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William Langer's Rise to Political Prominence in North Dakota

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WILLIAM LANGER'S RISE TO POLITICAL PROMINENCE
IN NORTH DAKOTA

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by

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B.S. in Social Science, Minot State College, 1965

A Thesis

Submitted to the Faculty

of the

University of North Dakota

in partial fulfillment of the requirements

for the Degree of

Master of Arts

Grand Forks, North Dakota

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This thesis submitted by Ronald V. Olson in partial fulfillment of the requirements for the Degree of Master of Arts in the University of North Dakota is hereby approved by the Committee under whom the work has been done.

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PREFACE

The purpose of this research was to record the early life and political career of one of North Dakota's outstanding political figures, the late William Langer. Due to the magnitude of Langer's endeavors, the study was limited to the high points of his career through his election to state office as North Dakota Attorney General in 1916. Although the work covers only the beginning of his long public service, it demonstrates the forcefulness, ability, and competence that eventually made William Langer the most popular political leader in North Dakota history.

The writer is indebted to Dr. D. Jerome Tweton for his valuable criticism and guidance in the preparation of this study. Special acknowledgement is also due Dr. Elwyn B. Robinson for his invaluable assistance and Dr. Henry J. Tomasek for his helpful suggestions. Also the writer wishes to thank the members of the Langer family for their valuable information on their father and brother. The writer is also grateful to all who aided in the work, especially Daniel Rylance, Archivist at Chester Fritz Library, University of North Dakota, for his helpful archival guidance, and Mrs. William Leiferman for her assistance in typing. And last, but never least, the author's wife whose many hours of assistance made this work possible.

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ABSTRACT

The purpose of this research was to record the early life and political career of the former Attorney General, Governor, and Senator from North Dakota, William Langer. Due to the magnitude of his career, the study was focused on his youth, his education, his first political campaign and election as Morton County States Attorney, his work as States Attorney, and his campaign and election as Attorney General of North Dakota in 1916.

The procedure involved a detailed study of the first thirty years of Langer's life. This included interviews with three of his sisters, one of his daughters, and the utilization of other contemporary sources. His educational career at the University of North Dakota and at Columbia University, New York, was analysed through the Langer Papers, published materials, and school newspapers and records. His early political career as States Attorney (1915-1916) and his rise to attorney general were revealed through the Langer Papers, newspapers, and various secondary sources.

In conclusion, the study reveals Langer as an ambitious, energetic, and determined young man with an intense desire to attain his goals. Combining his desire with ability, political skill, and diligence, Langer quickly achieved an impressive record and rose to political prominence in North Dakota.

CHAPTER I

THE FORMATIVE YEARS

The morning of September 30, 1886, brought great joy to the Frank J. Langer farm home near the small village of Everest five miles southwest of present-day Casselton, North Dakota. After four girls the birth of a boy, William Langer, fulfilled the hopes of the family for a brother and son.¹

The Langer name went far back into the history of the European countries of Germany and Austria. William Langer's paternal grandfather, Franz Langer, was born in one of the German states² and emigrated to the United States in 1852. After a sailing-ship voyage of ninety days he arrived with his wife, Rosa Miller Langer, and their two sons, Joseph

¹Interview with Mrs. Hattie McGurren (one of William Langer's sisters), St. Vincent's Home, Bismarck, North Dakota, March 2, 1967; Current Biography: Who's News and Why, 1952 (New York: H. H. Wilson and Co., 1953), p. 326.

²Franz Langer's exact birthplace was not located. However, in a letter from Governor William Langer to Mr. Clay Langer, September 9, 1937, Langer Papers, Box Sixty-nine, File Folder Five, Personal File, September 12-23, 1937, Langer answered the man's inquiry about the birthplace of his grandfather by stating: "My grandfather came from a little place near Vienna, Austria, in 1852." Whether or not he was born there was not stated.

and Frank, in New York City with only four dollars in his pocket and no knowledge of the English language.³

Nonetheless, by "sheer determination" he was able to make his way to Watertown, Wisconsin,⁴ and then in 1861 to the farming area near Plainview, Minnesota, where he settled down to the hard work of homesteading. In the following years he developed a valuable and productive farm. Meanwhile his sons matured and entered farming after receiving their early education in the Plainview public schools.⁵

In 1877 the Franz Langers retired and left Plainview to live with their son, Joseph, who had settled near the town of Casselton. Their other son, Frank, made a trip to the area in the same year to obtain land. During his first trip he found that "the wind blew so strong it blew the hair off a dog's back." Two years later he moved his family to the land he had purchased southwest of Casselton, but nearer the smaller settlement of Everest. With great industry and good management he improved his property and added to it

³Lewis F. Crawford, History of North Dakota (Chicago: The American Historical Society, Inc., 1931), II, 412; Fargo Forum, February 7, 1917, April 11, 1936, and September 4, 1938. Frank Langer's birthdate was August 22, 1849, and Joseph Langer's was January 22, 1852.

⁴Casselton Reporter, April 10, 1935; Fargo Forum, April 11, 1936.

⁵Crawford, History of North Dakota, II, 412.

while he became one of the most active men in the area.⁶

Frank Langer's wife, the former Mary Weber, was born into an aristocratic family on March 15, 1856, at Sandskon (sometimes given as Landsknon), Austria. When she was a young girl her family came to America and located at Owatonna, Minnesota, where she met her future husband. On December 7, 1874, they were married at Wabasha, Minnesota, and five years later she and their first child, Hattie, moved with him to their new farm in Dakota Territory. During the following years the family grew with the addition of three more girls and three boys. However, one of the boys, Arthur, died at the age of three months.⁷

In these pioneering days Mrs. Langer became not only an inspiration to her husband but also a helping hand to others. She never forgot her homeland and often helped troubled families from Austria settle in the Red River Valley. After helping one young man, Frank Feibirger, he remained as a hired hand on their farm for twelve years and later acquired a

⁶Ibid.; Casselton Reporter, April 10, 1936; Fargo Forum, April 11, 1936. Many sources state that Frank Langer homesteaded; his daughters, however, recalled that he purchased his land. According to correspondence with Cass County Register of Deeds, A. Friedman, April 6, 1967, the earliest record of Frank Langer obtaining land was October 23, 1884, when he purchased the NW $\frac{1}{4}$ of Section 22 of Everest Township from William Nicolay. The records indicate he bought more land in the area during later years. There is, however, no record of land purchases by Frank Langer prior to 1884.

⁷Casselton Reporter, September 26, 1941; interview with Mrs. Mary Ford (one of William Langer's sisters), Casselton, North Dakota, March 14, 1967.

farm of his own in the area.⁸

In 1879 Frank Langer became active in community affairs by being one of the settlers who gathered to hold Mass and organize the parish of St. Leo. The parish was organized with the help of the Reverend Father Spitzenberger who rode horseback some twenty miles from Moorhead, Minnesota, to celebrate the Mass.⁹

Although he was involved with the founding of the parish and was a supporter of the Church, Frank Langer was not a strong, "church-going" Catholic. He was a Mason when he married, and the marriage ceremony was performed by a justice of the peace. Even though the marriage was later blessed by the Church, he continued his membership in the lodge and eventually reached the thirty-second degree rank. During the last years of his life, however, he left the lodge, came back into the Church, and was later buried within the parish of St. Leo.¹⁰

In 1884 Langer started a general store in Everest and became both postmaster and town clerk.¹¹ By 1889 he was a

⁸Ibid.; interview with Mrs. Clara Woell (one of William Langer's sisters), Casselton, North Dakota, March 14, 1967. According to the Casselton Reporter Mrs. Frank J. Langer had a relative who was an Austrian count and one of the founders and early managers of the famous Mayo Clinic of Rochester, Minnesota.

⁹Casselton Reporter, April 10, 1936.

¹⁰Interviews with Mrs. McGurran, March 2, 1967; and Mrs. Woell, March 14, 1967.

¹¹Ibid.

prominent enough Republican to win nomination to the state legislature. On October 1, 1889, he was elected¹² to represent the eleventh district of Cass County in the first session of the new state legislature where he served for one term in the lower house.¹³

Retiring from the legislature, he enlarged his land holdings near Casselton¹⁴ and took part in many business ventures in the community. For many years he was a director and cashier of the First National Bank of Casselton and a director of the First State Bank of that city. He helped organize and develop the Cass County Fire and Lightning Insurance Company, the first and for years the largest

¹²Daily Argus (Fargo, North Dakota), October 7, 1889. The total votes for the Republican House candidates from the eleventh district were Langer 1,047, W. W. Beard 906, H. D. Court 949, and the Democratic vote totals were E. Gray 452, J. D. Trammel 402, and W. Staples 375.

¹³Ibid.; Casselton Reporter, April 10, 1936. Mrs. Woell recalled that her father did not like being a legislator, probably because of an experience he often told about. It seems he was the victim of an attempted bribe concerning a bill the legislature was to act on. It is not known what this was about, but it may have concerned the bill to charter the Louisiana lottery which lottery officials attempted to get passed by bribing many legislators in the first legislative session.

¹⁴According to an Atlas of Cass County, North Dakota, 1906 located in the personal collection of Mrs. J. J. Spooner, Casselton, North Dakota. Frank and Mary Langer owned land in three townships in 1906. They owned eleven quarters in Everest, three quarters in Maple River, two quarters in Casselton Township, and much of the south half of section 35 in Casselton Township--the townsite section. Today Mrs. McGurren owns two hundred acres of this area. The atlas also showed that Joseph Langer owned fourteen quarters of land in Casselton and Everest townships in 1906.

company of its kind in the state. For many years he served as secretary-treasurer of this successful company. Aside from these business positions, he held many township offices and was a long-time member of the school board. In 1892 he was elected county commissioner and later served six years as the president of the Board of Commissioners of Cass County.¹⁵

While successful in the community, Frank Langer never forgot his neighborhood or its people. When times were tough and money was needed to purchase supplies, many farmers in the community found in him a helping hand whose least concern was being repaid at a certain date. When the farmer was able to repay the debt, that was always good enough for him.¹⁶

Thus, in addition to the pioneering background, Frank Langer's participation in community affairs and local, county, and state government added a public service heritage to the Langer family. Also, the family had an European heritage that was made very evident to the Langer children as German was the language commonly spoken in the family.¹⁷

Such was the background of the six Langer children: William and his brother, Frank E., later a student at the

¹⁵Crawford, History of North Dakota, II, 412; History and Biography of North Dakota (Chicago: George A. Ogle and Company, 1900), p. 459.

¹⁶Interview with Mrs. Franklyn Gokey (Mary Erskine Langer, one of William Langer's daughters), Fargo, North Dakota, November 22, 1966.

¹⁷Ibid.

University of North Dakota, the Harvard Business School, and law graduate of the University of Washington;¹⁸ and their sisters, Adaline, later the wife of a Seattle, Washington, banker Joseph Beckerjeck; Hattie, the future wife of a Devils Lake, North Dakota, physician Dr. Charles J. McGurren; Mary, later the wife of a Casselton bank president Morgan J. Ford; and Clara, the future wife of Henry K. Woell, a farmer near Casselton.¹⁹

All of the Langer children received their early education at rural schools in the area. William began school at the age of four and one-half when he went with his older sisters to the one-room rural schoolhouse, District 102, south of Casselton. After attending there a short time, he and his older sister, Hattie, moved into town where they could attend school. William entered the fourth grade of the Casselton school²⁰ and had as his first teacher Alice Rutledge, a cousin of the sweetheart of Abraham Lincoln.²¹

During these early years the young farm boy was given much responsibility on the farm by his father which

¹⁸Casselton Reporter, November 26, 1952. Frank E. Langer became a well-known banker in Port Orchard, Washington.

¹⁹Crawford, History of North Dakota, II, 413.

²⁰Correspondence with Denis Hanson, Superintendent of Central Cass Public School District, Casselton, North Dakota, December 5, 1966.

²¹Interview with Mrs. Woell, Casselton, North Dakota, November 26, 1966. Mrs. Woell recalled that William and Hattie lived in the house that was owned by their grandmother, Rosa, who passed away in 1897.

he was expected to, and did, fully accept. For example, at the age of ten his father sent him into town to hire some help for the farm which he readily attempted to do. After making job offers to men in town, however, he was told to bring his farm in, and they would see if they wanted to work on it. When he was fifteen he was a hired hand on a neighbor's farm and, as a result of demonstrating ability to handle men, he was appointed foreman. When sixteen, his uncle became ill, and young Langer managed the farm for the summer, hiring the men and seeing the crops through from seeding time until harvest.²²

He continued his public school education at Casselton and graduated from the high school on May 27, 1904. While in high school he was an average student and did not, as many have written, graduate with honors. The fact, however, that he attained some very good grades in some of the more difficult subjects indicates that he did have a potential for future academic work.²³

Reminiscing about their early school days together, one of his fellow classmates, George R. McIntyre, wrote many years later:

I knew Bill since my high school days in Casselton and was in his classes for two years. Bill, who during his growing days at that time, towered above the rest of us and we could not suppress a smile whenever he would

²²Interviews with Mrs. Gokey, November 23, 1966; and Mrs. Woell, November 26, 1966; see also Current Biography, 1952, p. 326.

²³Correspondence with Superintendent Hanson, December 5, 1966.

walk across the room. We admired him in many ways and appreciated his keen mind.²⁴

After graduating from high school, the six-foot farm boy decided to further his education. When the fall of 1904 rolled around, William Langer had decided to enter the law profession and, putting the cart before the horse, enrolled in the law school at the University of North Dakota in Grand Forks.²⁵

For the fall semester of 1904 nearly five hundred students registered at the University of North Dakota. Of this group, fifty-one registered in the law school²⁶ which was then only six years old but was described as "a school growing in numbers and efficiency." The law school also claimed a library that was "up to date and unquestionably the best and most complete library west of Minneapolis." To make use of these facilities, the Casselton farm boy enrolled in the two-year law curriculum and eventually became "William Langer, Class of 1906."²⁷

While at the University he did not appear to be an outstanding student academically.²⁸ He was, however, soon

²⁴Casselton Reporter, November 3, 1959.

²⁵Interview with Mrs. Gokey, November 22, 1966.

²⁶Enrollment statistics, University Archives File, Orin G. Libby Manuscript Collection, Chester Fritz Library, University of North Dakota, Grand Forks, North Dakota; Office of the Registrar, University of North Dakota, Grand Forks, North Dakota.

²⁷Casselton Reporter, March 2, 1934; Daily Plain-dealer (Grand Forks, North Dakota), June 14, 1905.

²⁸Casselton Reporter, March 2, 1934.

elected vice-president of the Junior Law Officers organization on campus.²⁹ By February, 1905, he had demonstrated enough capabilities to be chosen as one of the law school representatives in the campus oratorical contest which the law school had walked away with the year before and had an established precedent to uphold.³⁰

Langer was the second speaker in the contest and spoke on "The Influence of the Home." The declamation was described as "a sincere and touching tribute to that institution which had, more than any other, left its impress on human history." Nevertheless, the judges did not award either first, second, or third place to the young law aspirant.³¹

After two years of study, which brought forth the notice in the campus newspaper that "a reward has been offered to anyone who will catch Langer outside of the library ten minutes at one time,"³² he successfully completed his course and prepared to take the state bar examinations.³³ On June 1, 1906, at the age of nineteen he took the examination which culminated his years of formal training in the law profession. According to one of the examining board, Langer passed the

²⁹The Dacotah, 1906 (Grand Forks: Published by the Class of 1906, University of North Dakota, 1905), p. 74.

³⁰Weekly Student, University of North Dakota, Grand Forks, North Dakota, February 18, 1905.

³¹Ibid.

³²Ibid., May 5, 1906.

³³Current Biography, 1952, p. 326. It should be noted that he would be nineteen years old at the end of the 1905-1906 school term instead of eighteen as stated.

examination with credit. Furthermore, he demonstrated unusual ability in applying hypothetical facts to principles of law and impressively satisfied the board that he had those qualities that would make him a capable lawyer.³⁴

Nevertheless, even with these high words of praise, the young examinee could not be sworn in and admitted to practice. The law stated that one had to be twenty-one years of age before admittance to the Bar in North Dakota and, therefore, Langer would have to wait two years. Consequently, he was advised by the members of the Board to pay the required fee of three dollars and wait until he reached the necessary age when he would be admitted.³⁵

Outside of these glimpses, little information is available concerning Langer's experiences while attending the University. It should be noted, however, that during the years, 1901-1907, the University enrollment included many future political leaders of North Dakota. Some of these men, such as Lynn J. Frazier and William Lemke, became leaders in the progressive movement that later swept the prairie state--the Nonpartisan League.³⁶ Louis G. Geiger, in University of

³⁴Emerson Smith, member of Board of Bar Examiners of North Dakota, to B. F. Spaulding, Justice of the Supreme Court of North Dakota, September 8, 1908, located in the personal papers of Mrs. Gokey.

³⁵Ibid.

³⁶For details on University Law School alumni of these years see Edward C. Blackorby, Prairie Rebel: The Public Career of William Lemke (Lincoln: University of Nebraska Press, 1963), pp. 11-13.

the Northern Plains, wrote of the law school and this period:

. . . despite its low standards of admission, the school attracted a large number of the leading graduates of the liberal arts college, among them William L. Nuessle, William Langer, J. F. T. O'Connor, Olger Burtness, William Lemke, Victor Wardrope, Ragnvold A. Nestos, and Fred Traynor, every one of whom became a figure of considerable influence in North Dakota within two decades after the school had been founded.³⁷

Delayed from practicing his profession, Langer again decided to further his education. Displaying his ever-present independent and unpredictable nature, the confident North Dakotan chose one of the largest Eastern institutions, Columbia University of New York City, as the school he would attend.³⁸

Without being admitted to the school or even writing that he was coming, he left North Dakota and arrived at Columbia in September 1908. According to one story, Langer happened to be on the same bus as a Columbia official with whom he made an acquaintance because of the man's interest in foreign languages and Langer's ability to converse in German. As the story goes, the acquaintance later prompted Columbia to accept Langer as a freshman even though he never told them he had previously attended college. The University, however, as well as the freshman class, soon came to know

³⁷Louis G. Geiger, University of the Northern Plains: A History of the University of North Dakota, 1883-1958 (Grand Forks: The University of North Dakota Press, 1958), p. 151. It should be noted that Langer did not graduate from the liberal arts college.

³⁸Interview with Mrs. Woell, November 26, 1966.

the young Midwesterner.³⁹

Much has been written about Langer's activities at Columbia by his classmates and friends during that time. Because these experiences were recalled when he was running for an important political office in his home state plus the lack of substantiating evidence, it is likely that many of the episodes have become grossly exaggerated through the years. Nevertheless, in view of his record at Columbia, it is entirely possible that the episodes associated with him during these years did actually take place.

According to these recollections, it took Langer only a few days to become known and make a name for himself to the student body. The second day after he arrived the sophomore class captured three of his freshmen classmates, took them to the University Boat Club, and amused themselves by throwing eggs at them. The president of the junior class notified the freshmen about it, and the juniors selected three freshmen, Robert Erskine,⁴⁰ Francis Bings, and Langer

³⁹Interview with Mrs. Gokey, November 22, 1966; William Langer to William Lemke, March 4, 1908, William Lemke Papers, File One, Folder Three, Orin G. Libby Manuscript Collection, Chester Fritz Library, University of North Dakota, Grand Forks, North Dakota. Hereafter cited as Lemke Papers.

⁴⁰It is probable that Erskine was recognized and chosen because he was the brother of John Erskine, a well-known author and teacher of English at Columbia from 1909 to 1937 after receiving his Ph.D. from Columbia in 1903. See Jacques Cattell, Directory of American Scholars (1st ed.; Lancaster, Penn.: The Science Press, 1942), p. 250.

to rally the freshman class to rescue their comrades.⁴¹

The rally developed into an angry mob of several hundred which descended upon the Boat Club where it recovered the classmates and destroyed everything in sight. Even the grand piano was dismantled, and its keys were passed out to the freshmen as souvenirs of the occasion. Shortly thereafter, the club presented a bill for \$4700 damages to the Columbia president, Nicholas Murray Butler, who called a conference between the two classes. The matter was argued with Langer as the spokesman for the freshmen, and as a result of his convincing style the president charged the sophomores with the entire bill.⁴² This experience began a friendship between Erskine and Langer which brought them together many times and lasted until Erskine's death many years later.⁴³

After becoming known, Langer became involved in other campus episodes and once confronted president Butler. According to one account, a rather good-looking young woman, recognizing Langer as one of the influential students, sought him out and proposed a plan to remove the bodies of those who had died in the battleship Maine and bring them back to Arlington National Cemetery for burial. Apparently she

⁴¹Bismarck Capitol, September 2, 1932. The article cited was written by John W. Brodix, a New York City Democratic publicist, who wrote that he was a classmate of Langer's at Columbia and was the editor of the Columbia Spectator while Langer served as his assistant.

⁴²Ibid.; Casselton Reporter, March 2, 1934.

⁴³Interview with Mrs. Gokey, November 22, 1966.

aroused his interest, and he arranged with his friends to help raise the necessary funds by staging a "sportsman's rodeo" on the University's new South Field.⁴⁴

The arrangements were made and advertised before president Butler found out about what was planned. Upon learning about it, he disapproved and immediately canceled the rodeo on the grounds that as a nontax-paying institution Columbia could not charge admission fees for athletic events. The cancellation raised, with the agitation of the promoters, such student protests that a compromise was affected. The rodeo went on, but instead of an admission fee they sold armbands with black and gold lettering for \$1.00 which helped raise the funds.⁴⁵

In another episode Langer became involved in an argument and fist fight with a fellow student named Kingdom Gould, a grandson of Jay Gould. At the time Gould was very unpopular because he had pulled a gun on those who tried to haze him during initiation. The argument over this resulted in a fight in which Langer gave Gould a severe licking.⁴⁶

More than once during his career at Columbia Langer impetuously defended fellow students. One of these episodes reportedly involved a young medical student named Franz Boaz and his date who had decided to stay for a dance after a

⁴⁴Bismarck Capitol, September 2, 1932. The South Field was financed by a \$3,000,000 donation from the John D. Rockefeller Foundation.

⁴⁵Ibid.

⁴⁶Ibid.; Casselton Reporter, March 2, 1934.

basketball game. Deciding to stay for only one dance they simply left their coats on their chairs instead of properly checking them. While they were dancing the manager seized their coats and demanded they purchase dance tickets before he would give them back. The meagerly financed medical student could not afford tickets, and he appealed to another student, Langer, to help him out of the predicament. Langer argued the case without results and then kicked down the locker door to recover the apparel. According to the story this resulted in a friendship between Langer and the medical student who went on to make a name for himself in the scientific world.⁴⁷

Langer's date at this dance was Miss Lydia Cady, the future Mrs. Langer, whom he met by employing one of his usual methods. Miss Cady had once been the date of Bob Erskine at a concert during which he was called out to receive a telephone call. When he returned to his seat he found the "caller" sitting with his date. This began a long courtship between Miss Cady and Langer which apparently

⁴⁷Ibid.; Casselton Reporter, March 2, 1934. According to correspondence with Alice H. Bonnell, Curator, Columbiana, Columbia University, New York City, January 3, 1967, John W. Brodix received an A. B. in 1907 and was business manager of the Columbia Spectator during the years of 1906-1907, but was never the editor. Kingdom Gould received an E.M. in 1909. Also, she found that no one named Franz Boaz or Boas attended Columbia during the years Langer was there. However, a Franz Boas, who never went to Columbia, was a well-known anthropologist and he received an honorary Sc.D. from Columbia in 1929. Only a perusal of the issues of the Columbia Spectator for the years Langer attended Columbia would possibly shed more light on these episodes but this was not possible.

did not change the friendship between the two young men.⁴⁸

An engagement of five years and eventual marriage to Lydia Cady in 1918 brought the Midwesterner into a family whose background differed from his. The Cadys were a close, conservative, well-to-do, and very strict Scotch-English, Presbyterian family of New York City.⁴⁹

Her father, Josiah Cleveland Cady, was a well-known architect of his time. He and his firm designed numerous buildings in New York City, most notably the Presbyterian Hospital, the American Museum of Natural History building, and the Metropolitan Opera House. In addition, they designed some fifteen buildings at Yale University and others in numerous eastern colleges.⁵⁰

Due to the age of Lydia's father, whom she felt needed her and possibly due to the family differences,⁵¹ she and Langer were not married until long after their years together at Columbia. By the time he had established himself in North Dakota, however, the differences were resolved and

⁴⁸Interviews with Mrs. Gokey, November 22, 1966; and Mrs. Woell, November 26, 1966.

⁴⁹Ibid.; Minot Daily News, November 19, 1966.

⁵⁰Who Was Who In America, 1897-1942 (Chicago: A. N. Marquis Company, 1943), p. 181.

⁵¹Interviews with three of Langer's sisters indicated that William's marrying outside of the Catholic Church did not cause the family to be against the marriage. Mrs. Woell said that all she remembered concerning the marriage was that her father was afraid a well-to-do Eastern girl might not adjust to North Dakota life. This fear was unfulfilled, however, as Lydia had no problem adjusting to North Dakota and everyone contacted in the research described her as a fine, likeable person to know.

they began a long and happy, though at times a trying, forty-one years of marriage which brought to them a family of four daughters.⁵²

While at Columbia, Langer continued his acquaintances with friends in North Dakota, especially another University of North Dakota graduate, William Lemke. Lemke was a 1902 graduate of the University Liberal Arts College and had gone on to study law at Yale where he became acquainted with the son of Senator José Castellot of Mexico City. Castellot interested Lemke in Mexican land and successfully encouraged him to form Mexican land colonization companies. After graduating from Yale in 1905, Lemke came back to North Dakota and practiced law in Cando for a short time before entering the firm of J. E. Robinson in Fargo.⁵³

The founding of the Land Finance Company for the purpose of purchasing Mexican land for colonization and speculation accounted for most of the correspondence between the two men. During Langer's stay at Columbia he became an investor in and a promotor of Lemke's scheme. The promotion in New York was a difficult task, however, because many people were reluctant to invest in chaotic, unstable, faraway Mexico.⁵⁴

⁵²Interview with Mrs. Gokey, November 22, 1966. The other three daughters of William Langer are Mrs. J. Peter (Emma) Schaeffer, Rye, New York; Mrs. D. King (Lydia) Irwin, New Vernon, New Jersey; and Mrs. Cornelia Noland, Washington, D.C. Lydia Cady's father was fifty years old when she was born. William Langer and Lydia Cady were married in her father's apartment in New York City on February 26, 1918.

⁵³Blackorby, Prairie Rebel, p. 13-14

⁵⁴Ibid.; William Langer to William Lemke, March 4, 1908, Lemke Papers, File One, Folder Three, 1908.

Langer viewed the endeavor not merely as speculation but as a grand movement to colonize Mexican land tracts with people from North Dakota. Coming back to North Dakota during summer vacations, he worked to secure investors for the company and urged many, including his father, to sell their property and move to Mexico as a part of the colonization dream.⁵⁵ His father had gone along with him on the business investment, which by the summer of 1909 had amounted to \$34,000 in company stock,⁵⁶ but he stopped short of forsaking North Dakota to learn Spanish, and the Langer family remained in Casselton.⁵⁷

During his association with the Land Finance Company, Langer traveled to Mexico to oversee land transactions. His first trip took place after the second semester examinations of 1909 and lasted for forty days. According to the story regarding this adventure, Langer was arrested in Mexico, charged as a spy, and jailed. The punishment for spying was death by a firing squad, but the young "spy" was saved at the very last moment by an officer acting on behalf of a general whom the young American had made friends with while in jail. "Right then," according to the book Mexico Today, "the

⁵⁵Interview with Mrs. Woell, November 26, 1966.

⁵⁶William Langer to William Lemke, September 29, 1909, Lemke Papers, File One, Folder Four, 1909. The \$34,000 was the monetary value of the stock certificates. What they actually sold for and how much actual money Langer paid for the certificates is not known.

⁵⁷Interview with Mrs. Woell, November 26, 1966. The Land Finance Company tracts were located on the west coast of Mexico in the states of Sinaloa and Nayarit. See Blackorby, Prairie Rebel, pp. 16-17.

young man decided that he would dedicate his life and legal ability to the welfare of the common people."⁵⁸

In July, 1909, Langer returned to Casselton with no less enthusiasm for the Land Finance Company and the colonization idea. Apparently neither he nor Lemke could foresee the coming revolution in Mexico and what might happen to American investments. Eventually they and all the company investors lost their money which caused many people to distrust the two prime promotors of the business.⁵⁹

⁵⁸William Langer to William Lemke, May 17, 1909, Lemke Papers, File One, Folder Four, 1909; Casselton Reporter, November 8, 1959; Irving ("Speed") Wallace, Mexico Today (Boston: Meador Publishing Company, 1936), pp. 314-15. In his letter to Lemke on May 17, Langer tells of his plans to go to Mexico after the end of the semester, and the Wallace citation and the article in the Casselton Reporter evidently are descriptions of the experience. The most descriptive is in Mexico Today where in the chapter "Facts and Fables" the character named "Bill Lang," who is easily identifiable as Langer, barely misses being executed by a firing squad. Since the writing of this book the story has been printed in many newspapers such as the one cited. Most are, however, inconsistent on the facts of the episode. For example Wallace implies that the trip took place after Langer had graduated from Columbia and that he decided by flipping a coin to go on the excursion after having seen an advertisement when buying his railroad ticket for Casselton. According to Langer's own letter he planned to go and it was after his junior year, not after he graduated. The fact that he did go in the early summer of 1909 is supported by a paper clipping located in the office files of the Casselton Reporter dated July 16, 1909, which reported that William Langer returned from a Carribean trip of forty days. Beyond the evidence that he went to Mexico at this time, the rest of the story is impossible to substantiate. The book, Mexico Today, was written during the 1930's when Langer was running for the governorship in North Dakota, and the author was later a political appointee of Langer's which makes this account even more difficult to access.

⁵⁹Interview with Mrs. Woell, November 26, 1966.

Returning to Columbia in the fall of 1909, the young traveler and adventurer went on to complete his degree requirements. Exercising the professional option of taking first-year law as his senior year curriculum, Langer concluded a highly successful four years at Columbia. While on campus he had assumed an active role as a four-year member of the Newman Club and president of it in his junior year, a member of the freshman-sophomore debate committee and team, a member of the athletic association, the captain of the track team and its best quarter-miler,⁶⁰ the assistant business manager of the campus newspaper for two years, the managing editor of the yearbook, The 1910 Columbian, a senior member of the student board, and numerous other social and academic memberships and offices.⁶¹

Aside from these activities he became valedictorian of his class,⁶² and upon graduation he was also awarded the Charles M. Rolker, Jr. prize. The prize was to be awarded

to the member of the class deemed by his classmates the most worthy of special distinction as an undergraduate student, because of scholarship, participation in student activities, or pre-eminence in athletic

⁶⁰Bismarck Capitol, September 2, 1932.

⁶¹Interview with Mrs. Gokey, November 22, 1966; Crawford, History of North Dakota, II, 413. A list of activities was located in a questionnaire filled out by William Langer for the 1910 Columbia yearbook and was found in Langer's personal papers in the possession of Mrs. Gokey.

⁶²Ibid. According to his academic transcript, Langer attained a little better than a C average while at Columbia.

sports, or in any combination of those.⁶³

In addition, he was also voted by his classmates "the biggest politician, noisiest student, most popular man and the one most likely to succeed."⁶⁴

It is interesting to note that the class prophecy was a pretended future visit by a classmate to each of the 1910 graduates which prophesied the visit to Langer in this astonishing way:

... To Washington was my next excursion and I hastened to the office of the third successful politician of our country who could at the same time be fearless and truthful. The first Lincoln, the second Roosevelt, and the third Bill Langer. He held no position except his seat in the Senate, but his influence pervaded Washington as subtly as it at one time did our own campus. When I entered the door to the inner sanctum I noticed above it was hung the old proverb, 'To the Victor Belongs The Spoils.' Optimistic Bill met me half way and he was the same old Bill always glad to have a fellow drop in on him no matter how busy he was.⁶⁵

After graduation many well-known New York firms offered Langer positions but instead he headed back to North Dakota. When he had left for Columbia his father had made him promise

⁶³M. Halsay Thomas, Curator of Columbiana, Columbia University, New York City, to Professor Louis G. Geiger, Department of History, University of North Dakota, Grand Forks, North Dakota, April 30, 1957, Biographical File, William Langer, Orin G. Libby Manuscript Collection, University of North Dakota, Grand Forks, North Dakota. The prize was the income from a \$1,000 fund provided by Mrs. Charles M. Rolker, Sr., in memory of her son who was of the class of 1907. Thus, the actual prize was not \$1,000 as some sources say but, according to the above source, was probably \$50.

⁶⁴Current Biography, 1952, p. 326.

⁶⁵Columbia Spectator, Columbia University, New York City, May 30, 1910. This issue was located in the personal papers of Mrs. Gokey.

that he would come back to North Dakota after he completed his education. Whether or not he was held to this by his father is not known, but he did feel an obligation to come back to his home state to practice his profession⁶⁶ to which he had been admitted by a special session of the North Dakota Supreme Court in September, 1908.⁶⁷

⁶⁶Interview with Mrs. Gokey, November 22, 1966.

⁶⁷Crawford, History of North Dakota, II, 413; Emerson Smith, member of Board of Bar Examiners of North Dakota, to S. F. Spaulding, Justice of the Supreme Court of North Dakota, September 8, 1908, located in the personal papers of Mrs. Gokey.

CHAPTER II

TRIUMPHANT DARK HORSE: LANGER ENTERS POLITICS

Upon returning to his home state, Langer had to wait nearly a year before practicing law because of poor health caused by appendicitis attacks. Doctors had even advised ~~him to quit school~~ during his senior year. He did not quit, however, and on the way home to North Dakota he spent a week visiting friends at Lake Emily, Minnesota, where he attempted to improve his health by working hard and adhering to the old adage, "early to bed and early to rise," which in this case did not work.¹

Continued poor health brought him to Devils Lake, North Dakota, where his brother-in-law, Dr. Charles McGurren, was a practicing physician and surgeon. Here Langer had the necessary operation, and by July was back on his feet. Unfortunately jaundice developed after the operation, and it required the rest of the year, until the Christmas season of

¹William Langer to Mrs. Charles M. Rolker, Sr., May 18, 1911, William Langer Papers, Box One, File Folder One, Personal File to 1914, Orin G. Libby Manuscript Collection, Chester Fritz Library, University of North Dakota, Grand Forks, North Dakota. Hereafter cited as Langer Papers.

1910, to gain back his strength.²

After Christmas he again went to Mexico to look after land affairs which by this time involved about 500,000 acres of land. Again he became entangled in the revolutionary movement when the tenants on the land owned by the Land Finance Company refused to pay rent and joined the popular movement. Soon the insurrectionists controlled the whole area and confiscated the American's guns and horses. As a result, business ceased and Langer, unable to do anything, left for home feeling that except for learning quite a little Spanish and regaining his health, his first year after college has been a wasted one.³

Returning to North Dakota in May, 1911, Langer wrote:

I desire now to make a living and a record so I may one day become popular enough to be the most popular man in the state just like I was in college and be given some political office large enough to attract the notice of my former classmates in the East.⁴

With these desires he chose to enter the law profession and had to decide where to begin practice. He had two offers to become the Assistant States Attorney and a partner in firms at Bowman and at Mandan, North Dakota. Both offers had advantages which the aspiring young lawyer considered. Bowman was a

²Ibid.; interview with Mrs. Woell, November 26, 1966. Mrs. Woell recalled that the operation was initially for hernia and that the appendicitis operation was done at the same time.

³William Langer to Mrs. Charles M. Rolker, Sr., May 18, 1911, Langer Papers, Box One, File Folder One, Personal File to 1914.

⁴Ibid.

small town of about 700 people with little competition in an area where land was cheap, the fact which seemed to interest him most. On the other hand, Mandan, with about 4,000 inhabitants, offered more business opportunities, but it had eleven practicing lawyers and, because it was in an older area, much higher priced land.⁵

After expressing the desire to make a name for himself, it is not surprising that he decided to locate in the more populated Mandan some six miles west of the North Dakota capital city of Bismarck. Desiring to make a living, he accepted the position of Assistant States Attorney and a partnership in the firm of the States Attorney of Morton County, H. R. Bitzing. As the Assistant States Attorney of the largest county in North Dakota, he was to receive \$90 a month and one-third of the profits from the law practice. As a partner in the firm he was also to share in the profit made by Bitzing when he borrowed money from Chicago firms at 6 percent interest and, in turn, loaned it out to the expanding community at 10 percent interest. Langer felt that, although this was not much, it would provide a living which he jokingly guessed a valedictorian of Columbia ought to be able to make.⁶

For the next two years he settled down to the work of assistant to States Attorney Bitzing who had been first elected in 1910 and was again elected in 1912. Langer remained

⁵Ibid.

⁶Ibid.

as his assistant and began to conduct his own investigations in the city of Mandan and throughout Morton County.

The most important of these investigations and probably the most significant work for Langer during these years involved corporation property escaping taxation in the city of Mandan.⁷ The issue arose over Northern Pacific Railroad Company landed property that had been leased out to elevator companies, oil station companies, and coal companies along the right-of-way of the railroad. In July, 1913, on his own initiative, Langer protested to the North Dakota Tax Commission that such sites were escaping taxation and that the men and corporations having these leases had a business advantage over those who did not have railroad leases which were exempt from city assessment.⁸

The State Tax Commission began an investigation in conjunction with the Assistant States Attorney which produced figures from which the city of Mandan realized \$16,502.44 from the Northern Pacific Railroad Company as taxes on leased sites which had escaped taxation for the previous six years.⁹ From this case similar actions were begun in the state, and

⁷Fargo Forum, August 3, 1913.

⁸Ibid.; Frank E. Packard, member of State of North Dakota Tax Commission, Bismarck, North Dakota, to William Langer, October 1, 1914, Langer Papers, Box One, File Folder Ten, Political File, 1910-1914.

⁹Fargo Forum, August 3, 1913. The taxation was fought to the State Supreme Court where Morton County's taxation was upheld. See the Fargo Forum, December 13, 1915.

Langer's findings became known to many people outside of Morton County. Even the Third District Congressman from North Dakota, P. D. Norton, wrote Langer:

I want to congratulate you on discovering the back taxes due your county from the Railroads. This is certainly a substantial find and one that can't help but meet with appreciation from the taxpayers of Morton County. I don't see any good reason why you should not accept the office of States Attorney if your friends in the county want you to. The responsibility and experience of the position are both desirable.¹⁰

During these early years at Mandan, Langer began actively participating in politics. Politically he aligned himself with the rising Republican Progressive League in the State. In January, 1914, he was elected secretary-treasurer of the Progressive League in a meeting at Fargo. This position brought him into contact with many of the young, rising political leaders in the state at the time, and some, such as Usher L. Burdick, later gave Langer support in his political campaigning in Morton County.¹¹

The opportunity for Langer to move up politically came in December, 1913, when States Attorney Bitzing announced that he would not be a candidate for the office in the forthcoming election.¹² Immediately rumors began circulating in regards

¹⁰P. D. Norton, Washington D.C., to William Langer, August 17, 1913, Langer Papers, Box One, File Folder Ten, Personal File, 1910-1914.

¹¹William Langer to O. O. Emerson, Valley City, North Dakota, March 28, 1914, Langer Papers, Box One, File Folder Ten, Political File 1910-1914. The Progresssive faction of the Republican Party developed in the early 1900's in opposition to the stalwart political machine bossed by Alexander McKenzie. See Elwyn B. Robinson, History of North Dakota (Lincoln: University of Nebraska Press, 1966), pp. 255-78.

¹²Glen Ullin News, December 19, 1913.

to probable candidates for the office with Langer's name being mentioned as a possible candidate.¹³

By the spring of 1914, announcements of candidates for the primary election on June 24 began appearing in the county newspapers. Bitzing announced his intention to run for the office of state senator from the thirtieth legislative district in Morton County which explains why he declined to run for re-election as States Attorney.¹⁴ Thus the office was open, and three well-known, long established lawyers and businessmen of Mandan sought the Republican nomination weeks before the aspiring young assistant announced his candidacy.¹⁵

The most prominent candidate for the nomination for States Attorney was the Mandan City Attorney, Louis H. Connolly. Connolly was the son of a former mayor of Mandan and had graduated from the University of North Dakota Law School in 1905, the first year of Langer's attendance there. After graduating he and one of his classmates, States Attorney Bitzing, set up a law partnership in Mandan. Through the years Connolly established himself as a qualified lawyer and

¹³Ibid.; Fargo Forum, February 25, 1914.

¹⁴Flasher Hustler, April 24, 1914.

¹⁵Glen Ullin News, March 27, 1914. Mrs. Woell recalled that about the only time her father tried to change William's mind was when he decided to enter politics. Recalling the experiences he had in the legislature he advised William not to get involved in politics and that he would be happier and much better off in the law profession. But, as usual, William went ahead with what he wanted to do.

a capable businessman on Mandan's main street.¹⁶ Some county newspapers, such as the Glen Ullin News, backed Connolly's candidacy declaring that "voters can do no better than to place an X after the name of L. H. Connolly at the primaries for States Attorney."¹⁷

In addition to Connolly, B. W. Shaw entered the race citing thirty years of law experience as his qualification for the nomination. These years included experience as District Attorney of Morton County in the Territorial years, 1887-1888; City Attorney of Mandan in 1887 and from 1900 to 1904; States Attorney from 1905 to 1909; and service in the North Dakota House of Representatives in 1890, 1893 and 1901.¹⁸

I. N. ("Colonel") Steen was the third lawyer to announce his candidacy.¹⁹ Colonel Steen had recently received much public praise from Governor Louis B. Hanna for his efforts in raising a large sum of money for a statue of Abraham Lincoln which was to be presented by the Governor and erected at Christiana, Norway, on July 4, 1914.²⁰

¹⁶Daily Plaindealer, June 14, 1905; Crawford, History of North Dakota, III, 335; William B. Hennessy, History of North Dakota (Bismarck, North Dakota: The Bismarck Tribune Co., 1910), pp. 80-81.

¹⁷Glen Ullin News, June 5, 1914, and Hebron Tribune, May 29, 1914.

¹⁸Glen Ullin News, March 27, 1914; Hebron Tribune, June 12, 1914; Hennessy, History of North Dakota, pp. 14-15.

¹⁹Glen Ullin News, March 27, 1914.

²⁰Ibid., January 9, 1914.

The young Assistant States Attorney quite late added his name to those three prominent candidates, and newspapers outside of Morton County noticed the promise of an interesting race in what usually was the dull atmosphere of county politics.²¹ Only one Democrat candidate, another Mandan lawyer, John F. Sullivan, ran for nomination.²²

During the first week of April, Bitzing and Langer announced the dissolution of their partnership,²³ and Langer followed with his announcement to run for the office of States Attorney. Immediately Langer found his support in the southern and western areas of the county with the New Leipzig Sentinel speaking out on his behalf. The paper described him:

A young forceful man, a lawyer who possesses the prime requisites of tact, ability, and direct way of approaching a proposition without gumshoeing, and a star chamber session as to whose toes might be trod on if some action were taken, is thoroughly conversent with the German language and we feel confident that he will poll a very large vote in this section at the primaries.²⁴

The campaign followed the pattern of most local politics with the candidates names, qualifications, and pictures appearing on the political pages of the local county newspapers. Political issues did not become very important since all four men were in the same party, and all promised to carry

²¹Bismarck Daily Tribune, May 2, 1914.

²²Glen Ullin News, April 17, 1914.

²³New Leipzig Sentinel, April 11, 1914.

²⁴Ibid., April 18, 1914.

out the duties of the States Attorney. Instead, the race became a bitter one of personalities, nationalities, and sectionalism within the county.²⁵ Each candidate developed a personal following among the ethnic groups. Langer, of course, was the German candidate, and Connolly had a long Irish background, while Colonel Steen and Shaw represented the Norwegian and English voters respectively.²⁶

Sectionally the fight became one of the southern and western sections of the county against the northern and eastern as represented by the city of Mandan. Expressing this view, the New Leipzig Sentinel spoke out strongly for Langer who, it claimed, was arrayed against the "powers that be" and the "old gang" who controlled Morton County. It was no secret, the paper claimed, that the "powers that be" decreed that Langer be slaughtered at the polls in favor of a candidate that would be more pliable for the interests of the "old gang". The clamor was, according to the paper, not so much for any one of the other candidates but for anyone to defeat Langer for the nomination at all costs. This, the New Leipzig Sentinel stressed, was clear in the minds of the unprejudiced voters who desired a States Attorney who would conduct the affairs of that office fairly and impartially toward every person in the county.²⁷

²⁵Bismarck Daily Tribune, May 2, 1914.

²⁶Ibid.; Crawford, History of North Dakota, III, 335.

²⁷New Leipzig Sentinel, June 20, 1914.

As the campaign progressed Langer gained the support of and, in turn, supported Bitzing.²⁸ Langer also supported the candidacy of a Williston, North Dakota, attorney and cattleman, Usher L. Burdick, who was running for the Republican nomination for governor as a Progressive against the incumbent governor, L. B. Hanna.²⁹

Two days before the primary Langer was involved in what could have been a very serious accident. While driving from Carson to Flasher in the evening of June 22, his car overturned, and he suffered some internal injuries and severe bruises. He was kept over night by the physician at Carson but resumed the whirlwind campaign trail the following day.³⁰

In the June 24, 1914, primary on the state level, the Republican incumbents led by Governor Hanna became the party nominees for the November election. In Morton County the first returns put Connolly in the lead³¹ but as later returns came in, Langer gained a small lead and held it,

²⁸H. R. Bitzing to William Langer, June 22, 1914, Langer Papers, Box One, File Folder Two, Business and Legal File, 1911-1914.

²⁹Usher L. Burdick to William Langer, September 20, 1915, Langer Papers, Box One, File Folder Eleven, Political File, 1915.

³⁰Mandan Daily Pioneer, June 23, 1914.

³¹Mandan Daily Pioneer, June 25, 1914. One of the election officials never made it to Mandan with his precinct's votes. On the evening of June 24, Henry C. Anderson started out by buggy for Mandan with the votes from Jonesburg township in the southwestern part of the county. En route he attempted to cross the swollen Cannonball River by riding his

winning the nomination by 156 votes over Connolly, 219 votes over Steen, and 515 votes over Shaw.³² How was he able to win over three such prominent men while not supporting the leader on the ticket?

First, Langer was probably aided by Steen and Shaw to get the nomination just as Woodrow Wilson had been aided by Theodore Roosevelt to become a minority President in 1912. Had Connolly and Langer been the only candidates, the outcome might have been different judging from the fact that most of Langer's support came from the rural and German segments of the county where he carried nearly every vote in some precincts.³³ Secondly, Langer may have won the nomination on Bitzing's coattails. Bitzing's support of Langer probably offset the losses Langer likely suffered in supporting the losing gubernatorial hopeful Burdick, even though Bitzing lost the senate nomination in a close race.³⁴

horse's back while fording the river. The horse apparently tangled in the harness and threw Anderson, who it was believed could not swim, and he evidently drowned. It was not known for sure because the body was not immediately found, and rescue attempts were given up until the high water subsided.

³²Glen Ullin News, June 31, 1914. The total votes were Langer 992, Connolly 836, Steen 773, and Shaw 477. The Democrat Sullivan received 394 votes.

³³New Leipzig Sentinel, October 30, 1914.

³⁴Ibid., July 4, 1914; Usher L. Burdick to William Langer, June 22, 1914, Langer Papers, Box One, File Folder Two, Business and Legal File, 1911-1914. The total Republican primary votes for state senator were Bitzing 692 and W. E. Martin 881. The Morton County Republican primary votes for governor were Burdick 351, Hanna 1,426, and J. H. Wishek 1,386.

A third reason for the upset was the claim made by the supporters of Colonel Steen. They claimed that a confusion of names on the ballot lost many votes for their man. Ironically, it happened that John B. Steen was a Republican candidate for the State Treasurer nomination. The supporters of Colonel Steen pointed out that many voters became confused and actually voted for John B. Steen whose name appeared first on the ballot while thinking they were voting for Colonel Steen whose name was further down the ballot in the States Attorney section.³⁵

To make their accusation condemning the knowledge of the Morton County voters more plausible they cited the voting results for the State Treasurer nomination. John B. Steen, they claimed, was hardly known by the people of Morton County and had not even worked in the county during the campaign. On the other hand, his opponent, T. H. Tharalson, was well-known in the county and had many supporters working for him. On the basis of this, Tharalson, they asserted, should have won by 300 or 400 votes, but in the final results he lost to Steen by 350 votes. Thus, they wondered what might have happened in the race for the States Attorney nomination if only one Steen name, I. N. ("Colonel") Steen, had appeared on the ballot.³⁶

³⁵Fargo Forum, July 2, 1914.

³⁶Ibid.; North Dakota, Secretary of State, Compilation of State and National Election Returns, 1914-1954. 1914 Primary Election. Hereafter cited as Election Returns.

Lastly, Langer was aided by the ethnic support that he had in the county, especially in the southern and western sections. According to the census of 1910 Morton County had a population of 25,289 of which 44 percent were of German, Russian, or Austrian origin. Out of its total population Morton County had 7,828 males of voting age and 49 percent of these were foreign born whites. Therefore, even though it is impossible to determine how decisive it was, the vote support from the outlying German, Russian, and Austrian areas of the county certainly aided Langer in the election.³⁷

The young lawyer had challenged and successfully beaten those whom the papers claimed were the three most prominent lawyers in the county. The next step, of course, was the general election in November. In a county where many precincts and towns registered up to 85 percent Republican voters³⁸ and where no Democrat had ever done well, an easy victory could normally be expected for the Republican nominee in November. But Langer had just proven that Morton County politics in 1914 was anything but normal.

The race for the office of States Attorney was now between Langer and Sullivan which should have ended the dissension among the Republicans. To the contrary, the leading Republicans seemed to uphold the accusations of the New

³⁷U.S., Bureau of the Census, Thirteenth Census of the United States: 1910. Population, III, 352-53.

³⁸Hebron Tribune, June 12, 1914.

Leipzig Sentinel because they did not fall in line in supporting the Republican nominee Langer. Instead, they supported the Democratic nominee Sullivan who was reportedly making a strong bid for the office.³⁹

Again the New Leipzig Sentinel took up the fight for Langer. Its editorials stressed the fact that one of the papers in the northwestern part of the county suggested that many of the friends of the Democrat candidate would leave the Republican ticket to support him. Such desertion of the Republican candidate (Langer), the New Leipzig Sentinel claimed, would logically have to include desertion of all Republican candidates, for the simple reason that Langer was the best equipped, most honest, and most sincere fellow to ever run for the position in the county.⁴⁰

The paper's editorials continued to remind the voters of the attempts of the leaders to defeat Langer in the primary and then, being unable to do this, the "tax-dodgers" and "cut throat specialists" commenced to look around for another way to defeat him. Emphatically the editorial page declared:

Not for an instant did they give Mr. Langer credit for his clean upright campaign. Nor for a single moment did they give him credit for all the things he had done for the county. They tried to dig up and find something that would blemish Langer's record which they could attack. This last job was like looking for a needle in a hay stack. The young man's life had been clean . . . and

³⁹Fargo Forum, November 4, 1914; Hebron Tribune, October 9, 1914.

⁴⁰New Leipzig Sentinel, October 16, 1914.

as far as they could find he has never broken the Ten Commandments.⁴¹

The paper alleged that the tax-dodgers and corporation men turned to Langer's opponent, the railroad attorney, in an attempt to defeat the candidate they knew would collect the taxes.⁴² "Personally," remarked the paper, "we would rather see Mr. Langer elected States Attorney of this county than to see Hanna elected governor, and everyone knows that we have always been heart and soul for Hanna."⁴³ How any paper claiming to be a Republican paper could refuse to support Langer was beyond the comprehension of the New Leipzig Sentinel, and if Langer were beaten by "the cut-throat gang operating under the guise of Republican leaders," the paper declared that it stood ready to close up shop.⁴⁴

During the months between the primary and general election, Langer worked hard to increase his vote-getting ability in all areas but especially in the southern and western ones. He also strove to increase his popularity among the German voters by hiring a Bismarck woman, Miss Emma Lou Brandt, to write campaign letters in German to the German voters throughout the county. During the months of September and October she wrote as many as forty letters a

⁴¹Ibid., October 30, 1914.

⁴²Ibid.

⁴³Ibid., October 9, 1914.

⁴⁴Ibid., October 16, 1914

day for his campaign.⁴⁵

In the northern areas of the county, Langer's candidacy was given a cool reception by the local papers. His campaigning was generally given only passing mention within articles concerning the whole slate of county candidates.⁴⁶ Democrat Sullivan, on the other hand, was depicted as a welcome visitor who delivered interesting and impressive campaign speeches.⁴⁷ As the campaign developed, Langer found himself opposed by former North Dakota Republican House Speaker, J. M. Hanley, who was a law partner of Sullivan's as well as the Republican county chairman, and by numerous other county Republicans.⁴⁸

In addition to his political publicity, Langer kept his name in the papers by his efforts as a diligent upholder of justice. In early October, just when the political race was mounting, the young attorney became involved in one of the most sensational court cases in the history of Morton County.

According to newspaper accounts of the incident, a nineteen-year-old Assyrian peddler named George Harried was arrested in Bismarck by the Bismarck police chief,

⁴⁵Emma Lou Brandt, Bismarck, North Dakota, to William Langer, October 11, 1914, Langer Papers, Box One, File Folder Ten, Political File, 1910-1914.

⁴⁶Glen Ullin News, October 16, 1914; Hebron Tribune, October 16, 1914.

⁴⁷Hebron Tribune, October 9, 1914; Glen Ullin News, October 30, 1914.

⁴⁸Fargo Forum, November 4, 1914.

George Fortune, on September 24 for peddling without a license. After being relieved of seventy-two dollars and a large suitcase of linen and embroidery goods, Harried was jailed. Shortly afterwards Judge W. S. Casselman appeared and threatened him with ninety days imprisonment unless he paid a twenty-five dollar fine.⁴⁹

Protesting, Harried paid the fine. After paying it, however, he was left with his suitcase at the Missouri River bridge and was told never to return or he would be fined more. When he opened the suitcase he found almost all of the goods missing and only twenty-six dollars which made his loss over sixty dollars.⁵⁰

After walking to Mandan, Harried reported the matter to attorney William Langer, who decided to investigate. He had the States Attorney of Burleigh County issue a search warrant, and the missing goods were discovered at the home of Police Chief Fortune who was later arrested with Judge Casselman and another officer who was involved in the affair. The three were charged with grand larceny, and a hearing was set for October 6 with Langer representing Harried in the prosecution of the three defendants. The three Bismarck men were defended by T. R. Mockler and Oscar Ulness of Bismarck and by Langer's political opponent, John Sullivan of Mandan.⁵¹

⁴⁹Mandan News, October 2, 1914; Bismarck Daily Tribune, September 30, 1914.

⁵⁰Ibid.

⁵¹Bismarck Daily Tribune, October 7, 1914.

Before the hearing Fortune asked voluntarily to be suspended from his position, although he maintained his innocence and claimed that he was a victim of a frame-up. On October 6 the hearing was held, and the three defendants waived preliminary examination and were bound over to the district court after \$1500 bonds were fixed.⁵²

Until the bonds were paid the sheriff of Burleigh County was supposed to hold the defendants in custody, but the sheriff was not present. The judge then ordered Fortune to call the sheriff, and the whole courtroom heard the former police chief call the sheriff and tell him to come down and take charge of the prisoners. By afternoon the bonds were furnished and the three men were released to await the district court.⁵³

Overshadowing all the political races in Morton County, however, was the fight over the proposed county division which would be put to a vote in the general election. Two separate positions were filed by petition, one creating Beaver County in the northwest corner and one creating Grant County out of the southwestern area of Morton. Such division would

⁵²Ibid.

⁵³Ibid. According to the Bismarck Daily Tribune, December 17, 1914, the case reached the district court on December 16 where Harried claimed that Mrs. George Fortune had told him that she would "fix" it so he could peddle without a license if he would give her some material. This testimony was denied by Mr. Fortune as a false attempt to drag his wife into the case. In the Tribune issue of December 20, it was reported that the jury could not reach a decision, and the case was discharged by the court. Langer, however, was not satisfied and believed that the evidence warranted either conviction or acquittal of the defendants and that he was going to move for a retrial, but no further action was found.

leave Morton County with thirty townships in the north-eastern section of the present county.⁵⁴

The outlying areas generally accused Mandan of attempting to defeat division of the large county. Newspaper editorials of these areas claimed that there was only one town whose interests were jeopardized by the intended division and that town was Mandan.⁵⁵ During the campaign spokesmen of each of the proposed areas worked to create support for themselves even at the expense of the other. At one time the Grant faction proposed to support Mandan and vote against the Beaver County proposal in return for Mandan's support of the Grant division.⁵⁶

The front page of the Mandan Daily Pioneer expressed the Mandan view in pre-election issues by reminding Mandan citizens in bold print that:

IT IS AN ATTEMPT TO BUILD UP SMALLER COMMUNITIES AT YOUR EXPENSE? AND AT THE EXPENSE OF EVERY TAX-PAYER IN THE COUNTY.

IT WILL NOT ONLY COST THE NEW COUNTIES THAT WOULD ORGANIZE HEAVILY; BUT IT WILL COST MANDAN MORE THAN ANY OTHER PLACE IN ADDED TAXES TO PROVIDE THE RUNNING EXPENSE OF A SMALL COUNTY.

THERE IS NOT A WORD OF TRUTH IN THE STATEMENTS MADE BY DIVISIONISTS THAT IT WILL COST LESS TO RUN THREE COUNTIES THAN TO RUN ONE.

THINK THIS OVER FOR YOURSELF. YOU KNOW YOU CAN'T RUN THREE COURT HOUSES, THREE SETS OF OFFICES, THREE SEPARATE ORGANIZATIONS AS CHEAP AS ONE.

WE DON'T THINK THE PEOPLE OF MANDAN WILL BE DECEIVED IN VOTING FOR DIVISION BUT WE WANT THEM ALL

⁵⁴Ibid., September 26, 1914; New Salem Journal, October 30, 1914; Elgin Times, September 25, 1914.

⁵⁵Hebron Tribune, October 30, 1914.

⁵⁶Fargo Forum, October 28, 1914.

TO REALIZE THAT WHAT THEY MUST DO IS TO VOTE AGAINST DIVISION.

IT WON'T DO NOT TO VOTE AT ALL FOR THE OTHER TWO COUNTIES HAVE 500 VOTES MORE THAN WE HAVE AND UNLESS WE ALL VOTE SOLID AGAINST IT AND GET SOME OF THE VOTES FROM THE OTHER COUNTIES WE WILL BE SET OFF IN A COUNTY SO SMALL YOU WON'T BE HARDLY ABLE TO FIND IT ON THE MAP.

. . . MANDAN MUST VOTE EVERY VOTE AGAINST DIVISION. THIS MEANS YOU. MANDAN EXPECTS EVERY MAN TO DO HIS DUTY.⁵⁷

Finally the day of the decision came with the November 3 general election. On the state scene the Republican party, led by Governor Hanna, swept all state offices.⁵⁸ In Morton the election passed quietly with a good turnout of voters.⁵⁹ On the division issues the Beaver County proposal was decisively defeated while the Grant issue was defeated by only eleven votes.⁶⁰

In the States Attorney race Langer made a good run in Mandan, building up a lead of 173 votes over Sullivan.⁶¹ Throughout the county, as might be expected, the party vote

⁵⁷Mandan Daily Pioneer, November 2, 1914.

⁵⁸Hebron Tribune, November 6, 1914.

⁵⁹New Leipzig Sentinel, November 6, 1914.

⁶⁰Hebron Tribune, November 6, 1914; Fargo Forum, November 12, 1914; Hebron Tribune, April 16, 1915. Shortly after the election, protests were made that election officials in one precinct had been intoxicated, resulting in a vote of forty-nine to zero against the Grant division. The total Grant division vote results were eventually taken to court where it was found that some precincts votes were not legal and that the Grant proposal actually lost by over fifty votes. The Grant proposal became a reality in the election of 1916. See Chapter IV.

⁶¹Bismarck Daily Tribune, November 5, 1914.

was shattered, and some strong Republican precincts went to Sullivan; Langer, however, gained heavily in many other precincts so that his vote did not fall far behind the ticket leaders.⁶² In the final result the Morton County primary race "dark horse" won the election as States Attorney by over a majority, according to the Fargo Forum and Grand Forks Herald, of 1,000 votes, in what was described as the most spectacular election contest ever witnessed in the county.⁶³

Many Republican voters of Morton County apparently found party affiliation to be stronger than other factors influencing their political behavior in the general election where there was only a Republican or Democratic choice to make. As a result, the ambitious, young campaigner had won his first political office, but county States Attorneys usually did not become well-known throughout an entire state.

⁶²Ibid.

⁶³Fargo Forum, November 4, 1914; Grand Forks Herald, November 5, 1914. After much research the official Morton County vote for November 3, 1914, was not obtained. Correspondence with the Morton County Auditor, Ora Henderson, January 17, 1967, and the North Dakota Secretary of State, Ben Meier, January 13, 1967, revealed that no official record of county votes for Morton County is available prior to 1934. County Auditor Henderson surmised that these records may have been lost when the old capitol building burned. A detailed study of Morton county newspapers for the period produced no official abstract of the election results. The Mandan News, November 6, 1914, listed the votes for 66 of the 68 precincts in which Langer had 2,042 votes and Sullivan 1,457 votes or a majority for Langer of 585 votes.

CHAPTER III

NO STONE UNTURNED: LANGER AS STATES ATTORNEY

In the months following his triumph at the polls the States Attorney-elect continued his work as Assistant States Attorney which would give an indication of what Morton County citizens could expect from him in the future. The initial move came when F. L. Watkins of the North Dakota Enforcement League filed a complaint with the States Attorney after charging that men in nearly every town across the southern part of the county were violating the prohibition laws. Because of the complaint, the States Attorney's office began actions to bring the lawbreakers to justice.¹

Langer, however, led a raid on the prohibition violators, colloquially referred to as "blind piggers," in the town of Hebron in the northern part of the county. The raid was so successful that two railroad freight cars were used to bring the confiscated evidence of 4,850 gallons of mostly high-priced wines back to Mandan for use as evidence in connection with the warrants issued for the several "blind piggers" involved.²

¹Fargo Forum, November 14, 1914.

²Hebron Tribune, December 11, 1914.

With this groundwork the new States Attorney took office on January 1, 1915, and immediately expanded the process of cleaning up the largest and, apparently, one of the most lawless counties in North Dakota. Little did anyone realize or expect, not even his avid supporter, the New Leipzig Sentinel, that the new States Attorney would soon make the newspapers throughout the state as one of the most fearless prosecutors of lawlessness that North Dakota had ever witnessed.³

An indication of his reputation was shown when the theater managers of Mandan and Bismarck held a sudden meeting on December 31, 1914, to organize a State Theater Managers Organization that would work for the repeal of the Sunday closing law. Mandan was one of the few cities in the state where theaters remained open on Sunday, and the managers sensed that this might be stopped with Langer in the States Attorney office.⁴

Langer's first action, however, was to continue the prosecution of all "blind piggers" operating in the county. Beginning with a barrage of bench warrants that numbered forty-two by the end of his first week in office, he left no doubts in the minds of Morton County citizens that he was out to make good his law enforcement decisions. Thus, it was not long before formal invitations to visit the county

³New Leipzig Sentinel, April 13, 1916.

⁴Fargo Forum, January 1, 1915.

jail on behalf of the States Attorney became a common conversational topic in the county.⁵

Langer was not the first to crack down on prohibition violaters during these years as the following excerpt from the Bismarck Daily Tribune indicates:

Bismarck's blind pigs are being closed up at a record breaking rate of speed. Three places, at all of which quantities of booze were found, were put under lock and key yesterday, following raids by the officers.⁶

The prosecutions in Bismarck, however, did not receive the widespread newspaper coverage that Langer received later in Morton County. The apparent explanation is that the area was not as large, and there were not as many potential cases of "blind pigging" around Bismarck as there were to be found in Morton County which some outsiders called "one of the most corrupt counties in the state."⁷

Like the exploits and experiences of later investigators during the era of national prohibition, Langer's methods were not only successful but at times were actually humorous.⁸ The first of such episodes involved Langer's

⁵Ibid.; Hebron Tribune, January 8, 1915; Flasher Hustler, January 15, 1915.

⁶Bismarck Daily Tribune, October 13, 1914.

⁷Usher L. Burdick to William Langer, February 27, 1915, Langer Papers, Box One, File Folder Eleven, Political File, 1915.

⁸Reference is to Isadore "Izzy" Einstein and Moe Smith who were prohibition agents from 1921 to 1925. Izzy and Moe employed such unorthodox methods to make a record of 4,392 arrests that they became a legend in their time. See Isabel Leighton (ed.), The Aspirin Age 1919-1941 (New York: Simon and Schuster, 1965), pp. 34-49.

issuing warrants for the arrest of two Mandan men on the charge of petty larceny. The two men were charged with breaking into and consuming some of the stored wine that Langer had confiscated in his early raid at Hebron. One of the men worked at the courthouse while the other was a witness for the States Attorney in the Hebron case, but both men became so intoxicated that they were not able to perform either duty.⁹

Within ten days after taking office, Langer had filled the county jail to capacity with five and six prisoners in each cell.¹⁰ He did not, however, forget his prisoners because as president of the Health Board he called for an investigation of the conditions at the county jail which was soon made by the Mandan City Health Officer, H. O. Altnow, and the Superintendent of the County Board of Health, Dr. F. E. Bunting.¹¹

From the findings of their investigation, Dr. Bunting issued a statement describing the county jail as "a disgrace to Morton County and humanity." Consequently, the health board declared that a new jail was needed and challenged physicians in the county to find fault with its investigation and findings.¹²

⁹Grand Forks Herald, January 2, 1915.

¹⁰Fargo Forum, January 11, 1915.

¹¹Bismarck Daily Tribune, January 31, 1915.

¹²Ibid.

Langer continued his prosecutions which resulted in the arrests of over a hundred men and women on violations of the prohibition laws during his first month in office. More impressive was the fact that he obtained convictions in so many cases that newspapers reported that pleading guilty to "blind pigging" charges in Morton County was becoming a habit. In addition, Langer also closed the pool halls and theaters in Mandan on Sundays.¹³

Others than the citizens of Morton County felt the effects of the stringent law enforcement campaign of William Langer. Within a month after beginning in Morton County he turned his campaign against lawlessness in the neighboring city of Bismarck. Langer disguised himself and visited several places in that city. Afterwards he wrote letters of protest to the States Attorney of Burleigh County, the county within which Bismarck was located, the Attorney General of North Dakota, the Speaker of the North Dakota House of Representatives, and the Lieutenant Governor of North Dakota, in which he charged that the prohibition laws were openly violated and that such violations were tolerated in Bismarck.¹⁴

According to Langer, he made the accusations because lax law enforcement in neighboring counties made effective enforcement in his county very difficult, and he wished to

¹³Glen Ullin News, February 19, 1915; Fargo Forum, January 29, 1915.

¹⁴Bismarck Daily Tribune, February 6, 1915; Hebrom Tribune, February 12, 1915; Glen Ullin News, February 19, 1915.

endorse the office of the proposed State Enforcement Commission. These accusations, which came when the legislature was in session, created quite a lot of comment in the area newspapers.¹⁵

Immediately the States Attorney of Burleigh County answered Langer, expressing resentment of the criticisms made and inviting Langer to present his evidence. He further stated that his work was to prosecute but not to detect and, although he could understand some reason for the letter to him, he could not see why similar letters had been sent to the other government officials.¹⁶

Following this episode the relentless war on "blind piggers" continued in Morton County. Langer's many arrests accounted for a record fifty-four-day court term which ended in February. During the following months his ceaseless prosecution brought forth 156 actions for the court calendar of the June term.¹⁷ Thus, it was not surprising that F. L. Watkins, of the Enforcement League, wrote in the July 1, 1915, issue of the prohibition paper, the North Dakota Standard, that William Langer in four months had cleaned up the county and had faced as immense problems as could be found in any North Dakota county.¹⁸

¹⁵Ibid.

¹⁶Bismarck Daily Tribune, February 10, 1915.

¹⁷Glen Ullin News, June 18, 1915.

¹⁸North Dakota Standard (Lisbon, North Dakota), July 1, 1915. This paper was the voice of three temperance organizations in the state: the North Dakota Enforcement League, the Woman's Christian Temperance Union, and the North Dakota Total Abstinence Association.

Throughout the rest of the year the States Attorney continued to enforce the prohibition laws but with less publicity. By this time Langer was working with Lillie B. Bowers, a field worker for the Women's Christian Temperance Union,¹⁹ in uncovering evidence of prohibition violations in Morton County.²⁰ Just how much effect the work of Langer and the temperance organizations had in the state at this time is difficult to evaluate. The Attorney General, however, did secure an injunction against all railroads operating in the state, prohibiting the importation of intoxicating liquors for uses not in accordance with the prohibition laws.²¹

Publicity concerning States Attorney Langer did not cease with the cleaning up of the prohibition problem in Morton County. When school started in the fall of 1915, Langer conducted an investigation and found that Morton County had in his words "one of the poorest school systems in North Dakota."²²

Beginning on November 15, Langer notified over eight hundred parents and guardians by registered letters that private

¹⁹Lillie B. Bowers, Fargo, North Dakota, to William Langer, October 12, 1915, Langer Papers, Box One, File Folder Three, Business and Legal File, 1915.

²⁰William Langer to Lillie B. Bowers, Fargo, North Dakota, October 14, 1915, Langer Papers, Box One, File Folder Three, Business and Legal File, 1915.

²¹Henry J. Linde, Attorney General of North Dakota, Bismarck, North Dakota, to William Langer, August 16, 1915, Langer Papers, Box One, File Folder Three, Business and Legal File, 1915.

²²New Leipzig Sentinel, November 25, 1915.

investigation had shown they were not observing the compulsory attendance laws of the state. He stated that his interpretation of the laws was that all children must attend school up to the age of sixteen while the school was in session. Not wishing, however, to take advantage of previous custom, he promised to give parents five days to get the children to school. If the parents did not comply within five days after receiving the notice, Langer warned that he would take legal action against them.²³

In every letter the States Attorney expressed his intention to enforce the compulsory attendance law the same as any other law.²⁴ He followed with letters to all the teachers in the county, requesting the names of the children of school age who were not attending school, the names of the parents of such children, and the distance that these families lived from the schoolhouse.²⁵

The last request was in line with Langer's intention to improve the school districts of the county. He also sent

²³William Langer to Math Walhman, Almont, North Dakota, December 6, 1915, Langer Papers, Box Two, File Folder Twenty, School Issue, December 5-7, 1915. This letter is representative of many sent to parents who were not complying with the education laws during Langer's term as States Attorney. See Langer Papers, Boxes Two and Three, School Issue, November 15, 1915, to January 2, 1917.

²⁴Ibid.

²⁵William Langer to William Eckstein, New Leipzig, North Dakota, November 20, 1915, Langer Papers, Box Two, File Folder Thirteen, School Issue, November 19-20, 1915. This letter is representative of many sent to teachers to check on attendance during Langer's term as States Attorney. See Langer Papers, Boxes Two and Three, School Issue, November 15, 1915, to January 2, 1917.

letters to many school district boards in which he asked their active co-operation and support in making the rural school system a credit to the county. Langer stated his belief that consolidated schools were the answer and that they would be a crowning success to the upgrading work being done.²⁶

In the same letters he also revealed that mandamus proceedings had been started against the school boards for not complying with the educational laws in their schools. Langer started the proceedings primarily because the schools were not displaying the American flag as required by the law. In addition, he reminded the board members to be sure that transportation was provided for school children living more than two-and-one-quarter miles from the school. He also told them that fireguards were required around all schools and suggested that if the ground was frozen too hard for plowing they should burn the fire breaks around the schoolhouses.²⁷

As with the parents, Langer permitted that if the boards replied immediately that they were acting to observe the laws, he would not have the papers served. He reminded them that such replies would save the districts the expense

²⁶William Langer to Charles Newman, President of Valley School District, Carl, North Dakota, November 16, 1915, Langer Papers, Box Two, File Folder Twelve, School Issue, November 16-18, 1915. This letter is representative of many sent to the school board members of those schools not complying with the attendance laws. See Langer Papers, Boxes Two and Three, School Issue, November 15, 1915, to January 2, 1917.

²⁷Ibid.

of hiring attorneys and appearing in court.²⁸

Just how much effect the notices had on the county school situation is difficult to determine. But the countless replies received by the States Attorney indicated that most children were attending regularly.²⁹ In those schools where absences continued, the teachers supplied the requested information.³⁰ Most school boards replied that they had been complying with the laws or that they had moved to meet the requirements requested by the States Attorney.³¹

A few letters from parents and teachers indicated reluctance to comply with the laws. For example, one parent wrote that all of his children had whooping cough and, therefore, were not attending school. Langer replied that he wished to be informed as soon as they were well and back to

²⁸Ibid.

²⁹William Eckstein, New Leipzig, North Dakota, to William Langer, December 4, 1915, and Bertha Harlson, Flasher, North Dakota, to William Langer, November 24, 1915, Langer Papers, Box Two, File Folder Thirteen, School Issue, November 19-20, 1915. These two letters are representative of most of the replies stating all children were attending school, also in which the teachers expressed support of Langer's work. (Many replied on the bottom of Langer's letter, hence the replies are filed in the folder for the date on which Langer wrote to them.)

³⁰B. F. Woodall, Odense, North Dakota, to William Langer, November 25, 1915, Langer Papers, Box Two, File Folder Fifteen, School Issue, November 25-28, 1915.

³¹Anton Fibeges, President of Hettz School District, Glen Ullin, North Dakota, to William Langer, November 20, 1915, Langer Papers, Box Two, File Folder Thirteen, School Issue, November 19-20, 1915, and F. J. Simsatsen, Clerk of Board of Education, Flasher, North Dakota, to William Langer November 23, 1915, Langer Papers, Box Two, File Folder Fourteen, School Issue, November 21-24, 1915.

school so he could keep his files in shape.³² Whenever noncompliance occurred, Langer requested that the teacher send him the names of all the parents so that he could arrest them.³³

Although most school boards wrote they were complying with the laws, one board wrote that the teacher would not display the flag. Langer revealed his firm position by stating in his answer that it was the teacher's duty under her contract to comply, and if she did not she should be fired. The States Attorney told the board that if the teacher sued on her contract after such action, he would defend them free of charge in any court.³⁴

In addition to enforcing the school laws, Langer took an active part in the movement toward consolidating schools in the county. He wrote to many county school superintendents and school officials who were familiar with consolidated systems to get their views. His purpose was to obtain all the information he could on the subject that could be presented at various Morton County meetings that were

³²William Langer to J. C. Hanson, Bluegrass, North Dakota, November 24, 1915, Langer Papers, Box Two, File Folder Fourteen, School Issue, November 21-24, 1915.

³³William Langer to J. A. Symonouski, Elgin, North Dakota, November 29, 1915, Langer Papers, Box Two, File Folder Sixteen, School Issue, November 29, 1915.

³⁴William Langer to N. H. Whitcomb, Flasher, North Dakota, November 29, 1915, Langer Papers, Box Two, File Folder Sixteen, School Issue, November 26, 1915.

called for the purpose of voting on the consolidation issue.³⁵

For these efforts the conscientious young States Attorney received attention and support from people outside of the county. For example, one school superintendent wrote that he was very pleased with what he had been reading in the Fargo Forum and wished that Langer was the States Attorney of his county.³⁶

The third area of work by the States Attorney's office during this period concerned the problems that the County Commissioners experienced over disproportionate assessments made by county assessors on the same kind of property. A committee of three including the County Auditor, the chairman of the Board of County Commissioners, and the States Attorney was formed to inquire into the methods used by assessors throughout the state in assessing property. On behalf of the committee, Langer wrote to assessors and county auditors throughout the state during the last months of 1915 in an attempt to find a suitable method of assessing.³⁷

³⁵William Langer to Minnie J. Nielson, Superintendent of Barnes County, Valley City, North Dakota, February 19, 1916; William Langer to W. F. Hanks, Powers Lake, North Dakota, February 11, 1916, Langer Papers, Box Two, File Folder Nine, Legal and Political File, February 1 to May 4, 1916.

³⁶John L. Laemmle, Superintendent of Schools, Ashley, North Dakota, to William Langer, November 18, 1915, Langer Papers, Box One, File Folder Three, Business and Legal File, 1915.

³⁷William Langer to Carl Nelson, Assessor, Erie, North Dakota, October 25, 1915, Langer Papers, Box Two, File Folder Three, Legal and Political File, 1915. This letter is representative of many sent to assessors throughout the state. See Langer Papers, Box Two, Assessment Issue, September 22, 1915, to March 27, 1916.

This resulted in the preparation of statements which were mailed to every taxpayer in Morton County. One statement showed the assessment made on every piece of land in the taxpayers particular township and what personal property the different residents of the township had paid taxes on. The second statement gave taxpayers the tax figures per acre that were being paid in all parts of the county.³⁸

The committee believed that the first statement would result in complaints from neighbors who were paying unequal taxes on the same kinds of property. The second statement, showing assessments throughout the county, was expected to result in the election of new assessors in many of the townships of the county.³⁹

In addition to these major areas of work, Langer became involved in many other affairs of the county through his States Attorney office. One example was his efforts on behalf of the farmers of the county to have public scales erected in the county. Acting on the complaints of farmers concerning the scales being used by elevators, Langer sent petitions to men in nearly every town in the county during

³⁸William Langer to Morton County taxpayer, March 11, 1916, Langer Papers, Box Two, File Folder Seven, Legal and Political File, December 1, 1915, to March 27, 1916. This letter is representative of those sent to all taxpayers of Morton County by March 27, 1916.

³⁹Ibid.

January and February, 1916.⁴⁰

According to the law a public scale could be erected by the County Commissioners upon petition by fifteen bona fide farmers. The petitions sent out by Langer were so successful that by March the County Commissioners moved to erect six or seven scales in the county as a test. If the results were satisfactory, they intended to put in more public scales throughout the county.⁴¹

Another example of Langer's extensive work concerned Morton County's effort to improve its roads. A federal advisor had been contacted and scheduled to come to Mandan on December 17, 1915, for a meeting concerning road planning. Langer, the chairman of the Morton County Board of County Commissioners, and the Morton County Auditor were selected as members of a committee for preparing a Good Roads Convention to be centered around the meeting with the federal official.⁴²

⁴⁰William Langer to Michael Tschinda, Glen Ullin, North Dakota, January 7, 1916, Langer Papers, Box Two, File Folder Eight, Legal and Political File, December, 1915, to April, 1916. This letter is representative of many sent along with the petitions to men in nearly every town in Morton County. For more details on the numerous affairs of States Attorney Langer see Langer Papers, Boxes One, Two, and Three, January 1, 1915, to January 2, 1917.

⁴¹William Langer to M. B. Olson, Drake, North Dakota, March 1, 1916, Langer Papers, Box Two, File Folder Eight, Legal and Political File, December, 1915, to April, 1916.

⁴²William Langer to the chairman of the County Commissioners of Kidder County, Steele, North Dakota, December 4, 1915, Langer Papers, Box Two, File Folder Eight, Legal and Political File, December, 1915. This letter is representative of those sent to other board chairmen.

Langer's part of the work involved contacting the County Commissioner Boards of at least fifteen counties in western North Dakota, inviting them to attend the meeting with the federal official and a banquet that was planned for that evening.⁴³ In addition, on behalf of the committee, he invited the commercial clubs of nearly every town in Morton County to attend,⁴⁴ as well as certain individuals in the county whom he asked to give short speeches at the banquet.⁴⁵

On December 17 the convention was held in Mandan with a good turnout. The principle speaker, government advisor C. H. Sweetser, gave an interesting and illustrated report on road building, financing, and upkeep. In the evening many attended the banquet and a smoker that was held at the Commercial Club.⁴⁶

Although engrossed with his official duties, Langer did not withdraw from the practice of law, and in January, 1916, he established a partnership with S. L. Nuchols,

⁴³Ibid.

⁴⁴William Langer to the president of the Hebron Commercial Club, Hebron, North Dakota, December 5, 1915, Langer Papers, Box Two, File Folder Eight, Legal and Political File, December, 1915, to April, 1916. This letter is representative of those sent to Commercial Club Presidents in Morton County towns.

⁴⁵William Langer to L. L. Suttliete, Paradise, North Dakota, December 9, 1915, Langer Papers, Box Two, File Folder Eight, Legal and Political File, December, 1915, to April, 1916. This letter is representative of those sent to individuals asking them to speak at the convention banquet.

⁴⁶Bismarck Daily Tribune, December 18, 1915.

another Mandan lawyer. Nuchols had been a District Judge until his resignation in January, 1915, when he entered into a law partnership with John F. Sullivan. In October, 1915, this partnership was dissolved, and Nuchols practiced on his own until joining with Langer. The new firm, known as Langer and Nuchols, handled the professional law work of Langer while he served as a public official during the following years.⁴⁷

Langer, during his term as States Attorney, also became involved with the Committee on Grievances of the State Bar Association. In the spring of 1916, as chairman of this committee, Langer spearheaded an investigation into the problem of unlicensed men who were practicing law in North Dakota and illegally charging fees for their work.⁴⁸

As chairman, Langer wrote letters to every member of the Bar Association asking them to submit the names of anyone they knew to be practicing law without a license. On behalf of the committee, he expressed the desire to raise the standard of the Bar so that the law profession in North Dakota would continue to merit the good will of the people.

⁴⁷Ibid., January 7, 1915; Hebron Tribune, October 1, 1915; "Articles of Co-Partnership" between William Langer and S. L. Nuchols, January 10, 1916, Langer Papers, Box Three, File Folder Twelve, Personal File, 1916.

⁴⁸William Langer to C. W. Hookway, Attorney, Granville, North Dakota, March 31, 1916, Langer Papers, Box One, File Folder Five, Business and Legal File, 1916. This letter is representative of many sent out by Chairman Langer concerning the unlicensed practicing of law in the state.

With this in mind the Committee also asked the members for any suggestions which they thought would help the Committee in its work.⁴⁹

The response indicated little knowledge of such practices except for a few instances where bankers were doing services that some lawyers considered to be in the realm of practicing law. Along with the replies, the lawyers as a whole expressed support for the work of the committee and Langer in cleaning up this problem of the law profession in the state.⁵⁰

Thus, in little over a year the young States Attorney created a name and reputation for himself throughout North Dakota. Most prohibition supporters recognized Langer as a fearless enforcer of the prohibition laws. Many school officials and educators identified Langer as a conscientious public servant who rigidly upheld the education laws of the state. Assessors in the state associated Langer's name with the effort to improve their methods of assessing while the members of the Bar Association of North Dakota associated him with the effort to upgrade their profession. Taxpayers and farmers of Morton County and other counties viewed Langer as a public official who was concerned with their problems and welfare.

⁴⁹ Ibid.

⁵⁰ C. W. Hookway, Attorney, Granville, North Dakota, to William Langer, April 5, 1916, Langer Papers, Box One, File Folder Five, Business and Legal File, January 1 to March 31, 1916.

No doubt many people in North Dakota began to think that Langer's ability should not be limited to one county. In demonstrating such an unusual determination to become the most outstanding States Attorney in the state, Langer probably had similar thoughts. It is not surprising, recalling his expressed desires of a few years before, that Langer would attempt to move up the political ladder in 1916 by seeking the nomination for the attorney generalship of North Dakota, a logical office for such a dynamic and driving public official.

CHAPTER IV

RIDING THE TIDE: LANGER ELECTED ATTORNEY GENERAL

By the first week of January, 1916, Langer's intention to run for the attorney general nomination in the forthcoming June primary was evident to many people. His decision, however, had not been a hasty one. During the latter months of his first year as States Attorney, he corresponded with friends and supporters concerning his possibilities for the nomination.¹

Some of the most pertinent correspondence was with Dan V. Brennan, a Devils Lake lawyer, who seemed to have an unusually high interest in the political future of the young States Attorney. As early as September, 1915, Brennan wrote Langer that he had been thinking about their past discussions concerning the primary race. Brennan thought the race was a possibility and assured Langer that he would do anything to help if Langer decided to run. Should Langer decide to run, Brennan hoped that he would have the foresight to start early and "show North Dakota the kind of campaign that brains

¹American Press Association, St. Paul, Minnesota, to William Langer, January 12, 1916, Langer Papers, Box One, File Folder Twelve, Political File, January 1 to February 29, 1916.

can really produce."²

Brennan also suggested that if and when Langer decided, he should begin his campaign along certain lines. First, Brennan told Langer to get a line on every Equity³ man and Equity newspaper that could swing influence to him. Second, he should check over the state newspapers and find out which were for him and which could be brought around to him. Third, he should begin a quiet canvas by mail and personal visits for the purpose of establishing a Langer organization before the primaries. Lastly, Brennan advised Langer to establish a publicity machine that would never stop from the day the campaign started until it closed. "The possibilities," wrote Brennan, "of good, brainy publicity are something few people realize."⁴

²Dan V. Brennan, Devils Lake, North Dakota, to William Langer, September 1, 1915, Langer Papers, Box One, File Folder Eleven, Political File, 1915. Brennan was a 1908 University of North Dakota Law School graduate and he served as Langer's assistant during Langer's first term as North Dakota Attorney General.

³The American Society of Equity, an organization fostering producers' and consumers' cooperatives, was established in 1902 by an Indianapolis, Indiana, farm editor, J. A. Everitt. In 1907 the Equity made its biggest effort to control the wheat crop of the farm states, gaining its greatest support in North Dakota. But from 1908 to 1912 it had little success in controlling the wheat market against the old grain concerns of Minneapolis, Minnesota, where it established the St. Paul Grain Exchange which was expected to become a sort of farmer-controlled Chamber of Commerce. From 1914 on and especially after 1916 the organization expanded rapidly until it went bankrupt in 1923 and was subsequently taken over by the Farmer's Union Terminal Association in 1926. See Robinson, History of North Dakota, pp. 276-78.

⁴Dan V. Brennan, Devils Lake, North Dakota, to William Langer, September 1, 1915, Langer Papers, Box One, File Folder Eleven, Political File, 1915.

Brennan granted that Langer had received substantial coverage so far, yet many people in North Dakota did not know the name Langer. This, he believed, could be changed with the right kind of newspaper coverage of his work in Morton County. Brennan also wrote:

You recall my suggestion regarding getting in touch with the school officers and assessors, etc. There are a dozen other things that could be pulled off along this line and THE TIME TO GET THEM UNDER WAY IS NOW, TO COVER THE STATE. If all these things were done properly and in timely fashion you could surprise everyone with the strength you could go to the polls with next June.⁵

Brennan concluded that Langer could make a strong bid for the nomination because of his German strength, the Equity opposition to Attorney General Henry J. Linde, and his acquaintance throughout the state. But, repeatedly, he reminded Langer that it would take a lot of work to be successful.⁶

Langer was, however, undecided about the race for the attorney generalship. In his reply to Brennan he revealed, "I can only say that I have not decided to run yet." Langer felt that it would depend on how things lined up in different parts of the state and whether or not the progressives wanted him to run. He believed he could be re-elected in Morton County as States Attorney, but if he decided to run

⁵Ibid.

⁶Ibid.

he would let Brennan know.⁷

During this time Langer was also in close contact with William Lemke, who by 1915 was an employee of the fast rising Nonpartisan League.⁸ Lemke mentioned in letters to Langer that influential men in the eastern part of the state were in favor of his candidacy, which no doubt influenced Langer's views on the campaign possibilities.⁹

Consequently, by December, 1915, Langer's views had changed considerably regarding his political future and he informed Brennan:

. . . I plan or believe that I will run for Attorney General. I am not ready to announce myself at this time, but feel sure that I will run. It would cost me more to be elected States Attorney of this county again than to be elected Attorney General, as I believe they would pile in an awful bunch of money to trim me. I have made a very careful canvass of the situation and know that I will carry Stutsman, Barnes, Kidder, Burleigh, Morton, Stark, Traill, Steele, Dickey, LaMoure, Richland, Ransom, and, I

⁷William Langer to Dan V. Brennan, Devils Lake, North Dakota, November 10, 1915, Langer Papers, Box One, File Folder Eleven, Political File, 1915.

⁸Blackorby, Prairie Rebel, pp. 33-34. The Nonpartisan League was a political movement formed in North Dakota in 1915 by its founder, Arthur C. Townley. Proclaiming public ownership and control as a solution for economic problems, the League gained strength among farmers so rapidly that by 1916 it nominated candidates for the primary election in the Republican Party which it captured and went on to use as a vehicle to carry out its program. See Robert L. Morlan, Political Prairie Fire: The Nonpartisan League, 1915-1922 (Minneapolis: University of Minnesota Press, 1955).

⁹William Lemke to William Langer, October 15 and November 1, 1915, Lemke Papers, File One, Folder Eighteen, October to December, 1915.

believe, Ramsey counties no matter who may run against me. I also believe that I cannot be beat in McLean, Oliver, Mercer, Dunn, Bottineau, Griggs and a few more counties by any man that I know of at this time. I believe I have ten times as good a chance of being elected Attorney General against Mr. Linde or any one else who may run, than I had when I announced myself for States Attorney here last year.¹⁰

Following this correspondence, Langer again queried Brennan regarding the attorney generalship race. Because of Brennan's understanding of public opinion, Langer asked him for his views and suggestions on the possibilities for the upcoming campaign.¹¹

In response, Brennan assumed that Langer had definitely decided to run and was interested in suggestions from him on how to "bring home the bacon." Brennan first reminded Langer of his letter of the previous September in which he made campaign suggestions and then he added:

I might say that you will be very foolish if you do not do some of the hardest work of your campaign during the next month. Now, or rather any time this far ahead of the vote, is the time that campaigns are won. You must realize that at the present time there are very large districts throughout the state in which the name of Langer is not known. Linde has gone through a state campaign once and people have seen his name on the ballot in even the most remote districts. Yours they have never seen on the ballot out of Morton County. Now is the time to get in touch with every school officer, every assessor, every

¹⁰William Langer to Dan V. Brennan, Devils Lake, North Dakota, December 1, 1915, Langer Papers, Box One, File Folder Eleven, Political File, 1915.

¹¹Ibid., December 18, 1915.

supervisor in the state, by means of some really clever letters which you, as a states attorney interested in problems met with by these officers, can with good grace write to them asking for their opinions, their experiences, etc., with a view to recommending certain legislation at the next legislature, etc. If you wait till you formally announce your candidacy you won't have the same effect in writing along this line I wish you lived nearby where we could meet and go over these things. It is a piece of good, legitimate, honest campaigning that is worthwhile doing well, if you attempt it. Also don't talk about it. I might want to use the scheme sometime myself.¹²

One of the suggestions that Langer apparently followed, which was not involved with his public office, was his contact with the Equity Exchange. On December 30, 1915, J. M. Anderson, president of the Equity Co-operative Exchange, contacted Langer in answer to his earlier inquiries.¹³

Anderson advised Langer to run for attorney general and that he would stand by him through the race. Although Anderson revealed that he had not been in North Dakota very much since the previous August, he did believe Langer had an excellent chance of winning.¹⁴

¹²Dan V. Brennan, Devils Lake, North Dakota, to William Langer, December 20, 1915, Langer Papers, Box One, File Folder Eleven, Political File, 1915.

¹³J. M. Anderson, Equity Cooperative Exchange President, St. Paul, Minnesota, to William Langer, December 30, 1915, Langer Papers, Box One, File Folder Eleven, Political File, 1915. Anderson was the first secretary of the Society of Equity which was founded in North Dakota in 1907. In 1911 the Equity established the Equity Cooperative Exchange to enter the grain commission business and Anderson became its first president.

¹⁴Ibid.

According to Anderson, Langer would undoubtedly have the support of the Nonpartisan League, the Equity, and the Progressive faction of the Republican Party. During the Equity convention in early December, Anderson assured Langer: "I took special pains to inquire about you with different farmers and politicians whom I saw and they were for you to a man." Basing his opinion on this knowledge, Anderson stressed that Langer should make the race, for he would give his opponent "the hardest run that a politician ever had in North Dakota."¹⁵

Not everyone was so confident of Langer's chances of success in running for attorney general. On January 13, 1916, a meeting of the leading men of the Republican Progressive League in Fargo endorsed him for attorney general, but they decided that the support of the Equity and the Nonpartisan League was essential for the Progressives in order to be successful in the primaries.¹⁶ A month later, Langer wrote: "My entrance into the attorney general fight will depend almost entirely upon the position taken by the NPL." He added, however, that "the chances are 99 out of 100 that I will run."¹⁷

¹⁵Ibid.

¹⁶William Langer to U. L. Burdick, January 13, 1916, Langer Papers, Box One, File Folder Twelve, Political File, January 1 to February 29, 1916.

¹⁷William Langer to F. B. Streeter, Linton, North Dakota, February 28, 1916, Langer Papers, Box One, File Folder Twelve, Political File, January 1 to February 19, 1916.

Langer's former colleague, H. R. Bitzing, who was now an assistant to Attorney General Linde, opposed Langer's desire to run for the attorney general nomination. Congressman P. D. Norton wrote Langer that Bitzing had visited him and asked him to write regarding the race. According to Norton, Bitzing thought that Langer's candidacy would compel Linde to make a hard campaign, and he would likely defeat Langer by a large vote. In view of the fact that Bitzing was Linde's assistant, Langer apparently paid little heed to his advice.¹⁸

Norton, however, added his own advice, which Langer no doubt realized was important. Although Norton told Langer that he had his unqualified support and best wishes, he reminded Langer:

. . . A situation may exist at the Primaries next June, when almost any candidate in opposition to Linde would defeat him. On the other hand, notwithstanding what Linde's attitude may have been upon certain questions, a large number of people in the State will support him on the theory that he is entitled to a second term, and a situation may be created at the Primaries next June that will make it practically impossible for anyone to defeat Linde.

. . . If you are not to be a candidate for Attorney General at the coming election, you should have the loyal and active support of Linde's friends in Morton County for your re-election as State's Attorney. Personally, I am not given over much to compromises, so my suggestions may not be the best in a matter of this kind. You are on the ground yourself and closer to the North Dakota

¹⁸P. D. Norton, Washington, D. C., to William Langer, March 23, 1916, Langer Papers, Box One, File Folder Thirteen, Political File, March 1 to April 30, 1916. Bitzing became Linde's assistant after losing the nomination for the state senate in the 1914 Morton County primary election.

situation that I am at the present time, and I am sure that whatever conclusion you reach will be the right one and will be approved by all your friends.¹⁹

Regardless of the originality, Langer was certainly in the thick of the campaign with his voluminous correspondence as a conscientious States Attorney by the early months of 1916. As early as December 6, 1915, he began receiving reports from avid supporters regarding his standing in various areas of the state. From these reports it was evident that much grass-roots support for Langer's candidacy existed in the state.²⁰

The results of Langer's many campaign efforts came in late March and early April, 1916, when the various state organizations gathered to nominate candidates for the upcoming June 28 primary. The Nonpartisan League, which was soon to be the new political power in North Dakota, met first.

Since the inception of the Nonpartisan League in 1915, its founder Arthur C. Townley and his co-worker, A. E. Bowen, had recruited a surprising number of farmers into membership in the League. In the fall of 1915 a newspaper, the Nonpartisan Leader, was started, and with the help of the cartoons by John M. Baer it quickly became the voice of the

¹⁹Ibid.

²⁰George E. Wallace, Grand Forks, North Dakota, to William Langer, December 6, 1915, Langer Papers, Box One, File Folder Eleven, Political File, 1915, and James E. Campbell, Attorney, Stanley, North Dakota, to William Langer, March 30, 1916, Langer Papers, Box One, File Folder Thirteen, Political File, March 1 to April 30, 1916.

new movement.²¹

While organizing the farmers, Townley watched for potential candidates for the upcoming election year, and he outlined a procedure for their nomination. League members in each precinct were to hold meetings in February to select delegates to attend district meetings in each of the forty-nine legislative districts. These meetings were to select one delegate each for the state nominating convention. After the nominating convention Townley planned to have a mass meeting of Leaguers from all over the state to meet the candidates who would run on the League ticket in the June primary.²²

Following the elections of delegates throughout the state during February and March, the NPL held its state convention at Fargo on March 29 and 30, 1916, after weeks of build-up by the Nonpartisan Leader. On the evening of March 29 the forty-nine farmer delegates assembled for the endorsing convention. No one was certain what they would do, and the process for nominating was unique. After opening remarks by League officials, the floor was thrown open for every delegate to suggest men for each office. The names were written on a blackboard, and each was discussed in length by the delegates. A secret ballot followed with each delegate selecting the candidates he felt best qualified. The atmosphere made it unlikely that the delegates would

²¹Morlan, Political Prairie Fire, pp. 51-52; Black-orby, Prairie Rebel, pp. 35-37.

²²Ibid.

endorse anyone not approved by Townley, yet, Townley was interested only in selecting candidates who could win.²³

A little-known Pembina county farmer, Lynn J. Frazier, was selected to run for governor. Four other men endorsed for state offices were avowed candidates who at the same time held various public offices but had expressed agreement with the League program. Included among these was William Langer for attorney general. The rest of the candidates endorsed for state office, except for the Supreme Court, were farmers and only one was a Democrat.²⁴

The convention next turned to mass rallies which were attended by 2,000 to 3,000 enthusiastic and confident League members. The climax came when 2,000 farmers marched four abreast down Fargo's main street to the music of two bands with the accompaniment of exploding fireworks. Behind banners reading, "Political bosses don't like us; we should worry," and "Everybody's organized; why not the farmer?", another farmer's movement was on the way in North Dakota.²⁵

²³Ibid.; Nonpartisan Leader, Fargo, North Dakota, April 6, 1916; Fargo Forum, March 27, 1916.

²⁴Nonpartisan Leader, April 6, 1916. Other League nominees were Albert Stenmo for lieutenant governor; Thomas Hall, then secretary of state, for the same office; Carl R. Kositzky for auditor; Neil C. Macdonald for state superintendent of public instruction; S. A. Olsness for commissioner of insurance; and John N. Hagan for commissioner of agriculture and labor. Patrick M. Casey, a Democrat and vice president of the North Dakota Union of the American Society of Equity, was nominated for state treasurer to demonstrate the nonpartisanship of the League.

²⁵Ibid.

In securing the endorsement, Langer apparently realized some return on his Mexican land investments. The Land Finance Company founder, Lemke, was at this time influential in the Republican Party and in the Nonpartisan League. Lemke had just lost the election for Republican National Committeeman in North Dakota, but he was soon to be elected State Chairman of the Republican Party. In order to gain Langer's continued support of the company, which was having trouble paying taxes and retaining title to its land, it is alleged that Lemke assisted Langer in obtaining the League endorsement for attorney general.²⁶

Those opposed to the League charged that League candidates were selected and controlled by the League leaders. One man wrote Langer that "compared with Townley's methods of conducting a so called convention, Alex McKenzie and Boss Murphy of New York would be classed as reformers."²⁷

Langer, however, denied this during the campaign as did the other League candidates. Langer answered such accusations by writing in the Nonpartisan Leader:

. . . I promised nothing to any one connected either directly or indirectly with the Farmer's Nonpartisan

²⁶Blackorby, Prairie Rebel, p. 34. Blackorby adds that Langer later asserted that Lemke controlled the League endorsement in 1916 and endorsed many of those who were involved in Mexican investments so that he could control them. Blackorby concludes that this leaves little doubt as to whom Langer credited as being responsible for his nomination.

²⁷Morlan, Political Prairie Fire, pp. 55-59; H. C. Harty, Omeme, North Dakota, to William Langer, April 10, 1916, Langer Papers, Box One, File Folder Thirteen, Political File, March 1 to April 30, 1916.

Political League, nor did I give any pledges of any nature or description. I was glad to get the support of the League, and am not one bit worried about the blind-pig element of the county beating me here on the ground that I am a Socialist, anarchist, or exalted I.W.W.²⁸

In a speech a year and a half later, Langer spoke out directly on this point:

In view of the fact that some of the newspapers of the Northwest have said that the men elected to state office in North Dakota were pledged to Mr. A. C. Townley, I want to say that not one of them was pledged to anything at the time he was endorsed by the Nonpartisan League of North Dakota. I want to say this to you, that immediately after I was endorsed for the position of Attorney General of North Dakota, I met Mr. A. C. Townley for the first time in my life. And I said to him: What do you want the Attorney General of North Dakota to do? And he said: I want a man in there who is not going to put a man in jail because he steals a little flour for his starving family, and let a man who steals a lot of money from a bank go free. (Applause) He said: I want a man in there who is going to treat the rich man and the poor man alike. (Applause)²⁹

In personal letters, Langer repeated the same views regarding his nomination. In a letter shortly after the League convention he disclosed:

. . . The fight looks splendid at this time. Without my making any pledges or promises of any sort, the Non-Partisan League, Progressive Republican Association, and the Equity have endorsed me. . . .³⁰

²⁸Nonpartisan Leader, June 15, 1916.

²⁹Address before the Producers and Consumers Convention, St. Paul, September 19, 1917. J. I. Levine's Reports, 3rd Installment (LeSueur Papers) as quoted in Morlan, Political Prairie Fire, p. 56.

³⁰William Langer to James N. Campbell, Stanley, North Dakota, April 3, 1916, Langer Papers, Box One, File Folder Thirteen, Political File, March 1 to April 30, 1916.

Shortly after receiving this nomination, Langer was endorsed by the leading temperance groups in North Dakota. On April 11 the North Dakota Abstinence Association, the State Women's Christian Temperance Union, and the North Dakota Enforcement League selected Langer as their candidate for the office of attorney general. Following the endorsements, the temperance forces initiated an intense campaign on behalf of Langer and their other candidates.³¹

The endorsement of the temperance groups brought Langer some problems. The temperance forces nominated two other candidates for state office, Usher L. Burdick for governor, and Anton T. Kraabel for lieutenant governor. Only Langer, however, was an endorsee of the League.³²

In addition to their prime interest in the attorney general race, the prohibition forces expressed views on the other candidates, especially the gubernatorial candidates John H. Fraine,³³ Burdick, and Frazier. Fraine, because he had stated that he was not a temperance man, was eliminated as unfit to be governor. As for Burdick and Frazier, both

³¹Circular campaign letter by Rev. C. W. Finwall, Assistant Superintendent of North Dakota Enforcement League, Bismarck, North Dakota, June 10, 1916, Langer Papers, Box One, File Folder Fourteen, Political File, March 1 to June 15, 1916, and Carson Press, April 20, 1916. The North Dakota Enforcement League membership included many influential men of the state, among them R. B. Griffith of Grand Forks and R. M. Pollock of Fargo.

³²North Dakota Standard, June 16, 1916. Burdick and Langer were also supported by the Progressive Republicans.

³³John H. Fraine was the nominee of the stalwart faction of the Republican Party.

were honorable temperance men in the eyes of the prohibitionists. But Frazier was not judged solely on his temperance merits, as the North Dakota Standard revealed:

. . . If Mr. Frazier adopts all the things advocated by the Non-Partisan League, we would add that in our judgment he is progressive beyond the point of practicability or perhaps safety.

We have expressed no judgement on the Non-Partisan League, except our emphatic disagreement with what we understand to be the position of its leaders on the subject of temperance and prohibition. Moreover, charges have been brought against the leadership of the League, and its methods of organization, that have not been satisfactorily explained away. Whatever the truth in the particular, we want no bosses in any shape or form in our state. We want no allegiance higher than that of personal duty. We want no "interests" to predominate in our political councils, save only the interests of the entire people.³⁴

As for Attorney General Linde, the paper flatly stated that the united temperance forces opposed his renomination.

Endorsed by both groups, Langer at times found it necessary to clarify his position. In a letter to a small-town newspaper man from whom he had sought support, Langer stated:

I note that you are for Mr. Burdick and for Mr. Taylor, and I wish to say that I am for William Langer for Attorney General and that is all the fight that I have. It usually keeps a man busy to see that he is elected himself without mixing into anyone else's fight. For instance can you tell me who Mr. Burdick is for United States Senator or for States Auditor? Is there any more reason why I should be either for Mr. Burdick,

³⁴North Dakota Standard, June 16, 1916. The official League view on prohibition as expressed in the Nonpartisan Leader, May 4, 1916, was that the League had not taken a stand on prohibition because it was not its business. The League believed in law enforcement and it nominated men who believed likewise which was as far as it would go in taking a stand on the issue. It was quick, however, to point out the temperance views of Frazier and the record of Langer regarding prohibition.

Mr. Frazier, Mr. Smith or Mr. Frayne, than Mr. Burdick should be for Mr. Hanna, Mr. Nestos, or Mr. McCumber?³⁵

Langer attempted to change the newspaper man's apparent distrust of the League and his critical view of its prime exponent Townley by reassuring him:

With all this cry about Townley being a crook, I want to say in confidence to you that I investigated thoroughly up at Beach where this man lived ten years, and while a lot of fellows call him crooked, yet I am absolutely satisfied that aside from owing considerable sums of money, which debts he does not deny, he has done nothing which would make it right that he should be either in the jail or the penitentiary; and you know that if we put all the fellows in jail who are in debt I at least would be among them, and if you are the same kind of newspaper man as the one or two whom I know here I would likely be setting type for you for "The Reflector" at the State Penitentiary.³⁶

Langer's problem was somewhat alleviated, however, during the early weeks of the primary campaign. The NPL nominee for lieutenant governor withdrew from the race to run for the state senate, and the League delegates in a mail in nomination selected Anton T. Kraabel as their candidate, after he expressed support of the League program.³⁷ Burdick,

³⁵William Langer, to Alexander R. Wright, Oakes, North Dakota, April 15, 1916, Langer Papers, Box One, File Folder Thirteen, Political File, March 1 to April 30, 1916. The Walter C. Taylor referred to was a Republican candidate for commissioner of insurance, while the George J. Smith referred to was running for the Republican nomination for governor. Louis B. Hanna, Rangvold A. Nestos, and Porter J. McCumber were running for the Republican nomination for the United States Senate.

³⁶Ibid.

³⁷Morlan, Political Prairie Fire, p. 58.

once considered by Townley as a gubernatorial possibility, would not shift to the League. Even though he was sympathetic with parts of its program, he continued an active but moderate campaign on behalf of the Progressive Republicans for the gubernatorial nomination.³⁸

Thus Langer's position in regards to the other candidates became less important as the campaign progressed, and the League continued to show increasing strength. Supporting Langer with an all-out campaign, the League and especially the temperance powers were determined to see him nominated over the incumbent Attorney General, H. J. Linde, whose record they made the center of their campaign.³⁹

Attorney General Linde was a native of Iowa who had been on a parochial college faculty before attending law school at the University of Minnesota where he received his law degree in 1906. His new profession brought him to Mountrail County, North Dakota, where he practiced law. He had served his area in the state legislature from 1909 to 1914 when he received the Republican nomination for attorney general which led to his election.⁴⁰

³⁸Ibid., pp. 72-73. The degree of moderation in Burdick's campaign as stressed by Morlan is debatable. To read the Fargo Forum during the campaign one would think Burdick had the election cinched. He even had support from Robert LaFollette whose telegram of June 27 supporting Burdick was printed on the front page.

³⁹North Dakota Standard, June 16, 1916.

⁴⁰Bismarck Daily Tribune, May 13, 1916.

The record of Linde was now used by both the League and the temperance forces in comparison to the record Langer had established as States Attorney. The legislative committee of the United Temperance Organizations publicized an investigation of Linde's legislative career. They said they had processed the findings two years before but did not use them because Linde promised to enforce aggressively the prohibition laws if elected attorney general.⁴¹

Now, however, in view of his lax enforcement of the prohibition laws during his term as attorney general, the committee publicized his record in the prohibition paper, the North Dakota Standard. The League's newspaper, the Nonpartisan Leader, also carried full articles on the record of Henry J. Linde as a state representative in 1909 and as a state senator in 1911 and 1913.⁴²

The findings showed that Linde had voted against nearly every bill that concerned strengthening prohibition laws and increasing state regulations on big business. In addition, he had opposed bills for women's suffrage, proposals for establishing a state hail insurance department, and had even voted against the original bills for the recall, referendum, and initiative which later became law by a vote of the people. According to the Nonpartisan Leader, Linde had served three

⁴¹North Dakota Standard, June 16, 1916.

⁴²Ibid.; Nonpartisan Leader, June 15, 1916.

terms in which he had made a record of "standpatism and reactionevyism that would do credit to the worse of the old gangsters." The Nonpartisan Leader and the legislative committee urged the people to support William Langer who had shown his ability and willingness to enforce the laws.⁴³

Thus, as the campaign developed, Langer seemed to gain support throughout the state. As the primary election day neared, the predictions that appeared in newspapers during the early weeks of the campaign seemed to be true. In early April the Devils Lake Journal assessed Langer's candidacy:

. . . He enters the race with such unusually strong support that good judges of political conditions are unanimous in predicting a sweeping victory for Langer. It is conceded that he will poll a tremendous vote throughout the Eastern and Northern sections of the state where the Progressive-Nonpartisan-Equity strength is greatest and added to this is the striking fact that Langer through his location at Mandan and large personal following will carry the Slope country, stronghold of the machine.⁴⁴

In June, Langer gained additional support from the "William Langer Club" that was formed by a number of his supporters in Morton County. The club was established for the purpose of doing everything possible to secure the Republican nomination for Langer. Through a letter-writing campaign involving thousands of letters, they intended to obtain at least 3,000 men in the state who would support and

⁴³Ibid.

⁴⁴Devils Lake Journal as reprinted in the Carson Press, April 27, 1916.

work for Langer's nomination.⁴⁵

Although heavily supported by the farm population, the League and its candidates were not unopposed. When the League filed its petitions in May for its primary candidates, the Bismarck Daily Tribune commented that "the petitions for the candidates of the NPL, the I.W.W., and the bulk of the Red Socialists were filed by the League Leaders."⁴⁶ Three days before primary election day the Bismarck paper, which had supported Attorney General Linde for a second term, picked Linde as one of the "safe" candidates and a winner over Langer.⁴⁷

In addition to the progressives and stalwarts, anti-League forces in early June organized the North Dakota Good Government League. Its stated purpose was to present to the people of the state "accurate information concerning the propaganda that is being fostered by the North Dakota Farmers' Nonpartisan Political League."⁴⁸

Organized in Fargo with Morton Page, often called the richest man in North Dakota, as president; H. G. Carpenter, secretary of the Insurance Federation of North Dakota, as vice-president; and Norman Black, a former editor of the anti-League Grand Forks Weekly-Times Herald, as executive secretary; the Good Government League attempted to establish

⁴⁵Casselton Reporter, June 9, 1916.

⁴⁶Bismarck Daily Tribune, May 16, 1916.

⁴⁷Ibid., June 25, 1916.

⁴⁸Grand Forks Weekly Times-Herald, June 8, 1916, p. 8, as quoted in Morlan, Political Prairie Fire, p. 68.

branches in the state.⁴⁹ Letters and pamphlets were sent to people throughout the state requesting aid in establishing local units for the "combating of this socialistic movement on the part of the Non-Partisan League."⁵⁰

The methods proposed by the Good Government League were nearly identical to its archenemy. The plan was to form a state organization and elect delegates from local groups that would attend a designated state meeting. The Good Government League even stressed that it had no political connections but was only for good government in the state.⁵¹

The influence of all the Nonpartisan League opposition was greatly minimized by the campaign strategy of the NPL in late June. This maneuver was the Frazier "Victory Special," a train tour of the state by Frazier and League speakers from June 22 through June 27. The tour took the League campaigners over the Great Northern and Northern Pacific railroads, making stops at nearly every town. At some stops only short rallies were held. Despite poor weather conditions for most of the trip, eager and enthusiastic crowds made it a great success for the NPL.⁵²

⁴⁹Morlan, Political Prairie Fire, p. 69.

⁵⁰C. O. Follett, Fargo, North Dakota, to J. F. Becker-jeck, Hope, North Dakota, June 10, 1916, Langer Papers, Box One, File Folder Fourteen, Political File, May 1 to June 15, 1916.

⁵¹Ibid.

⁵²Morlan, Political Prairie Fire, pp. 71-72.

On June 28 the day of decision came for the voters of North Dakota. It was a day of violent storms and downpours which caused havoc with communication lines and roads throughout much of the state. The roads in rural areas were reported deep with mud, and it was clear that the vote would be cut substantially in these areas which were the strongholds of the League.⁵³

The early returns indicated that Burdick was carrying most towns, and one newspaper printed headlines reading "Burdick Leading for Governor in Cities."⁵⁴ The later returns told a different story, however, as the mass of rural votes swept Frazier and the other League candidates into the lead.⁵⁵

The final results showed that Frazier had carried forty-six of the fifty-three counties with a majority of 3,123 votes and a lead of 15,884 votes over his nearest rival, Burdick. In the race for the attorney general nomination Langer defeated Linde by 19,259 votes and carried forty-seven counties to Linde's six.⁵⁶ Two days after the election the leading newspapers of the state carried front page stories depicting the primary as the "greatest political

⁵³Ibid.; Fargo Forum, June 28, 1916.

⁵⁴Morlan, Political Prairie Fire, p. 74.

⁵⁵Glen Ullin News, June 30, 1916.

⁵⁶Election Returns, 1916 Primary. The total votes for the gubernatorial race were Burdick 23,362, J. H. Fraine, 9,780, Frazier 39,246, G. H. Smith 2,981. For attorney general the total votes were Langer 45,576 and Linde 26,317.

overturn in the history of North Dakota."⁵⁷

After its initial success at the primaries, the League continued campaigning through the summer, using the same techniques that it had used during the primary campaign. It continued the farmer's picnics that had drawn large crowds during the primary campaign with Frazier doing most of the stumping. Langer continued with the same type of campaign, based on his record as States Attorney, that he had used so successfully in the primary race. By the middle of October he was so confident of victory that he stopped speaking outside of his county.⁵⁸

In Morton County Langer became involved in another fight for county division. As in 1914, proposals for division of Morton County were to be voted on in the general election.⁵⁹ One anti-Langer newspaper in Hebron supported division because of the way Langer ran the office of States Attorney. The point was that his extensive work involved too many costly trips for the county, and division would alleviate this expense. Langer answered by opening his office records to anyone who cared to check them and by listing expense statements for some of his prosecutions. But, he probably best explained this opposition to him when he wrote:

⁵⁷Fargo Forum, June 30, 1916.

⁵⁸Morlan, Political Prairie Fire, p. 78; Blackorby, Prairie Rebel, pp. 52-53.

⁵⁹Fargo Forum, September 27, 1916. Some of the proposals included making a Grant County out of the southwest portion of Morton, or a Washington County out of the western part of Morton, or making three counties leaving Morton in the northeast.

. . . It strikes me that the Hebron editor must still be sore because I grabbed that wine. To cheer him up, I want to tell him that the ninety-seven barrels are still up in the Court House getting better each day, and if I lost the case in the Supreme Court, there is no telling but maybe Hebron may see it again.⁶⁰

In the important newspapers of the state and in the publicity of the League his background and record were kept in front of the voters. The "William Langer Club", which was determined to see him through the November election, carried on much advertising.⁶¹

The prohibition forces also kept up their campaign for Langer, declaring that no candidate for any state office, at any time, ever made such a clear stand on the issues of prohibition and law enforcement as had Langer. "While the election of Mr. Langer is conceded by all students of the political situation," declared the North Dakota Standard, "no effort should be spared by the friends of good government to make that majority as large as possible."⁶²

Two relatively unknown candidates opposed Langer for attorney general. The strongest was the Democratic challenger from Minot, G. S. Woledge, and the other was the insignificant

⁶⁰Undated letter from William Langer to the editor of the New Leipzig Journal, New Leipzig, North Dakota, Langer Papers, Box One, File Folder Eighteen, Miscellaneous Political File, 1916.

⁶¹Fargo Forum, October 4, 1916.

⁶²North Dakota Standard, November 1, 1916.

Socialist candidate, R. Goer of Devils Lake. Neither of these candidates carried on a very active opposition, and both seemed forgotten in the League-dominated campaign.⁶³

On November 7, 1916, there were no storms to hinder the voters from going to the polls, and the League's nominees in the Republican column were all successful by overwhelming majorities. Only one League nominee for state office, P. M. Casey, its Democratic choice for state treasurer, was defeated. In the race for attorney general, Langer won over his Democratic opponent by 58,670 votes and, like the ticket leader Frazier, he carried every county in winning his first state office.⁶⁴

⁶³Fargo Forum, November 3, 1916.

⁶⁴Election Returns, 1916 General Election. The total votes for governor were Frazier 87,665, Democrat D. H. McArthur 20,351, and Socialist Oscar A. Johnson 2,615. For state treasurer the total votes were Republican John B. Steen 51,349, Casey 51,149, and Socialist O. E. Lofthus 2,847. For attorney general the total votes were Langer 79,783, Woledge 21,113, and Goer 2,847. In Morton County, Langer scored an overwhelming victory by receiving 3,642 votes to Woledge's 945 and Goer's 175. On the county division issue the voters of Mandan and the Grant proposal supported each other so that the new county of Grant was created out of the southwestern area of old Morton. See Fargo Forum, November 10, 1916.

CHAPTER V

CONCLUSION

Although he was a farmer's son, Langer quite early in his life developed the desire to enter the law profession.¹ He successfully completed Law School at the University of North Dakota before he was old enough to practice in the state. Demonstrating continued eagerness, he furthered his education at Columbia University where he became one of the outstanding members of his class.

Returning to North Dakota, Langer revealed his intense desires and political objectives when he disclosed:

I desire now to make a living and a record so I may one day become popular enough to be the most popular man in the state just like I was in college and be given some political office large enough to attract the notice of my former classmates in the East.²

Beginning as Morton County Assistant States Attorney, Langer displayed eagerness for advancement. When the opportunity came, he exhibited political skill by overcoming strong opposition in winning his first political office as

¹Interviews with Mrs. Woell and Mrs. Ford, March 14, 1967, and Mrs. McGurran, March 2, 1967. Each of the sisters interviewed recalled that their brother did not dislike farming and farm work, but he never desired to become a farmer as the law profession was his ambition.

²William Langer to Mrs. Charles M. Rolker, Sr., May 18, 1911, Langer Papers, Box One, File Folder One, Personal File to 1914.

States Attorney of Morton County. During his first year as States Attorney, he made himself known throughout the state as a conscientious, energetic, and colorful official. To many he was a model of everything that a public servant should be.

Capitalizing on his flowering reputation and riding the political movement of the Nonpartisan League, Langer attained the attorney generalship of the state with an impressive victory in both the primary and general elections. Langer's record as States Attorney became the key in his successful bid for the attorney generalship. Was this record the result of his desire to uphold the law, or was there another motive? Were the tasks undertaken by him as States Attorney originally his ideas, stemming from his regard for the law, or were they political expediencies as suggested by his friend, Dan Brennan?

Certainly, Brennan's many suggestions cannot be discredited. Langer's course of action, following his correspondence with Brennan, was precisely what Brennan advised, and the eventual results were what he predicted. But, Langer had long before initiated his crackdown on prohibition violators in Morton County which brought his widest publicity.

Judging from his own writing and his correspondence with Brennan and others, it is evident that Langer had high ambitions when he came to North Dakota and when he began his activities in Morton County. His desire to obtain high

office and make a name for himself explains his driving determination from the day he took office as States Attorney until he was confident of election as attorney general. Regardless of his motives, Langer's performance as a public servant was commendable and worthy of reward.

According to the election returns, Langer was one of the most popular candidates on the ballot. Only the ticket leader Frazier and the incumbent Secretary of State, Thomas Hall, received more votes than Langer.³ With this victory Langer attained a substantial political office, but attorney generals of small midwestern states usually did not receive much publicity outside of their own states.

Therefore, was this the office of his expressed desires, or was there still another step up the political ladder before he would feel that he had reached his ultimate ambitions? Would the attorney generalship bring him the kind of publicity that would make him the most popular man in the state and make him well known outside of the state? Based on his past behavior and actions, a logical conclusion would be that William Langer would soon make another attempt to move upward politically in North Dakota.

Early in 1916, Langer's fellow Progressive, Usher L. Burdick, had mentioned in a letter, "It may be that we

³Election Returns, 1916 General Election, Frazier received 87,665 votes, Hall 84,671, and Langer 79,783.

shall have to run you for governor. . ."⁴ and long before this the Columbia University 1910 class prophecy had revealed:

. . . To Washington was my next excursion and I hastened to the office of the third successful politician of our country who could at the same time be fearless and truthful. The first Lincoln, the second Roosevelt and the third Bill Langer. He held no position except his seat in the Senate, but his influence pervaded Washington as subtly as it at one time did our own campus. When I entered the door to the inner sanctum I noticed above it was hung the old proverb, 'To The Victor Belongs the Spoils.' Optimistic Bill met me half way and he was the same old Bill always glad to have a fellow drop in on him no matter how busy he was.⁵

Both Burdick and the Columbia prophecy proved correct. North Dakotans would in the future elect William Langer as their governor and later send him to Washington as their United States Senator.

⁴Usher L. Burdick to William Langer, January 11, 1916, Langer Papers, Box One, File Folder Twelve, Political File, January 1 to February 29, 1916.

⁵Columbia Spectator, Columbia University, New York City, May 30, 1910. This issue was located in the personal papers of Mrs. Gokey.

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Ronald Vern Olson was born at Minot, North Dakota, on August 8, 1943. After attending a rural, elementary school, he attended Sherwood High School, Sherwood, North Dakota, and graduated in 1961. From 1961 to 1965, he attended Minot State College and received the Bachelor of Science Degree in June, 1965. During 1965-1966, he taught social studies at Des Lacs High School, Des Lacs, North Dakota. In June, 1966, he enrolled in the graduate school at the University of North Dakota at Grand Forks and in June, 1967, received the Master of Arts Degree in history. While at the University of North Dakota, he was a graduate teaching assistant in the Department of History and a member of Phi Alpha Theta, honorary history society. During the 1967 summer session at the University of North Dakota, he will be a Visiting Lecturer in History. In the fall of 1967 he will assume duties as an assistant in the Department of History at the University of Nebraska, Lincoln, Nebraska, where he will be working toward the Doctor of Philosophy Degree.

This thesis submitted by Edward J. O'Brien in partial fulfillment of the requirements for the Degree of Master of Science in the University of North Dakota, is hereby approved by the Committee under whom the work has been done.

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