the Municipal Ownership bill passed in 1907.

**J. E. C. Robinson, 47th District, St. Cloud.**—Voted for distance tariff and stood on progressive side of election measures except that he voted for repeal of the corrupt practices act; voted against tonnage tax.

**Ole O. Sageng, 59th District, Ottertail County.**—Strong insurgent leader; is discussed in chapter on Log Rolling; led fight for rules reform and stood as the foremost champion of a more deliberate Senate; fought the Hinton bill and opposed the Senate combine on every issue.

**Albert Schaller, 30th District, Hastings.**—Voted for progressive election measures, otherwise stood with the pool; opposed the tonnage tax; did not vote on Hinton bill.

**V. B. Seward, 17th District, Lyon County.**—Reactionary; kept his record fairly clean, but did questionable work in committee; voted for the tonnage tax and distance tariff; was opposed to repeal of primary election and stood for its extension; was special champion of the existing system in the contest to reform the rules; voted for the notorious Hinton bill.

**A. D. Stephens, 62nd District, Crookston.**—One of the main props in the Senate combine; chairman of finance committee, from which pivotal position he traded in appropriations for the pool; always stood with Smith and the interests; voted for the Hinton bill.

**G. H. Sullivan, 31st District, Stillwater.**—Reactionary; consistent supporter of the pool; led the fight against tonnage tax.

**B. E. Sundberg, 63rd District, Kittson County.**—Insurgent leader; always alert and active for public interest; voted for reform of rules; was consistently opposed to the pool; did excellent service for the people in the 1907 session as chairman of special Senate committee to investigate the physical value of the railroads in Minnesota. The people had no more loyal champion in the Senate.

**C. J. Swanson, 45th District, Anoka County.**—Not a very active member; generally stood with the pool.

**L. O. Thorpe, 55th District, Kandiyohi County.**—Was for tonnage tax; opposed progressive election measures; voted against the Alderman brewery bill.

**H. T. Weis, 27th District, Le Sueur County.**—Was for progressive election measures and supported the distance tariff and tonnage tax; voted against the Hinton bill.

**D. E. White, 7th District, Dodge County.**—Was opposed to repeal of primary and also to its extension and the direct election of United States senators; voted for the distance tariff and tonnage tax.

**H. H. Witherstine, 4th District, Olmstead County.**—Strongly supported the distance tariff; was opposed to progressive election measures; voted for the tonnage tax on its final passage, but joined in the attempt to defeat

the bill by referring it to the Tax Commission. Voted against the Hinton bill.

**S. D. Works, 11th District, Blue Earth County.**—Reactionary; voted for progressive election measures, opposed the tonnage tax and was useful to the pool on several issues; supported the distance tariff.

**J. W. Wright, 23rd District, Meeker County.**—Was opposed to the pool except on election measures; supported the tonnage tax and the distance tariff; voted against the Hinton bill.

#### THE DULUTH SENATORS.

Geo. R. Laybourn, T. M. Pugh and P. R. Vail represented St. Louis county and the steel trust in the Senate. All stood with the pool on everything. Laybourn was the most active of the three.

#### ST. PAUL SENATORS.

**W. W. Dunn, 33rd District.**—Special representative and lobbyist for brewery interests; with the combine always.

**E. S. Durrant, 36th District.**—Reactionary; with the pool; voted for Hinton bill.

**Jos. M. Hackney, 37th District.**—Only insurgent senator from Ramsey county; stood consistently against the saloon program and opposed the Hinton bill; introduced several bills in the interest of the agricultural classes; has an excellent record.

**John C. Hardy, 35th District.**—Reactionary; stood with the pool except on election bills; voted for Hinton bill.

**Henry McColl, 34th District.**—Reactionary, except on election bills; voted for Hinton bill.

#### MINNEAPOLIS SENATORS.

**J. F. Calhoun, 40th District.**—A tool and lieutenant of Smith; rarely willingly voted for the public interest on anything; as chairman of committee on municipal corporations he gave consistent service to every public service company having a bill come into his hands; not so smooth as Smith, but almost as dangerous, because more willing to work out in the open; voted for Hinton bill.

**J. T. Elwell, 39th District.**—Insurgent; opposed to the pool; voted against Alderman brewery bill and Hinton bill; was author and champion of Eminent Domain bill against the Gas Trust; stood conspicuously for the people.

**M. L. Fosseen, 42nd District.**—Insurgent; voted for tonnage tax; opposed the combine; voted against Hinton bill; was author of a bill to prohibit use of basements for schools; was always active in the public interest.

**J. W. Pauly, 44th District.**—Stood for progressive elec-

tion measures; championed a bill for a state printing plant; voted against Hinton bill.

**J. L. McGowan, 38th District.**—Voted for progressive election bills and the tonnage tax; opposed the Hinton bill; was absent during much of the last session.

**E. E. Smith, 43rd District.**—The recognized leader of the corporation forces in the legislature; needs no detailed mention here because preceding chapters have shown his powers and pernicious public character; voted for Hinton bill.

**Geo. P. Wilson, 41st District.**—Generally with the pool; filled position of great responsibility and power as chairman of Senate Judiciary Committee; did not vote on Hinton bill.

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