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## The Dakota Maverick: the Political Life of William Langer, also known as "Wild Bill" Langer by Agnes Geelan

Agnes Geelan

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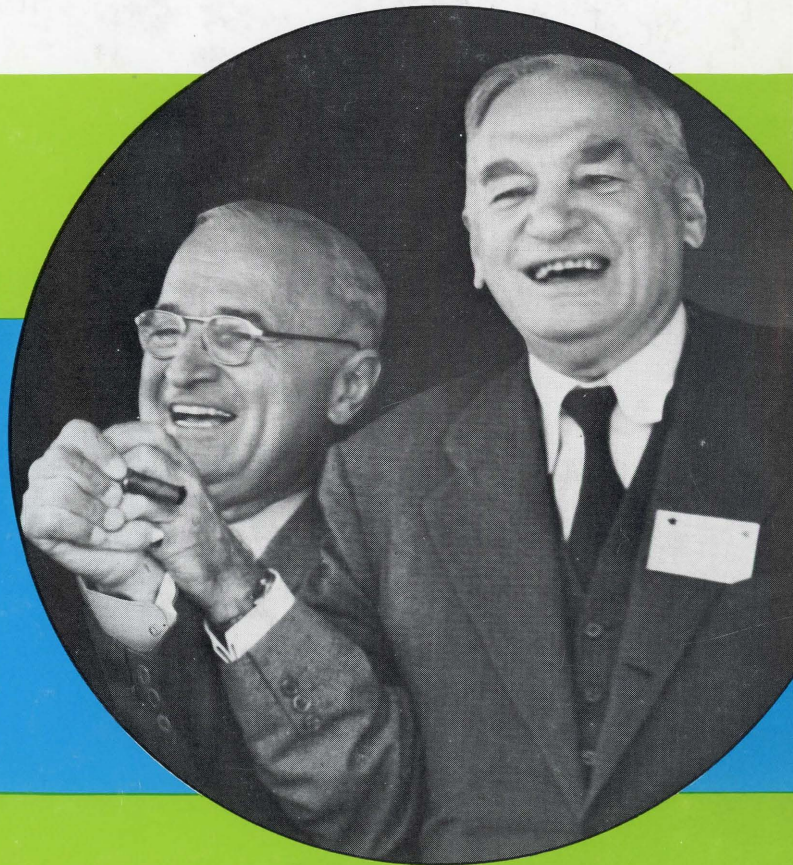
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# THE DAKOTA MAVERICK

the Political life of WILLIAM LANGER  
also known as 'WILD BILL' LANGER



*by Agnes Geelan*

# THE DAKOTA MAVERICK

*by Agnes Geelan*

William Langer, like the unorthodox politics of North Dakota which spawned him, was bold, colorful, controversial and either a great voice for the common people or an unprincipled political opportunist, depending on the viewpoint from which he is assessed.

Efforts to characterize Langer have been almost as varied as his unpredictable methods, but there is general agreement on a few points about the man and his public career. He is considered to have been North Dakota's most successful politician. He gets more credit than anyone else for having brought national attention — for good or for bad — to politics in his native state. And he is recognized as a major figure of the independent, agrarian, populist movements of North Dakota.

The Dakota Maverick, in its substance as well as in its title, reflects the many facets of the Langer style because the author, Agnes Geelan, also was a product of and participant in many of the same events. While her account provides important and fascinating detail about Langer and workings of the progressive movement, it may raise as many questions as it answers. That may well be its ultimate measure of authority.

**Cover Photograph:**

Courtesy of Grand Forks Herald.

**Angelo Cohn**

Editor-Consultant

**Jacket illustration by Pat Slemmons**

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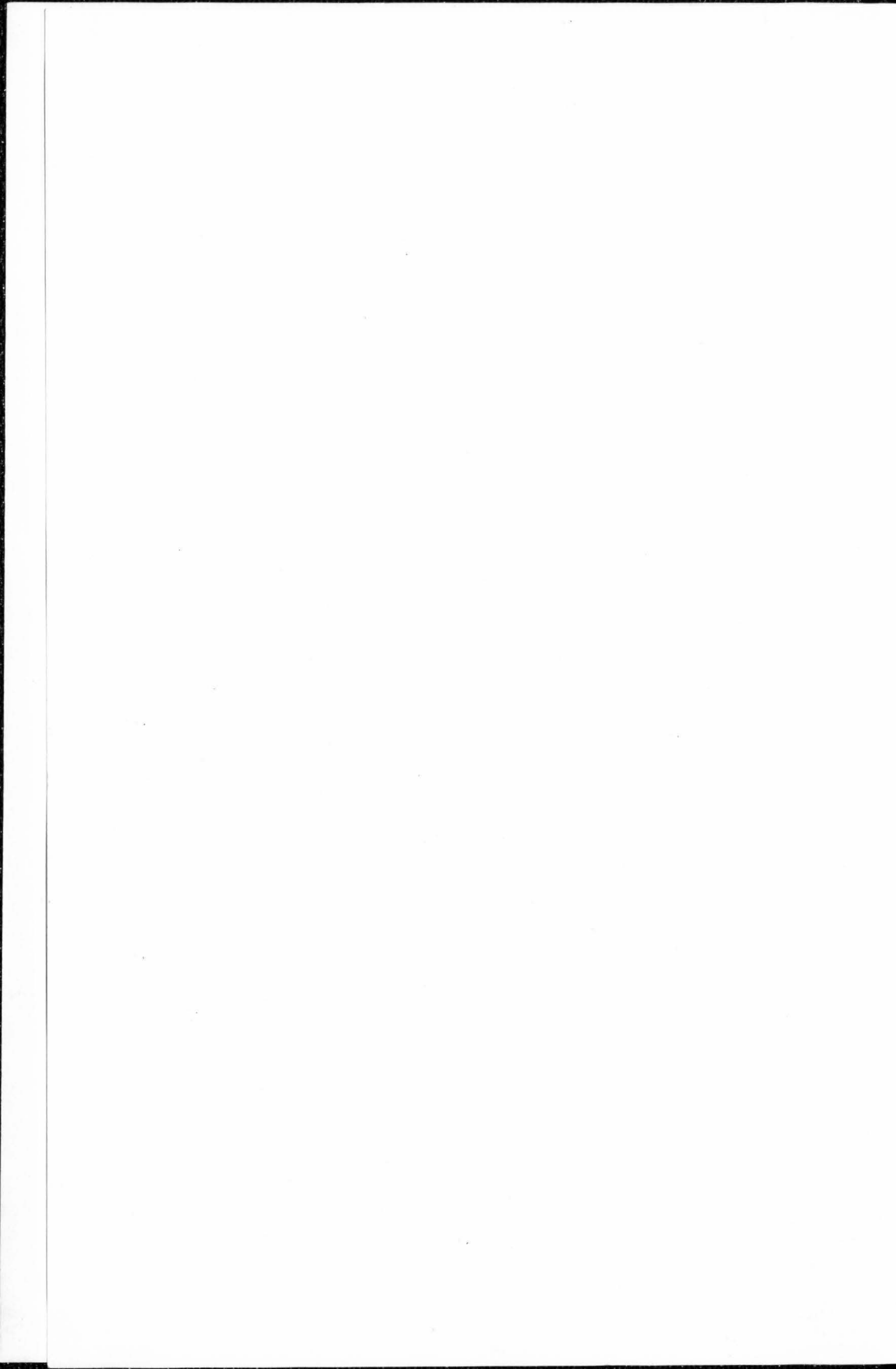


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To North Dakota Room  
and Staff,

appreciating the fine  
cooperation I received

Feb. 18, 1975 Agnes Geelan



# **THE DAKOTA MAVERICK**

The Political Life of  
**WILLIAM LANGER**  
also known as  
**"WILD BILL" LANGER**

By Agnes Geelan

Editorial Consultant  
Angelo Cohn

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to  
ELRIC

whose encouragement and unselfish  
support made possible my public career

# FOREWORD AND ACKNOWLEDGEMENTS

This political biography is the result of years of research and personal involvement in North Dakota politics. More than a hundred men and women, who also knew Bill Langer, generously shared their experiences and evaluations with me. Their names are listed, with grateful acknowledgement, in the appendix of this volume.

Historical and political texts, college theses on the subject of Langer, North Dakota daily and weekly newspapers, the Congressional Record, Congressional Almanacs, North Dakota Legislative Journals, Federal Court and North Dakota Supreme Court transcripts, The North Dakota Historical Society and the personal collections of William Langer and William Lemke at the Chester Fritz Library of the University of North Dakota were invaluable sources of research. The persons in charge of these records went far beyond the call of duty to make this material available.

Mention must be made of people who were especially helpful:

Alice Dickey, Dr. Nathan Sumner and Dr. John Hove of the English Department of the North Dakota State University gave early encouragement and advice;

Dr. Thomas Clifford, President, and Daniel Roylance, Curator, University of North Dakota, assisted in the research of the William Langer and William Lemke collections;

Marlys Ford and Hugh Kelly of Senator Quentin Burdick's staff, Cletus Schmidt, Clerk of the Federal District Court, Luella Dunn, Clerk of the North Dakota Supreme Court, C. Emerson Murray of the Legislative Research Department, Ben Meier, Secretary of State and his staff, Jay Bryant who loaned his historical documents and Arnold Holden who gave permission to use his Harris and Ewing Langer photographs.

I express my sincere gratitude to my friends and relatives whose constant encouragement and confidence kept me at this task.

The excellent preparation of the manuscript by Kay Erickson helped bring the task to a successful conclusion.

— *Agnes Geelan*

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THE HISTORY OF THE  
CITY OF BOSTON

The history of the city of Boston is a subject of great interest and importance. It is a city of many centuries, and its history is full of events and incidents that have shaped the city into what it is today. The city was founded in 1630, and since that time it has grown and developed in many ways. It has become one of the most important cities in the United States, and its history is a testament to the strength and resilience of the American people.

The city of Boston has a rich and varied history. It has been a center of trade and commerce since its founding, and it has played a major role in the development of the United States. It has been a city of firsts, and it has been a city of many achievements. Its history is a story of growth and progress, and it is a story that is still being written today.

The city of Boston is a city of many faces, and it is a city that is always changing. It is a city that is full of life and energy, and it is a city that is always moving forward. Its history is a story of a city that has overcome many challenges and has emerged as a stronger and more resilient city than ever before.

## HE WINS THEM ALL

On June 29, 1934, North Dakota's Governor William Langer stood before Federal Judge Andrew Miller at Bismarck and heard this pronouncement:

"I sentence you to eighteen months in a federal penitentiary and a fine of \$10,000."

On March 27, 1942, North Dakota's United States Senator William Langer in Washington heard the Committee on Privileges and Elections recommend to the Senate:

"Resolved, that William Langer is not entitled to be a senator from North Dakota."

The sentence that Judge Miller had imposed in 1934 came only two days after the people of North Dakota had nominated Governor Langer to run for re-election with a record primary vote of 113,000 to just 47,000 votes for his opponent. The primary election, incidentally, had taken place a scant ten days after newspapers throughout North Dakota and around the country had headlined the conviction by a federal court jury of Langer and several others for fraud and conspiracy, which had brought the sentence from Judge Miller. Within a month of the sentencing, Langer was dealt another blow when the North Dakota Supreme Court ordered him removed from the governorship and thus cut off his re-election campaign.

A year and a half and three trials later, however, Langer won acquittal in court, ran for governor again and was elected. Four years later he won election to the United States Senate.

The committee's resolution declaring Langer unfit to be a senator came after an investigation of almost nine months duration that had been touched off by a petition from North Dakota citizens who had mounted their attack on Langer immediately upon his being sworn into office on January 2, 1941. The citizen petition detailed 18 separate charges, and the Senate debated them for three weeks after it got the adverse resolution from its elections committee. But when the full Senate voted on the resolution, it overturned the committee recommendation by a margin of 52 to 30. Langer won the right to keep the seat to which he had been

elected by the voters of North Dakota and in spite of the fact that such powerful senators as Democrat Harry Truman of Missouri and Republican Arthur Vandenberg of Michigan were among those voting against him.

That victory, quite as much as the events leading up to it, made William Langer a national figure politically, with the case being headlined on the front page of the New York Times and other leading newspapers from coast to coast.

It was not, nevertheless, a victory without bitterness and recriminations. While Langer had accumulated an army of avid supporters, he also had made enemies along every step of the way by his tactics as a lawyer, as a prosecuting attorney, as a governor, and even in the short time as a United States senator. Among those who voiced their bitterness was Scott Lucas, the prestigious senator from Illinois who had led the unsuccessful fight to keep Langer out of the Senate.

"He wins them all," were the words Lucas used to characterize Langer, who was earning his place in history as North Dakota's most controversial, most colorful, and most successful politician.

Both the controversy and the success must be charged up to Langer's colorful personality and flamboyant tactics. Nor can they be separated from the unorthodox brand of North Dakota politics of which Langer was a product and a leader. If there was anything traditional about North Dakota politics during the Langer years, it was that the main currents were most untraditional. The dominant forces were progressive, dissident in the eyes of either major party, agrarian, and populist. The state's progressive movement reached its greatest power as well as the peak of unorthodoxy in the Nonpartisan League, an organization that was fiercely independent, non-conformist, and uninfluenced by the consistency expected from the established political parties.

Qualities which characterized the progressive movement also characterized William Langer. They brought him the nickname of "Wild Bill" and the maverick image of his public career. It is an image matched to the classical definition of the word "maverick" — western in origin and derived from Samuel A. Maverick, a Texas pioneer known for his independent life style and for his refusal to conform even to the accommodating standards of the frontier. Who better than "Wild Bill" Langer of North Dakota could fit the definition of maverick, a word that has come to be accepted as a noun, a verb, or an adjective? It can mean "an unbranded range animal," or "a refractory or calcitrant member of a political party who bolts at will and sets an independent course," or a "member of a group who refuses to conform, takes an unorthodox stand." The verb meaning of maverick is "to obtain by dishonest or questionable means." And for use as an adjective, the dictionary editors might well have been thinking of Langer when they chose the explanatory phrase, "a maverick stand on a tax bill."

It is from such a background that the account of William Langer's

political life and the progressive movement of North Dakota are blended in this book.

The progressive movement has been a force in North Dakota ever since that state was admitted to the Union in 1889. Its early efforts focused on attempts to break the power of a political machine controlled by the railroads and directed to a large extent by Alex McKenzie, lobbyist for the Northern Pacific. At the same time the progressives had to look for economic support for the farmers and solutions to the state's financial problems. The challenge was formidable on both the political and economic fronts of the time. John Miller, North Dakota's first governor, led a progressive faction of the dominant Republican party that tried to cut down the McKenzie machine immediately after statehood was achieved, but without much success.

A few years later, in the early 1890's, prohibitionists organized an Independent party and were joined by members of the Farmers Alliance. That group adopted the platform of the then relatively new national Populist party; and the North Dakotans of that faction were generally called Populists thereafter. The coalition was strong enough to elect Eli Shortridge as governor in 1892 and to produce election victories for most of the state candidates carrying the Populist label.

One of the basic principles advocated by the Populist party was the cause of women's suffrage, and in North Dakota the party gave reality to that principle by electing Laura Eisenhuth as Superintendent of Public Instruction. She was the first female to hold statewide elected office, but it must be explained that the educational superintendent post was the only North Dakota office for which women could at that time vote and the only statewide office for which women were eligible.

Direct election of United States senators was another objective of the Populists, a reform intended to replace the system of having the state legislature choose the federal officials. The party must have been more adamant than ever on that objective as an aftermath of the legislative session in 1893, when 48 of the 60 legislative working days prescribed by the state constitution were used up in the process of picking William Roach for the seat in the United States Senate. In the remaining 12 days the legislature had to rush through all its other work, and it passed 158 bills. While the sheer number may have been impressive, the final results were less than satisfactory. Economic achievements to which the Populist party had pledged itself were quite limited in that session. One notable success was the appropriation of \$100,000 to build a state-owned terminal elevator as a step toward protecting farmers from certain grain market practices; and state-owned elevators were to become frequent political issues.

The battle with the McKenzie-railroad-corporation political machine was lost by Governor Shortridge and his Populist party in that early test. The governor summed it up by commenting, "It is a well known fact that every bill brought before the legislatures of the past, that was not satis-

factory to the corporations, and could not be otherwise defeated, was either stolen, mutilated or destroyed in some way to prevent it from becoming a law of the state." The Populists suffered defeat in the 1894 elections, so that party's control of the state was shortlived, but the influence of the progressive movement on North Dakota politics was profound and long-lasting.

Following the failure of the Populist party to bring about the economic reforms it had promised, another conglomerate organization of Democrats and Independents or Populists came into being with the name Fusionists. It had some success in electing individual legislators, but never enough to gain control; so that the governorships and almost all statewide offices remained in the hands of the regular, stalwart, McKenzie Republicans from 1894 up to the election of 1906.

The 1906 election was a turn-around, with the Democrats electing John Burke as governor on a progressive platform. It challenged the old machine directly with a statement charging that, "The political affairs of the state are controlled by the railroads." There was some further historical significance to that year's voting beyond the fact of having brought Burke into the governorship on a progressive foundation. It also was the year when the people of North Dakota elected Usher Burdick, a progressive-minded Republican, to the state legislature to launch a fifty-four-year political career.

Burdick became one of the leaders of the Progressive Republican League; and that was the faction which brought aspiring Bill Langer into the progressive movement and eventually into kinship with the Nonpartisan League in its years of great strength and non-conformist leadership.

Starting as far back as 1889 the Progressive Republicans, the Populists, the Fusionists, the Democrats, and Burdick's Progressive League had poured their main energy and resources into campaigns that tried to wrest control of the state's law-making bodies from the McKenzie machine. Meanwhile, the economic issues had been kept alive largely by two agrarian organizations, the Farmers Alliance and the Equity. The farm-economic issues came to a climax in 1915 when the legislature refused to provide for a particular state-owned terminal elevator. That rejection set up the ideal conditions for A. C. Townley to forge ahead with his "political prairie fire," the Nonpartisan League.

While Bill Langer had become active in Burdick's Progressive Republican group, he perceived quickly that the more militant Nonpartisan League was the vehicle that could bring him political success. He skillfully maneuvered an endorsement to run for attorney general from the Nonpartisan League's first nominating and endorsing convention in 1916, and it can be said that Bill Langer's progressive political career was launched.

Almost all observers concede that William Langer was successful as a politician; but there the consensus ends except for certain statistical for-



malities and personal information that are part of the record.

William Langer was a native son of North Dakota whose grandparents had come from Austria with two young sons, one of whom later became the politician's father. Bill Langer earned law degrees from the University of North Dakota and Columbia University in New York, then he returned to his home state to practice law and politics. He soon made a name for himself in both endeavors. Upon coming home to North Dakota, Langer set up a law office in Mandan, a town just across the Missouri River from Bismarck, the state capital. He moved quickly into public life by taking an appointment as assistant states attorney, a position equivalent to what is usually called county attorney and having major responsibility as public prosecutor.

Even at that very modest start in politics, there was some controversy, setting an early pattern that was to mark almost every step of Langer's public life. From the appointive position he decided to run for election as states attorney of Morton county over opposition from the Republican establishment. Langer won his first election. The office was only a part-time job, but Langer's style made it much more. Within ten days of taking office, he filled the county jail with the community's bootleggers, whom he packed five or six to a cell. With equal speed he followed up by threatening jail terms for any school board members who refused to provide American flags for schools in their districts. Then the young prosecutor convinced the county commissioners that scales for weighing grain at the country elevators were crooked and forced installation of public scales at various locations, his initial move for the farmer constituency that was to become a mainstay of his political power.

Langer next aimed at bigger targets, taking on not only the powerful Northern Pacific Railway Company but also the grain elevator operators, gasoline stations, and lumber yards that were leasing business sites from the railroad. Claiming that the Northern Pacific (and by implication other land-owning railroads) avoided taxation on the leased land, Langer instructed the county commissioners to begin assessing and taxing all such property. The railroad and leaseholders counter-attacked by suing Morton county. Langer won that case all the way through the state supreme court. In the process he also won an enemy of future importance. It was Andrew Miller, an attorney for the plaintiffs who was later to become a federal judge and sentence Langer in his first and famous conspiracy trial. It was Langer's contention that Miller never forgot or forgave the defeat of his clients by the young part-time prosecutor in the land taxation case.

Controversy and sometimes long-lasting effects ensued from practically all of Bill Langer's activities in private life as well as in his numerous public positions from the early days on up to the nationally significant challenge of his right to sit in the U.S. Senate some 25 years later. Among the many charges pressed against Langer in that situation was one stemming from his order as states attorney of Morton county not only to

arrest a drugstore owner for selling liquor illegally but also to confiscate the evidence.

Throughout Langer's active years and even since his death in 1959, his unorthodox tactics evoked many questions about the man himself. Was Bill Langer, as his friends believed and insist to this day, a far-looking liberal, a humanitarian, a true man of the people? Or are his enemies, past and present, right in calling Langer a demagogue, a charlatan, a power-hungry politician, or a crook ready to sacrifice any principle to achieve his personal and political ambitions? Could he really have been something in between, an unusual mixture of many qualities matching the unorthodox nature of progressive politics in North Dakota?

A detailed look into William Langer's career from many viewpoints may provide some answers to those provoking questions. The accounting can begin in Mikelsdorf, Austria.

## EARLY ROOTS IN DAKOTA

It was 1852 when Franz and Rosa Miller Langer, with their two young sons, Frank and Joseph, left Austria for America. Bill Langer recalled that grandfather Franz told his grandchildren, "The trip across the ocean took ninety days. When we got to New York all I had was four dollars, and I couldn't speak a word of English."

Determination and ingenuity took them from New York to Watertown, Wisconsin, where the family stayed until 1861. Then Franz Langer found land and a community he liked near Plainview, Minnesota. Frugal, hard-working and ambitious, he was able to develop a large and productive farm and put his two boys through the Plainview schools, Frank began a teacher, and Joseph joined his father in farming.

About the same time the Bernard Weber family left Mikelsdorf, Austria and came to Owatonna, Minnesota, less than 100 miles from Plainview. There were two girls in the Weber family, Mary and Christina. On December 7, 1874, Frank Langer married Mary Weber. Later Joseph Langer married Christina.

While the two families were settling in Wisconsin and Minnesota, the northern section of the Dakota territory was experiencing a wave of farm immigrants. The Northern Pacific Railway was building its main line through the territory, reaching Bismarck in 1873. The railroad got into serious financial difficulty and, in an attempt to remain solvent, decided to sell some of its extensive land holdings, part of the largest land grant ever given to a railroad by congress. The land grant totaled almost forty million acres, with more than ten million acres in the northern half of the Dakota Territory.

The railroad advertised aggressively in both America and Europe. James Power, the Northern Pacific Agricultural agent, who has been called the Father of North Dakota Agriculture, wrote in 1877, "We are advertising the Red River Valley well and effectively, and letters indicate that we will have a good many well-to-do farmers coming to take up government and non-government land."

One of the railroad advertisements proclaimed:

**THE BEST HOMES FOR 10,000,000 PEOPLE AWAIT**

## OCCUPANCY IN MINNESOTA, NORTH DAKOTA, MONTANA, IDAHO, OREGON AND WASHINGTON

The advertisements also forecast that the "new owners from the older states will become the first families socially and politically . . . they will become prosperous and will acquire fortunes in a short time by turning the land into prosperous farms . . . engaging in various trades . . . investments in new towns and other property."

The Langers, already doing well in Minnesota, may have seen such an advertisement, and in 1877 Franz, Frank and Joseph Langer took advantage of reduced railroad fares being offered to "land hunters" and came to Casselton, Dakota Territory. Casselton, located twenty miles west of Fargo, had a population of 361 according to the United States census for 1880 but was a center for land sales and purchases. Much of the land was in the process of being "homesteaded" and some was traded through speculators. George Cass and Benjamin Casey had laid the foundation for the first bonanza farm by acquiring 11,520 acres in that area.

The Langers found land to their liking in Everest township, just south of Casselton, and on October 27, 1877, purchased three quarters of Section 20 at a cost of \$400 a quarter. That land wasn't ordinary property. According to the National Archives and Records Service of the United States Department of Interior, it was Chippewa Half-breed Indian Script land, patented to three half-breed Indians living in Pembina county, a name then used in Minnesota and in Dakota Territory. A man named A. B. Guptill had the power of attorney to represent the Indians in land transactions.

The fourth or northwest quarter of Section 20, which was to be the home of the Frank Langers and birthplace of Bill Langer, was acquired later as a "tree claim." That is the label popularly given to land acquired under a federal act to encourage growing of timber on the prairies. President Grover Cleveland approved the Langer application for title. Twenty-three years later, Bill Langer, the first boy born on that tree claim, was to be offered a position in the New York law firm of Grover Cleveland and Tracy Bangs.

After their land purchases, the Langers returned to Plainview to dispose of their Minnesota property, and in 1879 they took possession of the Dakota Territory land. Frank and Mary Langer returned with their daughter, Hattie, while grandparents Franz and Rose Langer came to live with the Joseph Langers.

The railroad's advertisement promising quick wealth proved true for the Langers. By 1885 they were able to purchase all of Section 19 in Everest township, and an 1893 atlas shows that Frank, Joseph and Franz Langer owned all or parts of Sections 4, 17, 18, 19 as well as their original Section 20. Frank Langer also helped relatives and friends from Austria come to join the Langers, advancing money for transportation and giving the new settlers horses, plows or whatever they might need to get started.

During a period of depression and persecution in Austria, Frank and Mary Langer were said to have helped more than a hundred families come to Cass, Barnes, and Richland counties.

Further following the advice of the railroad advertisements, Frank Langer invested in new towns and other property. He helped establish the village of Everest, was a partner in its first general store, and served as the first postmaster and village clerk.

Everest was once a thriving agricultural community, and had visions of becoming a "little Chicago" through agriculture. By 1900 Everest had a number of grain elevators, two general stores, a butcher shop, a blacksmith shop, a lumber yard, and two hotels, one of which proudly advertised its fine horses. There was a postoffice and a one-room school. Then a disastrous fire destroyed most of the business places and others moved away or closed. Today Everest is only a memory, its chief claim to fame being that "Bill Langer was born on a farm near Everest."

Even before the family moved to Casselton, Frank Langer had been named director and cashier of the First National Bank of Casselton. Because farmers often found it difficult to secure or afford insurance, Frank Langer helped organize the first farmers' fire and lightning insurance company. It is still in operation, with a grandson, Frank Woell of Casselton, as manager.

While acquiring property, farming on a large scale and serving as cashier of a bank, Frank Langer still found time for public service. In 1879 the Frank Langers joined four other pioneer families to organize the first Catholic parish. Father Spitzenberger came from Moorhead, Minnesota, on horseback to assist.

Frank Langer helped organize School District 102, and helped build the one-room school house where all the Langer children began their education. Frank Langer served as Cass county commissioner for six years and was named chairman of the county board.

In 1889 Frank Langer, a Republican, was elected to the house of representatives for North Dakota's first legislative session. The legislature convened on November 19 and because it had to implement legislative provisions of the new state constitution, it was given 120 days to do its work.

The first order of business was to elect two United States senators. Gilbert Pierce was the first one chosen. Martin Johnson, another Republican, was favored to get the second seat, but he had a bitter political enemy, Alex McKenzie, representative of the Northern Pacific Railway, who had dominated politics before statehood and intended to continue his domination. McKenzie's first choice for senator was Louis Ordway, the former territorial governor, but Ordway received only five votes on the first ballot and McKenzie switched his support to Lyman Casey, who was elected after ten ballots.

After selection of the senators, legislative committees were named, and Frank Langer was assigned to the banking, school, libraries, public lands,

apportionment and highway committees. There were 358 house bills introduced, one by Frank Langer. That was in contrast to his son, who was to be criticized as a senator for having introduced too many bills.

The first major legislation passed in that first session was a prohibition bill. The first legislative session also was the longest in North Dakota history and probably the most sordid.

The most controversial issue centered on Senate bill 167, a measure to give a license to the Louisiana Lottery company, which had failed to get renewal in its home state. North Dakota was looked upon as a likely field because the state had just been admitted to the Union, 1889 crops were poor, and the state needed money. The Louisiana company offered to pay \$100,000 into the state treasury the first year and \$75,000 each year thereafter for a license to run a lottery.

The lottery company hired former Senator George Spencer of Alabama as its chief lobbyist and was prepared to spend all the money necessary to win its license by "buying" legislators. Alex McKenzie's support was believed assured for the lottery, but Governor John Miller threatened to veto a lottery bill even if every legislator voted for it. The governor, Attorney General George Godwin, Railroad Commissioner G. S. Montgomery and State Senator George Winship of Grand Forks hired the Pinkerton Detective Agency to get information on possible bribe attempts or corruption. One of the agents sent to Bismarck was C. W. Pinkerton, General Superintendent of the company's western division. He submitted detailed daily reports. These were more or less mysterious until May of 1922 when someone in Fargo decided to circulate the report. A cover page explained, "To the younger generation and our later settlers the facts and conspiracy disclosures of this report is an unknown chapter of state history. It is one they should know and not forget."

Agent Pinkerton spent most of his time associating with Senator Spencer, the lottery lobbyist, and R. N. Stevens, representative from Ransom county, who was considered McKenzie's chief lieutenant.

The plan for winning passage of the lottery bill was to secure the necessary votes by offering to pay whatever was necessary, money to be delivered after the bill had passed with enough votes to override veto.

It was during the efforts to secure lottery votes that the facts relating to election of U.S. Senator Casey's became known. Pinkerton said he had heard about legislators ready to take \$50 or \$100 for their votes on the lottery. "What do you think of that for cheap people?" another senator was quoted as having told Pinkerton. He reported one state senator had been offered \$100 to vote for Casey and said \$100 was too much, but that he would take \$50.

Alex McKenzie came to Bismarck from St. Paul to personally supervise the final drive for the lottery bill. State auditor John Bray, who admitted that he had spent over a thousand dollars of his own money, told Pinkerton, "If they had left the full managing to McKenzie, the bill would

have been introduced by this time. The only way to pass the bill is to cut loose with the money."

On February 3, the bill was introduced by Senator Andrew Sandager from Ransom county. There is no evidence in the report that Sandager had been offered or had received any money, and the bill passed the Senate with enough votes to override a possible veto.

Then, as had been arranged by the clients and the Pinkerton Agency, the operators revealed themselves and gave the story of their investigation to the newspaper in St. Paul. In the words of Pinkerton, "It was like a bomb. It had the effect we wanted it to have." The bill was postponed indefinitely in the house.

After that sordid legislative session, Frank Langer told his family, "People would come to me with \$50, \$100 and \$200 to get me to vote a certain way. I told them I couldn't take it." Frank Langer rejected politics from that time on, and refused to run for re-election to the legislature. When Bill Langer told his father he was considering running for states attorney in Morton county, Frank Langer tried to steer his son away from politics. Frank Langer lived to see his son elected states attorney, attorney general and governor, and lived to see the son sentenced to a federal penitentiary for political activities and to see him acquitted. Frank Langer died April 10, 1936, before Bill Langer became a senator.

During all these years Mary Langer had been a full and participating partner with her husband Frank.

"If I had stayed in Austria, I would never have been allowed to marry your father, a farm boy," Mary Weber Langer told her children.

After the family moved to Casselton, Mrs. Langer, assisted by her daughters, gave large card parties and luncheons which were described as models of elegance. She lived to see her son elected United States senator, and she suffered during the months of challenge to his election. A devout woman, Mrs. Langer told friends her daily prayers were for her son, but did not live to see him officially seated in the senate.

At her death in September of 1941 the *Casselton Reporter* paid this tribute to Mrs. Langer:

"Known for her character and her charities, Mrs. Frank Langer was a lovely woman. Her way of thinking and her heritage made her a lovely woman. She was a Christian and observed precepts of the Golden Rule. Born and reared among the cultured in her native Austria, like a true aristocrat, she lived nobly. She met problems with courage and understanding."

The influence and guidance of a scrupulously honest, prosperous and public-spirited father, and a lovely, devout and noble mother were Bill Langer's heritage. When he was born September 30, 1886, there were four girls in the Langer family. Hattie had been born in Minnesota; Clara, Mary and Adelaide on the family farm near Everest. Another son, Frank, was the youngest member of the family.

All six Langer children began their education in the one-room school

their father helped build and within walking distance of the Langer farm.

During the summer months, the Langer children attended parochial school with classes in German, and Bill Langer's fluency in that language later proved to be one of his most valuable political assets.

Bill Langer began school at the age of four and a half years and transferred to the Casselton public school when he was nine years old and entered the fourth grade.

By that time Frank Langer was considered a wealthy man, but he had firm ideas about money. "Nickels were hard to come by," according to Mrs. Woell, Bill Langer's sister. She recalled young Bill coming home one day proud of the fact that a neighbor had given him a nickel for going downtown for a spool of thread. "You take that nickel right back," his father told him. "We don't take money when we run errands for a neighbor."

Like all farm boys Bill Langer was given responsibilities at an early age, but probably more than the average because the family farming operations were so extensive. When he was only ten years old, Bill was sent into Casselton to recruit a crew of hired men. Either the transients had little faith in the young recruiter or work was plentiful. They told Bill to "bring the farm into town" and they'd look it over and see if they wanted to work on it.

At 15 Bill Langer hired out to one of the neighbors, and because of his ability to handle men, he was given the job of foreman.

The next year Joseph Langer was ill and Bill managed all operations of the uncle's large farm. In the 1900's that meant the care and handling of horses, the care of machinery, supervising a large crew of men, and making the all-important decisions as to when to seed, cultivate and harvest.

Frank Langer did custom threshing for his relatives and neighbors, and during many of the threshing seasons young Bill Langer was the water boy. The early steam engines needed a constant supply of water, which was hauled in horse-drawn wooden tank wagons equipped with hand-operated pumps. It was the water boy's job to take the wagon to a nearby slough, creek or a farmer's water tank, pump water into the wagon and then take it to the engine. A thresher steam engine needed from five to six tanks of water a day, so the job of water boy wasn't the easiest one around the threshing rig. When the threshing was for Mrs. Langer's uncle, the Frank Webers, Bill Langer would stay at the Weber farm. Frank Weber, Junior, two years younger than Bill, remembers his cousin as a very devout teenager. "He did something I would have been embarrassed to do," said Frank Weber. "It didn't make any difference how many people were in the room; Bill would get down on his knees every night to say his prayers." Mrs. Woell, Bill's sister, said all members of the family were required to join in morning and evening devotions. After Bill Langer's graduation from Columbia, he wrote a sympathy letter to a friend in which he stated, "I am a firm believer in the efficacy of prayer."



Bill Langer was active in athletics. In 1903, when he was a junior in high school, the school had a championship football team and won their last game by a score of 86 to 0. Bill Langer played center for that high school championship team.

The Casselton high school had a literary society that stressed extemporaneous speaking, and Mrs. F. E. Correll, a classmate, remembered, Bill was "by far the best extemporaneous speaker in our school."

John Holzworth in his highly laudatory biography, *The Fighting Governor*, and Lewis Crawford in his *History of North Dakota* credit William Langer with being valedictorian of his high school senior class, but school records indicate that Langer was only an average student although he excelled in some of the more difficult subjects.

Many schools at that time featured "orations" by the graduates rather than commencement speakers from outside. It would make a good story to say that Bill Langer "orated" on politics, but the facts are that he chose "Sir Walter Scott" as his commencement subject. He was already demonstrating traits of leadership, being listed on the Class Day program as William Langer, class president.

## SCHOOLING IN LIBERAL LAW

By the time he finished high school, Bill Langer had decided he wanted to be a lawyer, and in the fall of 1904 he enrolled in the two-year law course at the University of North Dakota. Because of its impact on Langer and the state of North Dakota, it might be well to consider this school in some detail.

Louis Geiger in his *University of the Northern Plains* calls attention to the fact that as early as 1909 the University's Law School graduates were practicing in 78 North Dakota towns, and five graduates were in the legislature. In 1916 four of the top leaders of the Nonpartisan League were University Law School graduates. Through the years, many of the state's governors and state legislators and most of the judges have come from the North Dakota University Law School, which began to operate in 1899. Dean Guy Corliss, a prominent Grand Forks attorney, and the first chief justice of the North Dakota Supreme Court, had never attended a law school or even college. As an instructor in the law school, he took no pay the first year, and the second year he was paid \$2.50 for each lecture, the same fee being paid to the other seven Grand Forks lawyers who were also instructors. The only full-time law faculty member was John E. Blair, one year out of Harvard, who was paid \$1,500 a year.

The school used rented quarters in Grand Forks until after World War I, when it moved to the University campus. There was practically no library, and the law students depended on libraries of the local lawyers. In 1905 the legislature appropriated \$10,000 to buy the law library of John W. Cochrane, who had been a supreme court justice and a trustee of the University before his death.

The early Law School's entrance requirements merely specified that the applicant must have reached his eighteenth birthday and that he had completed grammar school. Geiger notes some special students were not even held to that.

Since John Blair left the school in 1902, Bill Langer took no classes from him. Andrew Bruce, a University of Wisconsin graduate, joined the North Dakota faculty in 1901. It wasn't until 1909 that the Law School had three full-time instructors. In 1902 Samuel Peterson, a graduate of

Yale, came to the school. Edward Blackorby, in his story of William Lemke, *The Prairie Rebel*, wrote, "Lemke was some of the clay molded by Samuel Peterson." In a story of Bill Langer this is significant, considering the fact that Langer and Lemke were so closely associated in the early days of the Nonpartisan League.

A law degree was granted on completion of two years' work, and graduates were admitted to practice in North Dakota without further examination. In 1905, on Dean Bruce's recommendation, state bar examinations were required, and that same year the school established an entrance requirement of at least two years of high school preparation.

When Bill Langer enrolled in 1904, there were 500 students at the University of North Dakota, 91 of them in the School of Law.

There is nothing to indicate that Langer was outstanding scholastically, but an item in the campus paper stated, "A reward has been offered to anyone who will catch Langer outside of the library ten minutes at a time." In his second year Langer was elected vice president of the Junior Law Officers. The Law School had established a precedent of winning the top awards in oratory, and Langer was selected to represent the Law School in 1905. His subject was "The Influence of the Home." The campus newspaper reported, "Langer's declamation was a sincere and touching tribute to that institution which had more than any other left its impress on human history," but Langer didn't win any of the three awards.

During Langer's first year at the university William Lemke and Lynn Frazier were seniors and L. E. Birdzell was one of the law instructors. Ten years later, when the Nonpartisan League, a farmers' reform movement, swept into power in North Dakota, William Lemke directed the work of the League, Lynn Frazier was elected governor, William Langer was elected attorney general and L. E. Birdzell was named to the state supreme court.

In 1907 James Twamley, a member of the first board of trustees of the university, in speaking to a group of Grand Forks businessmen, said, "There are men on the faculty of the University of North Dakota who are more interested in teaching socialism than in the curriculum. I may not live to see it, but you gentlemen who hear my voice, if you live your allotted time, will see the day when your state will pay for what is being allowed to be carried on at your chief educational institution. They are sowing the wind over there, and the state will reap the whirlwind."

That others in the state were disturbed by the liberal teaching at the University is evident in a quotation from a letter written by President Webster Merrifield to John Gillette, who was hired as a member of the law faculty in 1907. "The charge was very commonly brought against the University at Bismarck last winter that the institution was a hotbed of anarchy. The charge is absolutely without foundation, in my belief," Merrifield wrote.

The liberal climate during Langer's student days may have been due in

part to the influence of George Winship, a crusading state senator and editor of the *Grand Forks Herald*, who hated Alex McKenzie and began publishing editorials on the abuses of railroad, elevator and financial interests as early as 1904.

Elwyn Robinson in his *History of North Dakota* considers George Winship one of the state's three great reformers, listing him with Dr. Edwin F. Ladd and Judge Charles Amidon. Robinson also considered Winship the chief opponent of the McKenzie gang and quoted an editorial which called a pro-McKenzie editor a "blabbering blatherskite and an unprincipled hoodlum."

Winship served only one term in the state senate because the McKenzie forces gerrymandered legislative districts to prevent re-election of Winship.

However much Langer's political philosophy may have been shaped at the University of North Dakota, he came out of its law school well grounded in law and passed the state bar examination with credit at the age of nineteen. But he had to wait until he was twenty-one before he could be admitted to practice, so he left for New York to continue studies at Columbia University.

"The gangling farm boy from North Dakota packed his bag, dusted off his yellow shoes and set out for Columbia," one biographer wrote. Another said, "The skinny, tall, gawky farm boy, with his ill-fitting suit, the prairie drawl and his hay-cock haircut entered Columbia University in New York City."

That is the way Bruce Nelson in his *Land of the Dakotas* and John Holzworth in *The Fighting Governor* describe Langer's entrance at Columbia, but it is hard to reconcile those descriptions with the handsome, six-foot, self-assured young man known to the people of Casselton. It may be he looked that way to the sophisticated easterners. Whatever picture the students had of Bill Langer when he first enrolled at Columbia, the "gangling, gawky farm boy" from North Dakota soon made a name for himself.

Many stories of Langer's life in New York have come from John Brodix, a classmate who recounted the stories when he visited Langer in 1932. Brodix was business manager of the *Spectrum*, Columbia's student newspaper, and for a time Bill Langer served as his assistant.

Langer had not made any advance inquiries about admission to Columbia, but on the bus out to the university he met an official of the school, and they struck up an acquaintance when the official discovered Langer could speak German. That official assisted Langer in the enrollment process.

Bill Langer had been at Columbia only a few days when the sophomores captured three freshmen, took them out to the University Yacht Club and pelted the captives with eggs. The juniors then named a committee of three, Robert Erskine (brother of the author John Erskine), Francis Bangs and Bill Langer, to lead a delegation of freshmen to rescue

their classmates. Several hundred freshmen went out to the Yacht Club, and made shambles of it in the rescue. They even dismantled a baby grand piano and the keys became souvenirs of the occasion.

The Yacht Club president sent a bill of \$4,700 to Nicholas Murray Butler, President of Columbia University, who summoned delegations from the freshman and sophomore classes to meet with him. Langer was named to speak for the freshmen and he convinced President Butler that the sophomores should pay for the damages.

Some time later, a young woman, recognizing Langer as one of the influential students, approached him with an interesting project. Nothing had ever been done, she said, to raise the Battleship Maine and remove the bodies of the sailors in order to give them a heroes' burial. The project appealed to Langer, and being a true Westerner, he helped organize a Sportsmen's Rodeo to raise money that led to Bill Langer's second confrontation with Nicholas Murray Butler. President Butler told this brash young man from North Dakota that no admission fees could be charged for athletic events and that the rodeo would have to be cancelled. It wasn't! There was no admission charge, but Langer and his committee decided to sell black and gold arm bands at a dollar apiece. The rodeo was a financial success. No less a personage than Admiral Sims attended the ceremony to receive the receipts, which went to raise the Battleship.

More than once during his college career, Langer came to the rescue of his classmates. In one case a medical student and his date attended a dance after a basketball game. They decided to stay for only one dance and left their coats on the back of a chair instead of checking them. While they were dancing, the manager of the dance hall took the coats and demanded the couple purchase dance tickets and pay for checking. Boaz appealed to Langer, who argued with the manager but couldn't convince him to give up the garments. Langer then kicked in the locker door. A few years later Langer made national news when he battered down the door to a sheriff's office.

Unconventional in politics, Langer was just as unconventional in the courtship of his future wife, Lydia Cady, the daughter of a New York City architect. When Langer first saw her, he is reported to have said, "That's the girl I am going to marry."

One evening when Lydia was at a concert, her escort was called away to answer the telephone. While he was gone, Bill Langer, who had arranged the fake call took the seat beside Lydia, and that was the start of their seven-year courtship and eventual marriage.

Langer did have solid accomplishments at Columbia, too, socially, athletically and scholastically. He was a member of the elite Newman Club for four years and served one year as president. He led the Junior Prom, and made news because he did so in a rented tuxedo. He was a member of the freshmen-sophomore debating committee, assistant manager of the Spectrum for two years and as a senior, a member of the student board and managing editor of the 1910 Columbian yearbook.

Langer's biographer and classmate, John Holzworth, first saw Langer as he was "pounding doggedly around the quarter-mile track at Columbia on the way to becoming one of Columbia's best quarter milers and captain of the track team. Eventually, Sigma Chi, a fraternity that had first blackballed Langer, unanimously named him to membership."

In his senior year, Langer exercised the option of changing from the liberal arts course to the one-year law course. He was graduated in 1910 with two degrees, in liberal arts and in law. He also was valedictorian and president of the senior class and up to 1960 stood No. 1 or No. 2 in the list of all Columbia Law School graduates. Langer won the Rolker Award as the senior "deemed by his classmates to be the most worthy of special distinction . . . for scholarship, participation in student activities, or pre-eminence in athletic sports, or a combination of all of them."

The class prophecy that year featured pretended future visits to each of the graduates. The 1910 writer of this prophecy was clairvoyant when he wrote:

"In Washington 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 was Lincoln, the second (Theodore) Roosevelt, and the third William Langer. He held no position except his seat in the United States Senate, but his influence pervaded Washington as subtly as it once did our own campus. When I entered the door to the inner sanctum, I noticed above it was hung an old proverb, *to the Victor Belong 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."

In addition to all the other honors Langer received, he was voted by his Columbia classmates "the biggest politician, the noisiest student, the most popular man on the campus and the one most likely to succeed."

William Langer, B.A., L.L.B., soon headed back to North Dakota to pursue the success predicted for him as the biggest politician.

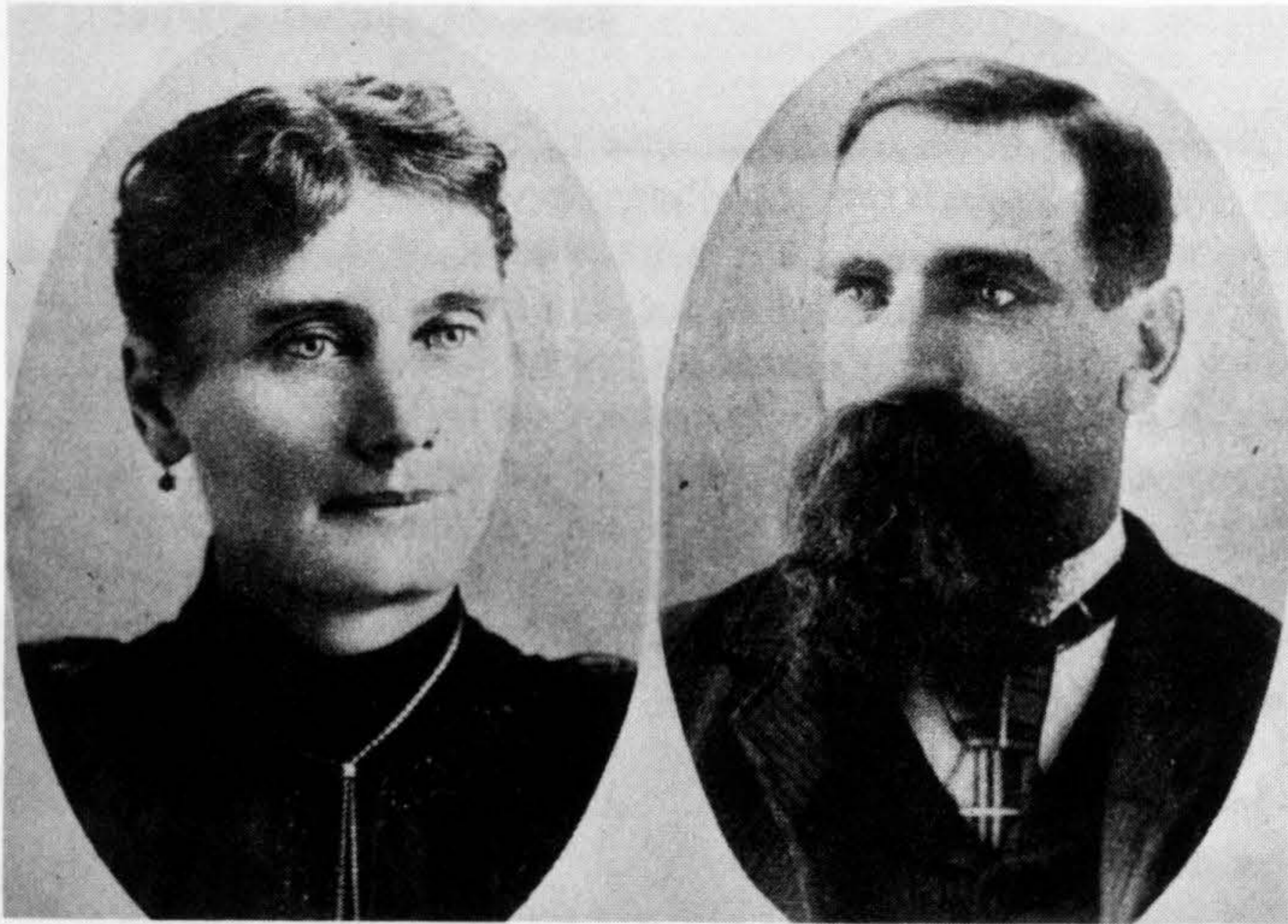
The following year was one of illness and frustration for Langer. Because of his poor health, he had been advised to quit school during his senior year, but did not. In a letter to Mrs. Rolker, whose award he had won and whom he considered his "Columbia Mother," Langer related his frustrations over his health. "On my way home to Casselton, I spent a week in St. Peter, Minnesota, with friends of my family. I spent a week recuperating by milking five cows morning and evening."

This recuperation apparently didn't restore his health. He was forced to undergo surgery, but complications set in and Langer spent several months convalescing.

# A LANGER FAMILY ALBUM



FRANK J. LANGER FAMILY, WITH WILLIAM AND LYDIA  
STANDING BEHIND HIS PARENTS



**MARY WEBER LANGER**

**FRANK J. LANGER**

Parents of "the Maverick"



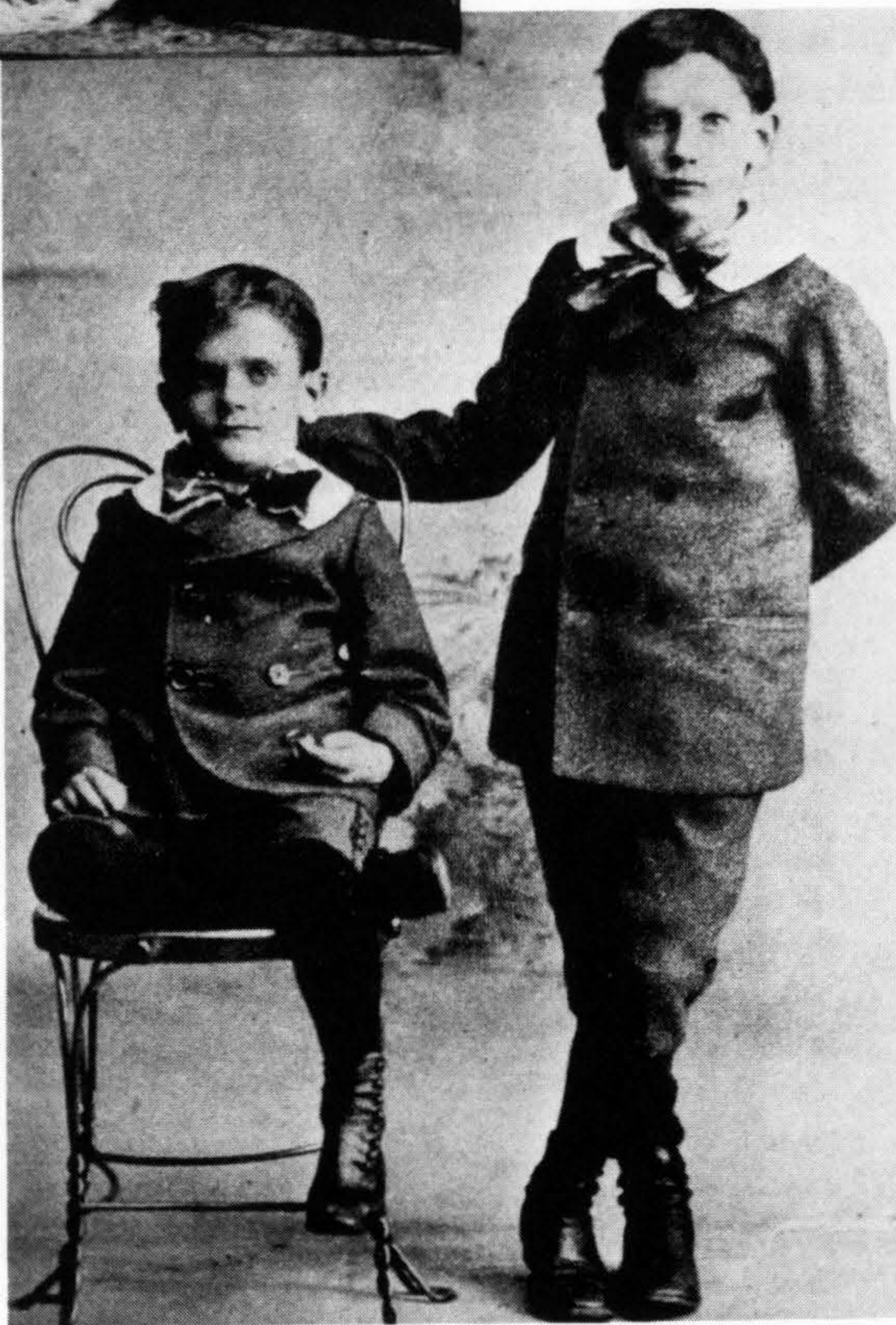
State Historical Society of North Dakota

**WILLIAM AND LYDIA LANGER**

In the governor's residence, 1934



**CASSELTON HIGH SCHOOL FOOTBALL CHAMPIONS,**  
"Willie" Langer in First Row Holding Ball



**FRANK E. AND "WILLIE" LANGER**  
The boys in the family



**WILLIAM LANGER'S BIRTHPLACE**

The Frank J. Langers, parents, at fence; brother Frank E. in yard



Time-Life News Agency

**THE SENATOR AND HIS FAMILY**

(L to R) Senator William Langer, Cornelia Langer Noland, Mimi Langer Gokey, Lydia Langer,  
(front) Emma Langer Schaeffer, Lydia Langer Irwin

## THE MAVERICK CONNECTION

Langer continued his friendship and contact with William Lemke while both were students at eastern universities, Langer at Columbia and Lemke at Yale.

At Yale Lemke met the son of a Mexican senator and through him became interested in purchasing and developing land in Mexico. Lemke learned that a large tract of land was available on the west coast, land that had the agricultural advantages of North Dakota's Red River Valley plus a warm, moderate climate. The Mexican land could be purchased for a few cents an acre, and with the Southern Pacific Railroad building toward it, Lemke had visions of a new frontier. He actually looked forward to living in Mexico and had visions of a development with American farmers, American schools and American culture. He set up the Black Earth Finance Company in 1906 and began organizing tours for North Dakota investors. The company purchased a total of 550,000 acres at a cost of \$400,000. The first 80,000 acres of rich agricultural land was given a value of twenty dollars an acre, while the rest of the acreage was timber and grazing land valued at a dollar and a quarter an acre.

Bill Langer became almost as enthusiastic about the venture as Lemke. Langer talked his father into investing \$34,000; and he even tried to induce his father to sell his North Dakota property and move to Mexico. Frank Langer hadn't made a fortune by being impulsive, and decided wisely to risk only his money. Bill Langer made two trips to Mexico to look over his father's investment, the first trip in the early summer of 1909 and the second trip in January of 1911.

There are a number of stories of this second trip, but the most interesting one is that told by the late Congressman Usher Burdick, Langer's close political associate and personal friend. As Burdick told it:

"The Lemkes were in Mexico looking over their interests, when Langer joined them. Here was the beginning of the feud between Lemke and Langer that lasted until death."

"Langer rode around the domain examining the cattle herd of some 800 head and the clearing of brush on the lands they intended for an orchard. He learned that the revolution then going on in Mexico was

headed for the ranch, and knowing that Lemke was in good standing with the Mexican government, Langer had visions that they would be taken prisoners and the property confiscated. Langer notified Lemke of his discovery and pleaded with him to accompany him back to the United States instantly."

"Lemke didn't propose to abdicate so suddenly and remarked to Langer, 'I will take all the bullets that come this way.' Langer had put all his money into stock and had no funds with which to finance himself back to the United States. Lemke gave Langer \$1,000 and Langer lost no time in starting back to the United States.

"He started walking toward the border, but about the time he was completely tired, two Mexicans in an open Ford, who had deserted the revolution, caught up with him. Langer asked them to let him ride with them, which they consented to do, and the three drove on. The facts were that these two men in the Ford were fleeing themselves, but Langer was not informed of this.

"The Mexican government forces soon caught up with this Ford, and the three men were captured and lodged in jail at the nearest town. A court martial convened immediately and all three were condemned to be shot the next morning at sunrise. Langer got in touch with Washington and after two or three postponements of the execution were obtained, Langer was freed but his two companions were shot. The United States government obtained Langer's free and unmolested passage to the border.

"The revolutionary forces reached the ranch and Lemke defended it with all the means he had. The cattle and all personal property were confiscated. Lemke and his wife made their way to the border.

"Langer claimed that his near execution was due to Lemke's long delay in getting away from the ranch, and Lemke claimed Langer had deserted him and his wife in their perilous situation."

As Burdick said, this was the beginning of the feud. It was the most bitter political feud in North Dakota's history. It affected the political fortunes of Langer and Lemke, and had repercussions that affected the political history of their state for more than a quarter of a century.

Recovering from both his illness and near execution, Langer wrote to Mrs. Rolker, "I desire now to make a living and a record so that I may one day become popular enough to be the most popular man in the state just as I was in college, and be given political office large enough to attract the notice of my former classmates in the East."

Bill Langer had three attractive offers to enter the legal profession. Francis Bangs of New York, a partner with Grover Cleveland, offered Langer a position in their firm, but Langer wanted to return to his home state of North Dakota, and he had two offers there. One was to become a partner in a law firm at Bowman, North Dakota, a town in the southwestern part of the state with a population of only 700. The other offer came from Mandan, county seat of Morton county and just across the

river from Bismarck, North Dakota's capital. Mandan had a population of 4,000 and eleven practicing attorneys, but it was near the nerve center of North Dakota politics, which must have weighed heavily in Langer's decision to choose Mandan.

Langer accepted a position in the firm of H. R. Bitzing, States Attorney of Morton county, where he was to receive \$90 a month, one third of the profits of the law practice and a share in the profit of Bitzing's loan agency. Bitzing borrowed money from Chicago firms at six percent interest and loaned it out to the expanding community at ten percent.

Shortly after Langer joined Bitzing, the Morton county commissioners appointed Bill Langer assistant states attorney, and Langer had his foot on the first rung of the political ladder.

Bill Langer started out as a partner in the firm of Bitzing and Langer and as assistant states attorney with a burst of activity that was to characterize the beginnings in every office he held later.

He quickly established a reputation as an excellent courtroom lawyer, and Morton County began to take notice of its "boy prosecutor." When Bitzing was re-elected states attorney in 1912, Langer made full use of his own on-the-job apprenticeship training. He studied the problems and conditions in Morton county, and he was becoming known as a fearless law enforcement officer.

Langer also found time for Mandan's social life, the elite, invitational and formal dress dances, called balls. When he received the first invitation to one of these balls, he asked Blossom Lang (later Mrs. Frank McGillic) to be his partner, called for her in a cab and brought a corsage. Those luxuries were almost unheard of in Mandan in 1911, when even automobiles were scarce. When Blossom Lang and William Langer stepped out on the dance floor, all eyes were on the handsome attorney, elegantly dressed and a superb dancer. Langer charmed the young people and became as popular in this western town as he had been on the campus of the eastern university. After another occasion, however, he had quite a time living down the fact that he came to his first ski party wearing a top hat.

Social activity was nevertheless limited because the law firm had a good private practice, and since Mandan was known as a wide open town, there were plenty of enforcement problems for the states attorneys office. Besides, Langer had set a political goal for himself, so he couldn't neglect politics.

The Republican party was the majority party in North Dakota, but even in the territorial days before statehood there had been two factions in the party. Both, Robinson pointed out in his *History of North Dakota*, "wore a progressive mask." The early factions, instead of being conservative or liberal, were either pro-McKenzie or anti-McKenize. The pro-McKenzie faction was known as the Regular Republicans (sometimes called the Stalwarts), and the anti-McKenzie faction usually adopted the term Progressive.

Just before Langer began his political activity in Morton county, a number of anti-McKenzie people under the leadership of Usher Burdick had organized the Progressive Republican League, and Langer later became active in its Morton county group. In January, 1914, Langer attended a state meeting of the League and was elected state secretary-treasurer. That same year Bitzing announced he would be a candidate for the state senate and would not seek re-election as states attorney in the county. Bill Langer had been thinking of this very thing even before Bitzing made his announcement, as indicated by a letter that congressman P. D. Norton wrote to Langer in 1913. "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," Norton advised.

Langer wasn't the only one interested in the county office. As soon as Bitzing made his announcement, three Mandan lawyers announced themselves as candidates. Louis Connolly, recognized as an exceptionally well-qualified lawyer and businessman, B. W. Shaw, states attorney of Morton county from 1905 to 1909, and I. N. Steen, a prominent Republican, all announced they would be candidates on the Republican ticket. John F. Sullivan, prominent railroad attorney, filed as a Democrat.

The boy prosecutor, age 28, unmarried but hopefully courting Lydia Cady, was not in the least intimidated by the powerful candidates who had filed, announced his own candidacy for states attorney on the Republican ticket. Almost immediately a Morton county weekly newspaper came out for Langer, support which was to prove valuable. The paper editorialized:

"A young forceful man, a lawyer who possesses the prime requisite 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 is taken, is thoroughly conversant with the German language and we feel confident that he will poll a very large vote in his campaign in the primaries."

Most campaigns for county offices had been tepid affairs, but the contest for the office of states attorney in Morton county in 1914 attracted statewide attention. The campaign developed ethnic overtones. Steen and Shaw were recognized as the Norwegian and English candidates, Connolly had Irish support and Langer had the Germans. Morton county at that time had a population of more than 25,000 and almost forty-five percent were of German, Russian or Austrian descent, which Langer may well have considered when he decided to make Morton county his base.

Langer made two decisions early in the campaign that were to have political repercussions. It was only natural that he would have Bitzing's support, and Langer announced that he would support Bitzing for the state senate. With their statements both stood to lose as well as gain votes; but Langer, being a newcomer, stood to gain the most. Langer's second

decision had greater significance. It was that he would support Usher Burdick, the endorsed candidate for governor of the Progressive Republican League. L. B. Hanna had the support of the Regular Republicans, and the Regular Republicans were in control of the Republican party in Morton county, so support of Burdick was risky.

Langer conducted the kind of campaign that was to make him famous, a handshaking, arms-around-the-shoulders, personal contact campaign. He went from one end of the county to the other but concentrated on the southern and western sections where the German population was heaviest. Two days before the election, Langer was seriously hurt in an automobile accident. He consented to be hospitalized over night, but the next morning he was back on the campaign trail.

The results of the county primary election were: Langer 992, Connolly 836, Steen 773 and Shaw 477 in the race for states attorney. L. B. Hanna easily carried Morton county in the governorship contest.

Almost every election and campaign in which Langer participated had an unusual event connected with it. This election featured a tragic accident. A precinct official, bringing in the vote for his precinct, was drowned in the Cannonball River.

Morton county was strongly Republican, and Langer's victory in the party primary should have been tantamount to election, even against the Democrats' popular and well-known John F. Sullivan. That wasn't the case for Langer.

The establishment, remembering Langer's support of Usher Burdick and, fearing the young maverick who was stepping on toes with his aggressive law enforcement, went all out for the Democratic candidate. During the primary campaign one county weekly had warned, "The old gang, the powers that be in the county had decreed that Langer must be slaughtered." The county chairman and most of the prominent Republicans openly supported Democratic candidate Sullivan. The newspaper castigated the Republican moves in three editorials which said in part:

"Not for an instant did they give Mr. Langer credit for his clean up-right campaign. Not for a single moment did they give him credit for all the things he has 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 as far as they could find he had never broken the Ten Commandments."

A later editorial said, "Personally we would rather see Mr. Langer elected states attorney than to see Hanna elected governor, and everyone knows that we have been heart and soul for Hanna." Just before the general election an editor wrote, "If Langer is beaten by the cut-throat gang operating under the guise of Republican leaders, we stand ready to close up shop."

Langer continued his whirlwind personal campaign, and when the

weather was favorable, he liked to walk from farm to farm meeting people. One sunny day Langer came to the Fristad farm where nine-year-old Gus Fristad was working with his father. Years later Gus Fristad recalled that Langer introduced himself, handed the senior Fristad his card, and asked about the next closest neighbor. He said, "I hope you'll vote for me," and started out, not walking but running. When he came to the fence, Langer hurdled it and kept right on running. The Fristad boy watched until Langer was out of sight, not realizing he was watching one of Columbia's ace track men literally running for public office. In that first campaign Langer initiated a technique that he was to use over and over again during his political career. He hired a woman to write letters in German to all the German residents in the county. She wrote as many as forty letters a day, a total of 1,405 personal letters to German people in the county in two months.

Just before the general election, Langer was the beneficiary of some publicity when he became involved in one of the most scandalous court cases in the history of Mandan and Bismarck.

A nineteen year old Assyrian peddler had been arrested by the Bismarck police chief for peddling without a license. He was jailed, and his suitcase containing linen and embroidery goods and seventy-two dollars cash was taken from him. The municipal judge fined the peddler twenty-five dollars and ordered him to leave Bismarck. The young peddler walked to Mandan and discovered most of his goods and some of his money missing from the suitcase. He contacted Langer, who heard the peddler's story and had the state attorney of Burleigh county issue a search warrant. The missing goods were found in the home of Bismarck's chief of police. Langer had warrants served on the chief, the municipal judge who had sentenced the peddler, and another police officer who was believed to be implicated. The case didn't go to trial until after the election, but the people of Morton county knew they had a young prosecutor who dared to challenge the city officials of Bismarck in defense of a nineteen-year-old peddler. Langer must have picked up a good many votes as a result of this publicity.

When Langer won the general election, newspapers reported the results of what they called the most sensational contest ever witnessed in Morton county.

Bill Langer learned some valuable lessons from this first campaign and victory. He learned that nothing can equal the touching of hands in a campaign. He learned the value of personal letters. He discovered how valuable and effective his knowledge of German had been. And he realized that bold moves could be effective.

Langer had to make two campaigns in Morton county, and he learned the value of remembering people by name — last name, first name, names of wives and children. He filled notebooks with names and family information and developed a fantastic memory. There was never another



politician in North Dakota who could call as many people by their first names.

Bill Langer learned another lesson in his first campaign. Political parties don't always support their own candidates, he realized. Langer always called himself a Republican but felt free to ignore the mandates of the state's party time and time again, until he became the state's most famous maverick. Langer's "maverickism" may have been due, at least in part, to repudiation by the Republican party in his first venture into politics.

January 1, 1915, Bill Langer moved up from assistant to states attorney of Morton county. States attorneys in North Dakota were (and still are) shockingly underpaid, and traditionally supplement the meager income with private practice. Langer joined S. L. Nuchols, a former judge and a former partner of John Sullivan, in the partnership of Langer and Nuchols.

He then turned his attention to the enforcement problems. As the new states attorney, Langer was beholden to no one, certainly not to any political party or faction. It was a personal campaign and a personal victory. He was now free to step on toes fearlessly and in public view. There were a good many toes in Morton county that needed stepping on.

North Dakota had the bluest of blue laws. One law forbade the showing of movies on Sunday. After Langer's election in November and anticipating what they might expect from a fearless prosecutor, the theater owners of Mandan and Bismarck formed an association that would ask the incoming legislature to repeal the Sunday ban on movies. Langer announced he would enforce the law as long as it stood; but said if the movie people would prepare a petition asking for repeal of the law, he would be the first to sign the petition. It was Langer's conviction that the best way to get rid of an unpopular law is to enforce it.

The biggest problem was enforcement of the prohibition law, a law which Bill Langer's father had helped put on the statute books. There were plenty of violators in Morton county. The **Fargo Forum** on January 6, 1915, declared, "Those in the know declare that there are no less than 300 blind pigs in Morton county." The county's citizens were incensed and threatened a libel suit. While 300 blind pigs may have been an exaggeration, Langer knew there were enough of those illegal liquor places to cause monumental enforcement problems.

A number of historians have noted that on his first day in office Langer swore out 167 warrants for the arrest of liquor dealers and vice operators. He may have prepared for that before he took over the states attorney's office, but even so, "swearing out" or "issuing" 167 warrants in one day was rather incredible. There is no way of checking because official records were destroyed in a court house fire. The main basis of the statement is Holzworth's biography of *The Fighting Governor*. Holzworth was a fellow student with Langer at Columbia University and was one of his great admirers, believing Langer could do no wrong. It must be

remembered, too, that Holzworth's biography was published during Langer's campaign for United States senator. The book's last sentence reads, "He is now ready for promotion to the national arena where his fighting ability in the interests of the common people can be turned to wider account."

Hozworth's magnificent efforts in Langer's behalf were thwarted. When the books arrived in Fargo just before the election, creditors seized them. The action was undoubtedly politically motivated. Holzworth consulted a young attorney in Fargo by the name of Quentin Burdick, who advised Holzworth he could free the books by putting up a bond, but warned that the creditors could counter with their bond. This is what happened. The frustrated author met his attorney in the corridors of the Cass county courthouse, and, believing he hadn't been adequately represented, called his attorney an unprintable name. The future United States senator was quick and handy with his fists, and as a result of the meeting, Holzworth ended up with two cracked ribs. Years later Holzworth called on Senator Quentin Burdick in Washington, and showed him the scars he still carried from the encounter.

While the number of arrests of Langer's first day may not have been 167, as Holzworth reported, the **Mandan Pioneer** recognized Langer's remarkable record. The first report of Langer's liquor enforcement carried in the **Pioneer** is a story dated January 6, 1915, when the paper reported the arrest of thirteen bootleggers and printed their names and addresses. On January 9 the **Pioneer** reported a total of 35 bench warrants, and predicted the "District court will have its hands full." On January 11 the paper reported that 47 bench warrants had been issued.

Within ten days Langer had the county jail full, with five and six prisoners to each cell. The February term of court lasted a record fifty-four days, mainly for those cases.

Charles McDonald, the sheriff of Morton county had actively supported Langer and helped raise money for the campaign, partly because he was determined to keep John Sullivan from being elected.

Langer was as relentless in closing vice establishments as he was in enforcing the prohibition law. After he had arrested and jailed the operator of one house of prostitution, the operator asked to see Langer and complained, "I gave Charlie McDonald \$500 for your campaign, and I certainly expected to be taken care of."

Langer answered, "You are being taken of, aren't you? You're in jail." The man was convicted and served a year in prison.

By the middle of January the *Mandan Pioneer* reported, "Blind pigs have been effectively closed as a result of the campaign of the States Attorney William Langer. Now 'vest pocket liquor dealers' are doing business here." There is no record of how Langer handled the "vest pocket" bootleggers. It is impossible to imagine how many gallons of home brew and illegal commercial liquor went down the drains of Morton county. The *Hebron Tribune* must have shocked its own readers

when it reported that it took two railroad freight cars to bring 4,850 gallons of wine from Hebron to Mandan for evidence in the trials.

To intensify his prohibition enforcement, Langer secured an injunction prohibiting railroads from importing alcohol for uses not permitted by law.

At times Langer wasn't too careful about his legal proceedings, and one raid later became the basis of a charge in the attempt to keep Langer from serving as a United States senator. It was the case of the stolen drugstore. Langer had arrested the owner of the store for selling liquor, and then proceeded to close and padlock the store, though he did not have the proper legal papers from the court.

With this record of enforcement, it isn't surprising that Langer became a hero to the prohibitionists. F. L. Watkins, director of the State Enforcement League in North Dakota, was quoted as saying "William Langer in one month has cleaned up the county where he faced as immense problems as could be found in any county in North Dakota."

From bootleggers and prostitutes Langer turned his attention to the schools. He spent a month going from school to school in a Ford car throughout the county. At one school the teacher asked Langer to talk to her pupils. Gus Fristad, the boy who had watched Langer hurdle his father's fence, was at the blackboard behind the teacher's desk and near enough to touch Langer. As an adult years later Fristad remembered the boyhood thrill of having touched this great man.

Bill Langer was shocked at the condition of schools in the county. He told his constituents that Morton county had one of the poorest rural school systems in North Dakota, schools which displayed the American flag were the exception, and that hundreds of children of school age were not even enrolled.

To enforce the school laws, Langer must have set a record by writing to all the teachers in the county asking for the names of children not attending school and the distances those youngsters lived from school. Then he wrote to all the parents. 800 letters went out by registered mail and informed the parents that all children must attend school up to the age of 16. He reinforced that with letters to the school boards calling attention to compulsory attendance, transportation requirements, display of the flag and the law regarding fire safety.

"I have prepared a writ of mandamus compelling you to buy flags for all the schools in your district. If I hear from you by return mail, I will not serve the papers," was the wording in one letter.

"Send me a list of all the children in your district of school age, with the names and addresses of parents or guardians. I will expect the list within a week," was another.

"Let me know if the children of (father's name) are in school. If they are not, I will arrest him," Langer threatened.

The replies came, and promptly. There are twenty-three folders in the Langer records at the University of North Dakota library dealing with the

young states attorney's enforcement of school laws. Each folder is crammed full of letters, copies of letters Langer wrote and the replies. The replies are in long hand and some of them in German.

Langer was assured of cooperation from the school boards. Some of the parents insisted, however that they felt justified in keeping children home when needed for farm work. One teacher wrote, "When the school board refused to buy a flag for the school, I drew a flag on the blackboard." Another teacher asked, "Can you force the board to buy a dictionary?"

Langer also became involved in school health matters. He advised a teacher to tell parents their child needed medical attention and he arranged for health examinations for pupils. He ordered that all school buildings be disinfected regularly and ordered one school board to put two over-turned privies upright immediately.

Disciplinary problems were not beyond his attention either. He wrote one parent that the teacher "who had yanked the kids out of their seats, thrown them to the floor and slapped them," had been contacted, and such incidents would not occur again.

Morton county's superintendent of schools complained that Langer was giving rural schools undeserved bad publicity, but N. C. MacDonald, who was soon to be elected state superintendent of public instruction, came to Langer's defense with a letter saying, "If you will check the 13th Biennial Report of the State Superintendent of Public Instruction, you will find the Morton county rural schools are below the average in every one of the requirements of rural school efficiency."

On another front, Langer investigated complaints about scales at some grain elevators with the result that the county commissioners erected six or seven public scales.

Langer began an investigation of unlicensed people practicing law in North Dakota and illegally charging fees for their work; and he formed committees to investigate assessment problems and to work for better roads.

It was the case involving the Northern Pacific Railway that brought Langer statewide recognition. In July of 1913, while he was still assistant states attorney, Langer had complained to the state tax department that railroad land leased to other users was escaping taxation.

The buildings and inventories on such sites were properly taxed by the local authorities as personal property, but Langer claimed the land itself should be assessed and the taxes should be levied against owners of the property. Under the direction and advice of States Attorney Langer, Morton county officials assessed the land and levied taxes against the grain elevators, lumber yards and oil companies located on right-of-way of the Northern Pacific in the county. The railroad brought suit against Morton county, and called attention to the fact that 2,038 elevators, 1,000 lumber yards and 260 oil stations and coal sheds and potato warehouses

on property leased by all the railroads in the state were affected. Arguments were heard in district court. On October 15, 1915, Judge W. L. Nuessle ruled that Morton county had no authority to levy taxes against the elevator companies, but that the lumber yards and oil company sites could properly be taxed by the county.

Both sides appealed to the state supreme court. The briefs by the plaintiff, the Northern Pacific Railway Company, and the brief filed by the defendant, Morton County, represented by William Langer assisted by George Wallace make interesting reading.

The railroad argued that it was double taxation, that the elevators, oil companies and lumber yards were making it possible for the railroads to give better service to the public, and hence it was part of the railroad operations, and that since such taxes had never been levied, a proper precedent had been established. They added an involved argument to the effect that if elevators, lumber yards and oil companies had vested taxable interest in the land on leased sites, then all farm tenants and all renters of property had a similar vested interest and must be taxed accordingly.

Langer and Wallace presented a brief with a minimum of legal verbiage. They called attention to the North Dakota constitution which stated, "Should any railroad allow any of its roadbed to be used for any purpose other than the operation of the railroad, such portion shall be assessed in the manner provided for the assessment of other real property."

On December 13, 1915, the North Dakota supreme court sustained all the county tax liens.

Langer's victory was important not only for Morton county but also for the whole state. The railroad companies and other corporations were ordered to return property valued at more than thirty million dollars to the tax rolls and to pay \$1,250,000 in back taxes. The city of Mandan alone received \$16,502 in back taxes.

The case had other ramifications for Langer's political life. Andrew Miller was one of the attorneys for the lumber yards and oil companies that had joined the railroad in the case. Miller was later appointed a federal judge, and it was he who handed down the sentence in the Langer conspiracy trial. Langer alleged that Judge Miller had a deep personal bias against him, and that this bias was the result of the defeat he had suffered in the Northern Pacific tax case.

## “WILD BILL” LANGER

Bill Langer may have been the busiest states attorney in North Dakota, but he still had time for politics.

Dan V. Brennan was a Devils Lake attorney, a 1908 graduate of the University of North Dakota, and Langer's close friend. On September 1, 1915, Brennan wrote to Langer, "I have been thinking about our past discussions, and I will do everything I can to help you if you decide to run. I hope you have the foresight to start early and show the people of North Dakota the kind of a campaign that brains can produce."

Brennan suggested that Langer should get in touch with every Equity local in the state, since the American Society of Equity was the dominant farm organization in North Dakota at that time. Langer wrote to J. M. Anderson, president of the Equity in St. Paul and state secretary of the North Dakota organization. Anderson's reply was most encouraging. It pledged full support and said that Anderson had inquired about Langer among farmers and politicians and found they were with Langer to a man. Anderson also wrote that the Progressive Republican League and the newly-formed Nonpartisan League could be expected to support Langer for attorney general. Langer also could expect continued support from the prohibition organization, which included active and influential people such as Judge Charles Amidon of Fargo; R. B. Griffith, a prominent merchant of Grand Forks; F. L. Watkins; the Rev. C. W. Finwell of the North Dakota Enforcement League, and Elizabeth Preston Anderson, President of the North Dakota Women's Christian Temperance Union.

Langer's interest in the office of attorney general didn't stay a secret very long; the Associated Press at St. Paul wrote to him on January 12, 1916, asking about his intentions and suggesting that the news organization was a vehicle for publicity.

After Langer had told Brennan that he was seriously considering running, Brennan outlined what could be a master plan for *The Making of a President*.

"You recall my suggestions regarding keeping 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 underway is now, to cover the state," Brennan advised. "Now is the time to get in touch with every school officer, every assessor, every supervisor in the state by means of a really clever letter, which you, as states attorney, interested in problems met with by these officers, can in good grace write to them asking for their opinions, their experiences and with a view to recommending certain legislation at the next legislative session. If you wait until you formally announce your candidacy, you won't have the same effect.

"Your accomplishments in Morton county in the way of a clean up could be put into a story that would read like a romance put together in such a way the Minneapolis Journal and the St. Paul News would handle.

Check over the state newspapers and find out which are for you and which can be brought around to you. Begin a quiet canvass by mail and personal visits for the purpose of establishing a Langer organization before the Primaries."

Brennan concluded with "Also, please don't talk about it. I might want to use the same scheme myself."

Langer, with a full workload as states attorney and in the final stages of the Northern Pacific tax case, somehow found time to carry out Brennan's suggestions and so informed his politically astute friend in December:

"I plan or believe that I will run for attorney general. I am not ready to announce myself at this time, but feel sure I will run. It would cost me more to be elected states attorney of this county again than to be elected attorney general. I believe they would pile in an awful bunch of money to trim me. I have made a careful study of Stutsman, Barnes, Kidder, Burleigh, Morton, Stark, Traill, Steele, Dickey, LaMoure, Richland and Ransom counties, and I think I can carry those counties no matter who they may run against me. I also believe that I can't be beat in McLean, Oliver, Mercer, Dunn, Bottineau, Griggs, and a few more counties by any man that I know of at this time."

As Anderson of the Equity had predicted, Langer got the solid support of the Progressive Republican League. The organization met in 1916 and endorsed Usher Burdick for governor and William Langer for attorney general.

Meanwhile, the Nonpartisan League, under the organizational genius of A. C. Townley, had reached a membership of more than 25,000 and was preparing for its first statewide nominating convention. If Townley was the League's organizational genius, it was generally known that William Lemke would be the "king maker," so Langer acted to get back in to the good graces of the "king maker." The Mexican land company was in deep financial trouble, and in July of 1915 it appealed to stockholders for financial assistance. Langer sent a check for \$150 and told Lemke he would contact his father, his sister, and other Casselton stockholders for more money. He followed up the promise by asking for a copy of Lemke's book, *Crimes Against Mexico*, and he let Lemke know he was promoting

sale of the book. In one letter Langer suggested names of people who might join the Nonpartisan League. When the Mexican land company levied an assessment on all of its stockholders, Langer sent his check for \$500 and told Lemke he could get more.

Excerpts from Lemke's letters indicate that Langer's strategy was effective.

October 19, 1915, Lemke wrote: "I had a long talk with Cole . . . He is positive you can be elected." A December 15 letter said: "While at Grand Forks, I talked to Birdzell and Burtness and they are for you. At Lakota and a good many other places I was assured you would have a walk-away."

A month before the Nonpartisan League convention, Lemke wrote to Langer, "Come on down. I want to see you especially in connection with your candidacy. I am satisfied you have it cinched."

In almost every letter Lemke also asked Langer for the money that Langer had said he could get, money which he said he had collected from his father and sister for the Mexican Land Company, but Langer ignored those appeals.

When the Nonpartisan League met at Fargo on March 29, 1916, for its first nominating convention, Lemke suggested Lynn J. Frazier for governor. N. C. Macdonald and L. E. Birdzell, Lemke's friends from university days, were endorsed for superintendent of public instruction and for the state supreme court. William Langer was endorsed for the office of attorney general.

Langer now had two key endorsements, the other being from Usher Burdick's Progressive Republican League.

Following the NPL convention, Langer picked up support from a number of news papers, including a surprising endorsement from the *Fargo Forum*, which was later to become one of Langer's most violent critics. June 19, 1916, the *Fargo Forum* editorialized: "The Morton county states attorney is progressive, an able young American of the right sort . . . the kind of man needed in public office . . . a perfect candidate for the attorney generalship because as states attorney he had gained fame as a man who enforces the law to the letter."

The *Devils Lake Journal* commented: "Langer enters the race with such unusually strong support that good judges of political conditions are unanimous in predictions of a sweeping victory for Langer."

The *Bismarck Tribune*, on the other hand, took a dim view of all Nonpartisan League candidates.

"The petitions for the candidates of the Nonpartisan League, the IWW and the bulk of the Red Socialists are filed by the League leaders," was the *Tribune's* complaint.

Immediately after the League's nominating convention, Langer wrote personally to more than 100 influential people. The letters ranged in length from a three-page letter to a critic to one which said:

"My hat's in the ring. I am going to beat hell. I doubt whether anyone



can beat me. If you can give me the dope around Minto, I'll appreciate it."

Langer kept copies of his letters, and they emphasize a theory that he often shared with political associates. "When you do a favor for a person, that doesn't mean you have a friend, but you ask a person to do something for you, and you have a friend forever." Almost every letter Langer wrote had such requests:

"... give me the dope around Minto.

"... send me the list of Republicans, Regular and Progressive.

"... send me the list of the influential people in Traill county."

Langer asked for lists, lists of voters, lists of traveling men, lists of insurance agents, and more.

He continued to write some letters in German, and he didn't forget the Norwegians. Lars Siljan of the *North Dakota Norwegian Normanden* sent articles to the *Skandinaven* of Chicago and to the *Decorah Posten* of Decorah, Iowa, publications that were said to have 4,000 subscribers in North Dakota. C. W. Finwell prepared articles for the twelve or more Norwegian papers in the state reaching a combined circulation list of more than 150,000 people.

In June of 1916 an aggressive Langer club was formed in Mandan. This group embarked on a letter-writing campaign to enroll no fewer than 30,000 people who would work actively for Langer.

Despite all that support, Langer worried about his chances of defeating J. J. Linde, the incumbent attorney general and a former member of the legislature. But Langer profited from his opponent's vulnerability in some areas. The prohibition forces were as determined to defeat Linde as they were anxious to see Langer elected. Linde, according to the temperance groups, had failed to enforce prohibition laws as he had promised in his first campaign for attorney general. The prohibitionists further claimed he had voted against every bill that would have strengthened the prohibition law when he was in the legislature.

Opposition to Langer came from the element he called the "blind pig gang." When the *Hebron Herald* came out against him, Langer wrote to another newspaper, the *New Liepzig Sentinel*, "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 97 barrels are still in the court house getting better every day, and if I lose the case in the supreme court, there is no telling but that he may see it again."

Langer and all the Nonpartisan League candidates campaigned aggressively. They chartered a special train for a six-day trip from June 22 to June 27 and crossed the state over the main lines of the Great Northern and Northern Pacific railroads. They made over 150 stops, with speeches and rallies at the depots and estimated they reached between 40,000 and 50,000 people.

Primary election day of 1916 was a day of heavy rains and impassable roads in most of the state, but the Non-partisan League was not to be denied. Lynn Frazier carried 46 counties with a lead of 15,884 votes to win

the Republican nomination over his nearest rival, Usher Burdick. Langer carried 47 counties to be nominated in the Republican column with a lead of 19,259 votes over Linde. It must have given Langer considerable satisfaction to upset the *Bismarck Tribune's* prediction that Linde was a "safe" candidate against Langer.

In June before the primary election, Lemke had asked Langer what conditions were like out in the field. Langer's reply was breezily confident.

"Frazier has that packed away on ice; the ice inside of a refrigerator; the refrigerator inside of a safe; the safe inside of a vault, with the vault inside of the court house; and the court house locked and the keys thrown in the river. Ten Alex McKenzies couldn't beat him out of the nomination. I am keeping up with my campaign and doing all I can and am following Townley's advice and telling every son-of-a-gun I see how strong the League is," he wrote. But after those breezy words there was a last paragraph which would mark the end of the cordial relations between Langer and Lemke.

"My father asked about the assessment notice you sent him of the Land Finance Company," Langer wrote, "and I told him he didn't have to pay it, so you can start your suit anytime. We have a lawyer in the family and are not afraid to fight any old case which you will bring up."

Other letters brought the year-old truce to an end.

Lemke to Langer, July 8, 1916, "You used my office phone for messages in the amount of \$2.74."

Langer to Lemke, July 10, 1916, "Enclosed find my check in the amount of \$2.74. Yours very truly."

The 1916 general election was quite anticlimactic. Langer was so sure of victory, he stopped campaigning in October and defeated the Democratic opponent, G. S. Woledge, by 58,670 votes. Langer carried every county in the state to become attorney general of North Dakota.

The word "calm" to describe any of Langer's political years may be an understatement, but in contrast to the stormy years of his second term as attorney general, that first term was singularly free of political strife.

Langer started out as attorney general with the same energy that marked his first year as states attorney of Morton county when he had concentrated on enforcement of the prohibition and school laws. As attorney general he again directed his first attacks to violations of the prohibition law, the school laws, the blue laws and to matters of public health.

Vigorous enforcement of the prohibition law for Langer was more than a public official's concern with law enforcement. Langer, teetotaler all his life, had a strong conviction that alcoholism was a great threat to society. Back in the Morton county days he once remarked, "Warden Talcott of the penitentiary tells me that at least ninety percent of the fellows out there got there through liquor. I believe special stress should be placed on enforcement of the prohibition laws."

On January 17, 1917, Langer wrote to Thomas Elton, Grand Forks

county states attorney, calling attention to the fact that The East Grand Forks Brewery, across the river in Minnesota, was disposing of most of its beer in North Dakota. Langer told Elton that while the brewery was using its own delivery trucks, he had learned that three Grand Forks taxicab firms were transporting liquor. Langer also asked Elton to investigate three private clubs in Grand Forks, believing them to be violating the prohibition laws.

Without waiting for action in Grand Forks county, Langer and his staff moved in on another city, Minot. The staff included Langer's early political mentor, Dan Brennan, newly appointed assistant attorney general, and F. L. Watkins of the State Enforcement League. In addition, Langer hired fifty detectives who went out disguised as laborers. Langer himself was in Minot three weeks and lived in three different rented homes without being detected. One detective was posing as a potential buyer of a house of prostitution.

They divided into squads, the detectives pulled off three "decoy" raids before the final one on May 7. That raid has been described as the greatest raid in the history of North Dakota. A total of 156 individuals were arrested. The *Minot Daily News* reported, "Some of the people arrested were Orientals, some were Negroes, but some of them were more or less prominent citizens." Of the 156 persons arrested, 153 were convicted, according to Langer.

Langer knew that unless precautionary measures were taken, the first person arrested would start telephoning to warn others. To forestall that, Langer sent two of his men, fully armed, to the telephone office. The *Minot Daily News* described that part of the raid: "At 10:45 P.M. May 7, 1917, a resident of Minot took the telephone off the hook to place a call, only to find the line dead. For the next 53 minutes, it was the same all over Minot."

A. J. Palda was attorney for the telephone company, and years later he told his grandson, Robert Palda, his side of the story. "I was tipped off about what they were going to do to the telephone company," he was quoted. "I threw a coat over my night shirt, grabbed a gun and rushed to the telephone office, only to find Langer there with two armed men. I arrested Langer for obstructing communications, and he arrested me for obstructing justice. We landed in adjoining cells. After a time Langer called to me, "Judge, if you'll drop your charges, I'll drop mine."

That apparently didn't close the case. According to Langer, he deliberately stayed in jail Saturday night. Then, on Sunday, he couldn't get bail money. On Monday Governor Frazier arranged to have Langer "arrested" for attempting to cross the Bismarck-Mandan bridge under wartime military protection by the National Guard. According to Langer, "For a month, day and night, I was surrounded by three men of the National Guard who were armed. Finally I got bail fixed at \$2,000 and was tried and acquitted."

From Minot Langer and his enforcement staff turned their attention

back to Grand Forks. In Minot they had taken the local authorities into their confidence, but the Grand Forks raid was conducted when States Attorney Elton was out of town. The chief target was the brewery in East Grand Forks, Minnesota. Since that was outside the jurisdiction of North Dakota, Langer moved under authority of the federal Webb-Kenyon World War I prohibition law. Minnesota and federal authorities were on hand for the raid. J. H. McInerney, the owner of the brewery, was arrested and his brewery closed. Over \$40,000 worth of liquor was said to have been dumped into the adjoining river. Langer filed complaints against McInerney and others, charging violations of the bootlegging statutes of North Dakota. The East Grand Forks Brewery never reopened.

States Attorney Elton complained that the raid had been conducted while he was out of town, and insisted he had answered Langer's letters and had been attempting to enforce the prohibition laws. Langer answered Elton, "I am convinced that most fragrant and open violation of our laws as well as deep laid criminal and open violations of our laws have existed for some time."

The 1917 legislative session had in the meantime passed the State Bone Dry Law. This law went into effect July 1, 1917 and provided:

"It shall be unlawful for any person, firm or corporation to deliver or receive or have in its possession for any delivery within this state any intoxicating liquor for any purpose whatsoever, except that such liquor may be delivered or received by common carriers to registered pharmacists . . ."

Previous to that law, North Dakotans could ship liquor into the state for their own use. Langer now had a new weapon, and he promptly supplied the express companies with affidavit books which the registered pharmacists could use when they ordered alcohol for medical, scientific, or sacramental purposes.

The school laws also were getting Langer's attention. Langer had been shocked at the number of children not attending school in Morton county, and N. C. Macdonald the state superintendent of public instruction, told Langer Morton county wasn't an exception. The compulsory attendance law and other school laws were being disregarded in many sections of the state.

So Langer wrote to the states attorneys of every county, reminding them of their responsibilities and told them he would make personal calls at their offices if the school laws were not enforced. To show that he meant business, the attorney general notified the Carbondale district of Ward county that he would take the whole school board into court for deliberately disobeying school laws.

Langer also wrote to all county school superintendents, citing the compulsory attendance law and noting that in many counties average attendance was only two-thirds of the number of pupils enrolled. Thirty-five county superintendents wrote Langer and promised to cooperate with him. A few of the letters indicated compliance which might be con-

sidered beyond the call of duty. One school official wrote, "Many superintendents are weak-kneed. Not so with me. I am going after , a heartless swine, and I'll pull him over the coals and throw him off the board and get somebody that will do the business."

Langer was just as interested in the standards of teachers. He wrote the county superintendents asking for the number of teachers in their counties who were not certified. In one county there were thirty-seven teachers without permits and in another county twenty teachers had no permits. In cooperation with Superintendent Macdonald, a letter was sent to the county superintendents asking them to warn the uncertified teachers they would not be permitted to teach after September 1, 1917.

Langer was of course getting plenty of publicity for his vigorous enforcement, and especially on the blue laws. He continued to insist that the best way to get rid of these laws was through strict enforcement. North Dakota had its share of these laws, applying mainly to Sundays. They forbade the selling of cigarettes, forbade all forms of gambling, forbade the showing of movies, the playing of sports, or in fact doing anything but necessary work on the Lord's day. Most of the states attorneys didn't pretend to enforce these laws. C. E. Brace of Divide county expressed the general attitude of most states attorneys when he wrote to Langer, "It is my judgment that no penal law can be successfully enforced unless the moral sentiment of the county or state as a whole demands such enforcement. You will find me ready and willing to cooperate with you in everything except an attempt to enforce the so-called Blue Laws."

Langer persisted in attempted enforcement, writing to sheriffs, constables and other law enforcement officers as well as to the states attorneys.

With the people screaming protests from all corners of the state over Langer's enforcement of these laws, the legislature moved, but very cautiously. As a result of amendments adopted by the 1917 legislature, it became possible after July 1, 1917, to play baseball on Sunday afternoon in North Dakota, but only if the diamond was at least 500 feet from any church, if only unpaid amateur players were involved, and if no admission fees were charged. The legislature amended another law to allow pool halls to remain open on Sunday for the sale of ice cream, fruit, candy, tobacco (no cigarettes) and newspapers, but the pool tables had to be covered.

Langer was not neglecting matters of public health. As attorney general, he was a member of the state board of health, and was its president in 1917. Bismarck had suffered recurrent typhoid fever outbreaks, and in 1917 a federal health official traced the trouble to the city water supply. The health board ordered the Bismarck Water Supply Company to install a filtration plant. Alex McKenzie, the principal owner of the plant, protested Langer's authority, and claiming the cost of installing a filtration plant would be prohibitive and would amount to

confiscation of the plant. When a lawsuit was instituted, however, the company complied with the health board's order.

Langer's interest in public health would be a life-long concern. The attorney general's report of 1917-1918 had a section headed "Venereal Diseases". The report showed that the North Dakota health department reported 1,294 cases of venereal diseases in the state. Langer promoted an extensive education campaign about the disease and one of his statements was that, "Statistics show the damage done by venereal disease is almost as appalling as that done by the cannon and Howitzer of the enemy."

That report from the attorney general was widely critical of state health laws. "More attention is paid to the raising of hogs than children," it said. "When word of a hog cholera epidemic near Jamestown went out, there was more concern over that than over the influenza epidemic. We spend more money for the Life Stock Sanitary Board than we do for the preservation of our men, women and children."

Regarding doctors' fees, Langer wrote his brother-in-law, Dr. C. J. McGurren of Devils Lake, when he had heard that a physician had charged a working woman \$350 for an operation. "Any doctor who will charge a poor woman working for her daily bread the sum of \$350 for an operation should be in the penitentiary . . . I am convinced that a regulation of these matters is bound to come," he warned.

The special session of the legislature in January of 1918 passed a Seed and Feed Act to touch off another controversy. Almost immediately the Federal Farm Loan Board notified Governor Frazier that it would be forced to discontinue farm loans in North Dakota because of that act. Langer asked Dan Brennan to research the law, and it was Brennan's opinion that nothing in the act would impair the security of federal loans.

So Langer and Brennan went to Washington to confer with the federal officials, including Secretary of the Treasury William G. McAdoo and with Congressman P. D. Norton. As a result, federal loans were reinstated, but the trip had a tragic ending. Dan Brennan was taken ill on the way home from Washington and died in St. Paul. Langer lost a personal friend, an able political strategist and a brilliant legal assistant.

While this is a story of Langer's political life, a personal event took place in the second year of his term as attorney general that would significantly affect his future career.

Ever since Bill Langer had unconventionally introduced himself to Lydia Cady, he had continued his courtship. Lydia Cady had led a sheltered life. She had been educated at Veltin, an exclusive finishing school, spent her winters in New York City and her summers at the Cady estate on the Hudson River. After graduation Lydia did some settlement and church work. She had been reared a Presbyterian, and since Langer was a Catholic, the parents of both opposed the marriage. Then, too, the Cady family had misgivings about their daughter's going to North Dakota to live. After her mother's death, Lydia Cady was reluctant to

leave her aged and ailing father, but Langer was persistent and finally won Mr. Cady's support and friendship.

Langer still wanted the blessing of his own parents and insisted that Lydia come out to North Dakota to meet them. After her visit, Bill Langer wrote to a friend: "Father, mother, all my sisters and even my brother Frank are absolutely opposed to Miss Cady's entrance into the family. Isn't this a queer topsy-turvy world? Why they should dislike her . . .?"

In December 1917 Langer, who was then thirty-one years old, again went to his father for advice and counseling in the personal affair. The letters between father and son reveal a deep love, and Langer showed the highest regard for his father's opinions. This time, Frank Langer finally answered his son, "You have our full permission, our blessing and our prayers."

Shortly before the wedding, Langer received another letter from his father. "Mama would like to know the date of your marriage. Mama only wishes you may have a pleasant and sunshiny day. She says lots of sunshine is needed in life. Mama prays that your married life may be full of happiness and joy. She says getting married is the most serious step in a person's life as it is until the end of life."

Lydia Cady and William Langer were married February 26, 1918, in the New York apartment of J. Cleveland Cady. North Dakota's Governor Frazier and Congressman Norton were guests at the wedding.

The decision to marry Lydia Cady was probably the wisest decision Langer ever made. Beset as he was by constant criticism and often by violent abuse, he had great need of a sympathetic and understanding wife. Embroiled in one legal controversy after another, often fighting for political survival, Langer had greater need of a quiet and peaceful home life than almost any man. Lydia Cady Langer supplied these needs and more. When wild and flamboyant Bill Langer was elected governor, Lydia was the quiet, dignified and gracious First Lady of North Dakota. After the marriage, when the Langers learned to know this remarkable woman, Lydia Cady Langer walked into the homes and hearts of every member of the Langer family. This was the bride Bill Langer brought to North Dakota in 1918 to share the turbulence of his political life.

After their honeymoon, while Mrs. Langer was in their apartment arranging furniture brought from New York — a piano, her four-poster canopied bed, other antiques, paintings, silver and china — Bill Langer went to buy their first groceries. Like a good many newlyweds, he was short of cash and had to ask Ray Logan of the neighborhood grocery for credit. Langer paid his bills promptly, but he never forgot Logan's early consideration, and even during the times when the Langers occupied the Governor's mansion, they continued to patronize Logan's neighborhood grocery store.

The year 1918 was an election year, but for Langer that campaign was comparatively calm. In the general election every state candidate

endorsed by the Nonpartisan League was elected except for N. C. Macdonald, the superintendent of public instruction. That exception set the stage for Langer's stormy years as attorney general.

Macdonald was one of the bright lights of the Nonpartisan League. a graduate of the University of North Dakota, he had pursued further studies in America and abroad. When elected state superintendent, he had twenty years experience teaching in North Dakota. In his first year Macdonald had brought new and progressive ideas to the department. Robinson in his *History of North Dakota* wrote, "Macdonald's defeat was a misfortune for both the rural schools and the farm boys, whose welfare was so close to Macdonald's heart."

Something must be said for Macdonald's formidable opponent, the woman who beat him in the election. Minnie J. Nielson was an articulate, aggressive, opinionated person, an effective speaker and a tireless campaigner. She too had a background of educational studies at the University of North Dakota plus advanced work at the Universities of Michigan and Chicago. She had served as county superintendent in Barnes county for ten years. Minnie Nielson's candidacy in 1918 gave the state's women an opportunity to vote for a woman, and they seemed to have taken advantage of that. The *Fargo Forum* decided that Miss Nielson's victory was the result of women voting for a woman.

But when Minnie Nielson came to assume her position on January 5th, Macdonald refused to surrender the office on the grounds that Miss Nielson was not properly qualified. Langer filed mandamus action in the State supreme court requiring Macdonald to surrender the office, and within a week the court handed down a decision in favor of Miss Nielson.

If the League leaders were surprised and disappointed at Macdonald's defeat, they were shocked that the attorney general endorsed by the League had gone to Miss Nielson's defense. The controversy over the office of superintendent of public instruction was the first incident in the struggle between Bill Langer and Nonpartisan League leaders, a struggle that was to affect the political history of North Dakota for years.

Macdonald had been one of Governor Frazier's closest advisors, and Frazier seemed determined to vindicate him. The governor first asked the legislature to enact House Bill 81., known as the Macdonald bill, which would have taken away the lifetime professional teaching certificate from Minnie Nielson and from many other teachers. Educators all over the state, many of them Leaguers, protested this action, and the bill was defeated.

House Bill 34 fared better. This bill set up a new five-man board of administration covering the penal, welfare and educational institutions in the state. The bill did more than that. It took away most of the powers of the state superintendent of public instruction and delegated those powers to the new board, which would be composed of the commissioner of agriculture, the superintendent of instruction and three members appointed by the governor. After the bill had been approved, Langer



brought suit, alleging that the legislature couldn't take away such powers from a constitutionally-designated official. This time the supreme court ruled against Langer. One of the first actions of the board after that was to name Macdonald executive director, and Minnie Nielson was superintendent in name only.

The Nonpartisan League leaders soon gave Langer another issue. The legislature passed two newspaper bills. The first one provided for an official newspaper to be selected by the voters in each county, a law that is still in effect in North Dakota. After passage of the original bill, however, there was a gap of eighteen months before an election to choose official newspapers. To cover this interim period, a second bill was enacted. It set up a printing commission composed of the secretary of state, the commissioner of agriculture and labor, and the chairman of the railroad commission. The printing commissioners, all Leaguers, were to designate the official newspaper in each county for the 18-month interim, a step which would give the League control of the county newspapers and state printing. The editors of weekly newspapers throughout the state, the daily press and Langer joined in vehement opposition. Even Lemke disclaimed responsibility for this bill.

The Nonpartisan League legislature of 1919 did enact a great deal of legislation to which future League candidates would point with pride. The Bank of North Dakota, the State Mill and Elevator, the Industrial Commission to manage those institutions, the Workmen's Compensation Bureau, the 8-hour day and the minimum wage law were established and have all stood the test of time. It was when the League went overboard to enact punitive and blatantly partisan legislation, that the organization ran into serious difficulty. Two measures, the board of administration bill and the interim newspaper bill, gave Langer the ammunition he needed to challenge League leadership.

Blackorby in his account of Lemke wrote, "Cool heads, moderation and restrained statements might yet have saved the League program of North Dakota. However, League leaders, including Lemke, failed to display these qualities during that time of stress." By the same token, if Langer had shown moderation, and if he had challenged the leaders within the framework of the League, he might have helped save the League from decline, and he might not have had to wait twelve years to become governor. Young, ambitious politicians, however, are not noted for their moderation and patience, and Langer was a young politician in a hurry.

While the legislature had given Langer issues, they had likewise given issues to the potent and vocal minority. The house minority operated under the leadership of L. L. Twitchell, who had gained considerable fame for a remark he was supposed to have made, telling farmers to "go home and slop your hogs." Twitchell was assisted by two spell-binders from Grand Forks, O. B. Burtness and J. F. T. O'Connor.

Thirty-two minority legislators sent out a letter in which they charged

the League leadership with "attempting to foist radical socialism on the state . . . pollute the schools, and for an appropriation of \$200,000 to import IWW's into the state." One of the departments created by the Nonpartisan League legislators was a department of immigration. The opposition preferred to believe that its sinister purpose was to import members of the Industrial Workers of the World, a militant socialist labor organization then active in the country.

In the letter the legislators urged their constituents to join and support the newly-formed Independent Voters Association, generally referred to as the Independents or the IVA's. The IVA had been organized in opposition to the Nonpartisan League, and the vocal minority in the legislature gave it added impetus.

The Nonpartisan League legislators were incensed at the charges in the letter and adopted a strong resolution condemning the 32 IVA legislators. On that angry note the sixteenth legislative assembly adjourned.

The League-controlled legislature had been very good to Langer. It had given his office a generous appropriation, had increased his staff from three to five assistants, had given him the right to appoint special assistants, and enacted a bill that gave the attorney general direct control over pool halls. There was some grumbling over Langer's opposition to the education and newspaper bills, and some politically astute legislators may have sensed the coming power struggle between Langer and the League leaders; but, for the most part, Langer had a good many friends in that legislature.

By virtue of his office as attorney general, Langer was a member of the state banking board, along with the governor and the secretary of state. Thomas Hall, secretary of state at the time, had little love for Langer, who had accused Hall of embezzlement through over-charges on expense statements. Yet Hall, being something of a conservative who thought the League was embarking on a radical program and responding to the lesser of two evils, could usually be depended upon to vote with Langer at meetings of the banking board.

Early in the year Langer had investigated a Valley City bank merger, and he learned that two prominent League members had not only taken a commission of \$20,000 but had made an additional profit of \$15,000. The board forced them to return the \$15,000.

After the legislature had adjourned, Langer turned his attention to the Scandanavian American Bank, striking a sensitive NPL nerve. This bank had been purchased by the League for the primary purpose of securing a source of cash for the many League enterprises.

Langer knew that the bank had been warned by the deputy bank examiner in April that its financial condition was serious. At one meeting of the banking board, Langer introduced a resolution empowering the attorney general's office to investigate a small Fargo trust company that was in difficulty, but he worded the resolution so that his department could investigate other matters. When O. F. Loftus, the state bank

examiner, was out of town (there is some evidence that Langer arranged for an out-of-town trip) the state banking board sent Deputy Examiner Halderson and an assistant attorney general to Fargo to investigate the Scandanavian American Bank. They reported the bank insolvent and had it closed. Loftus hurried back to Bismarck and asked the supreme court to intervene. The court ruled in favor of Loftus and the bank was reopened.

The controversy over an institution as important to the League as this bank was serious enough for the Nonpartisan League Executive Committee to call a mass meeting in Fargo. Several thousand farmers attended the meeting, and a number brought their savings to deposit in the bank. Langer, Carl Kositzky, who had joined Langer, and Thomas Hall were then denounced as traitors and "bank wreckers," with Langer, Public Enemy No. 1. The Scandanavian American Bank eventually failed and its president, John Hastings, went to jail. Townley and Lemke were indicted on charges of embezzlement. They won acquittals, but the case brought the NPL fight into the open. Townley began accusing Langer of interfering with the League program and a series of articles denouncing Langer was published in the *Leader*.

Langer countered with a 500-word public letter addressed to Townley, saying, "You and your hirelings have lied and are deceiving the farmers of North Dakota . . . greedy for power, hungry for money, self-indulgent in your whims . . . you have betrayed the farmers . . . You hold nothing sacred. If the educational system lies in your path, you ruin it. If the independent press dares to tell the truth, you wreck it."

Being generally anti-League, the press loved those strong words. The letter was published in almost every newspaper in the state.

Meanwhile, the Independents, encouraged by actions of the IVA legislators, circulated petitions for a referendum on seven NPL measures enacted in the 1919 legislature. They were the laws setting up the industrial commission, the board of administration, the newspaper printing commission, the tax commissioner, the commissioner of immigration, and a law establishing new judicial districts. Governor Frazier set June 26 as the date for the referendum special election. Langer took an active part in the campaign, attacking the board of administration and printing commission bills. Toward the end he broadened his attack, and a week before the election he made public his findings in the Valley City bank merger. The special election was a complete victory for the Nonpartisan League however, all seven measures being approved again.

The victory for the League leaders was a keen disappointment for Langer, but he must have sensed trouble earlier. In May he wrote to a friend, "There is no question but that during the next few months my political future will be decided. I suppose this fight will cost Townley half a million dollars. I have neither the time or the money. If I should attempt to raise the money I would have to go to big business and I could not go there for the reason I would not give value received."

Yet Langer's second term as attorney general wasn't all politics. He and

his staff continued an aggressive enforcement of the laws, especially the prohibition laws. Early in 1919 he had organized the Flying Squadron, with F. L. Watkins of the State Enforcement League in charge. At the end of 1919 Langer reported the Flying Squadron had 300 to 400 prohibition arrests.

The enforcement of the blue laws continued to give problems. The most unpopular of all those restrictions was the one that made the sale of cigarettes illegal. The World War I veterans, who had been given free cigarettes while they were in the service, came back to North Dakota to find they couldn't even buy cigarettes. There was an avalanche of protest, but Langer insisted the law must be enforced.

With characteristic Langer rhetoric, in his first report as attorney general Langer had written, "Unquestionably today in North Dakota the fruit trust, the food trust, the grain trust, the money trust, the wire communications trust, the barbed wire trust, the machinery trust and other trusts have their hands on the throats of the people of North Dakota. These trusts have no conscience, no feeling of pity, no soul and no character." The second term as attorney general was marked by continued attacks on the trusts. To combat the chain elevator practice of offering payment below market prices in towns where there were no cooperative elevators, Langer sent out twenty trucks loaded with wheat and found that the price varied by as much as twenty to fifty cents per bushel. Langer brought suit against the Occident Elevator in an attempt to halt the practice.

The fruit trusts came under Langer's heavy attack in 1918 during the flu epidemic. People were told lemons were a preventative, and the lemon price trebled overnight. When orange juice was recommended, the price of oranges jumped to \$1.80 a dozen. Langer brought suit against the Gamble Robinson Company and the Stacy Bismarck Company, large fruit distributors, and the supreme court found both companies in violation of the anti-trust laws.

In those postwar years, wartime hysteria carried over in some of the sections with opposition to use of the German language. The state board of education issued an order that German could not be taught in the grades, only in high school. When a citizen wrote to Langer and complained that children were speaking German on the playgrounds, Langer replied there was no law prohibiting the speaking of any foreign language outside the schools.

A state council of defense, with Langer as the legal advisor, had been organized to coordinate wartime food production, but it considered itself a guardian of loyalty as well, and some members of the council felt the use of German to be an indication of disloyalty. When Langer was temporarily absent, those members had convinced an assistant attorney general to close a parochial school that was reported using the German language. Langer in turn reopened the school and issued an order allowing use of German in parochial schools on Saturdays and evenings.

When that year's regular legislative session adjourned, it had set the stage for a special session later in the year to review the performance of state enterprises, and Governor Frazier called the special session to convene November 25. It also was instructed to act on the ratification of the women's suffrage amendment to the United States constitution, to provide aid for farmers in drought-stricken sections of the state, to facilitate carrying out the state industrial program, and to investigate alleged "illegal acts of public officials."

The first order of business was ratification of the women's suffrage amendment. Then, having taken care of the women, the legislators proceeded to take care of William Langer. The speed with which they passed the necessary measures was something of a record. In quick order the legislature reduced the appropriation of the attorney general's department by \$60,000, cut back his staff from five assistants to three, took away the power granted in the regular session for appointment of special assistants, and created a new office, state sheriff, to take charge of pool halls.

At this point Representative Burtness dropped a bombshell that made the legislators forget about Langer for a while. Alerted about a new shipment of books received by the state library, Burtness investigated and found a dozen or more on subjects like anarchism, socialism, and class struggles. Then he found a book by Ellen Keyes, *Love and Ethics!*

Reporting his findings to the house, Burtness punctuated his oratory with liberal quotations from *Love and Ethics*, and said there were passages too terrible to quote in the legislature. "This is just one of the volumes," he said. "It teaches your boy and girl no holiness in marriage . . . there is no such thing as the sanctity of the home and fatherhood and motherhood."

The books were in the library, according to Burtness, because the board of administration had hired Dr. Charles Emil Stangeland of the University of Minnesota, to study the library and library commission.

A committee of five legislators — three Leaguers and two IVA's — was then named to investigate the situation, and its report took up about one-fourth of the entire House Journal. The report said the books to which Burtness referred had not been placed on the shelves, that books from the state library go out only on orders from adults, that other books by Ellen Keyes had been in the library for some time. It concluded with, "We do not wish to censor freedom of thought, and we do not feel competent to assume such a responsibility nor assume to exercise such power."

That didn't close the matter. The furor that had been raised made it necessary to terminate the employment of Dr. Stangeland. "Free love" became an issue that was to haunt the League for years and was one of the hottest issues, no pun intended, in the campaigns of 1920.

The special session then enacted Senate bill 20, which made it a felony for any state official to wilfully publish false statements with reference to

any state department, institution or industry, a measure known as the "anti-liars" law.

The legislators had one more item of business. On December 11, the last day of the session, it adopted a concurrent resolution calling for the resignation of Attorney General William Langer. Fourteen charges were listed, including the fact that Langer had betrayed the farmers by unlawfully attempting to wreck the Scandanavian American Bank, and that during the referral campaign, he had attempted to defeat laws passed by the farmer legislators.

State Representative J. F. T. O'Connor was often called "silver-tongued Jefty." Few votes in a legislative body are changed by oratory, but "Silver-tongued Jefty" must have enlivened many a session, and he defended Langer with impassioned oratory.

"You have placed Langer in a splendid position," he declared. "Public sentiment always burns toward a man when he is being crucified . . . if you gentlemen had studiedly designed to make William Langer the most powerful man in the state of North Dakota, you could not have done anything better than to pursue the course you have taken. William Langer will rise from the ruins of those who would set the fires under him and he will become the strongest figure in the state of North Dakota."

## THE GOVERNOR'S UNEASY CHAIR

Bill Langer, Carl Kostizky and Thomas Hall, their departments reduced to holding operations by the drastic cuts in their appropriations, went on speaking tours in the state. Langer's speeches, attacking the education and printing bills and the League banking ventures, were reported to be especially effective.

It was no secret that Langer would be a candidate for governor. He had started building his machine as far back as March of 1919. He enlisted the help of Robert Mackin, a Mandan attorney, who arranged to send letters to some fifty newspapers in the state. Coming from Morton county, the letters would say, "This is the county that Bill Langer came from, and outside of the socialists, he has 100 percent of the farmers with him. We know he is honest, and when a man like Townley attacks him, we know there is something rotten in Denmark."

In September of 1919, after the Townley-Langer break was well publicized, Mackin, assisted by Frank Packard, one of Langer's assistants, began writing to prominent individuals all over the state suggesting the formation of Langer for Governor Clubs. "We want every man opposed to Townley enlisted at once in these clubs and ready for the key battle," one letter implored.

On March 23, 1920, Langer made the announcement. "Influenced by the petitions of more than 20,000 citizens of the state, I accede to their wishes, and I will become a Progressive Republican candidate for governor," was his formal statement.

Early in 1920 the political factions began holding endorsing conventions, and Langer placed some of his supporters at all the conventions. The IVA's met in February in Grand Forks to devise campaign strategy but pointedly refused to endorse anyone for governor. Since Langer was the only avowed candidate at that time, the *Grand Forks Herald* interpreted the IVA action as a repudiation of Langer. But when the IVA held a second meeting in Minot on May 13, Langer had a bloc of supporters there and won the endorsement. Even delegates who had no love for Langer realized he would be the strongest candidate against Lynn Frazier.

The Nonpartisan League had its endorsing convention on May 14 and, as everyone expected, endorsed Lynn Frazier for governor. William Lemke received the endorsement for attorney general.

That year the Democrats held their convention following the IVA convention and endorsed J. F. T. O'Connor for governor. There were a good many IVA's at the Democratic convention, and it was generally felt that regardless of which Republican, Frazier or Langer, won in the primary, the IVA's would support O'Connor in the general election. A coalition was formed between the IVA's and the Democrats, and a committee of nine was named to supervise the campaign. It consisted of three Regular Republicans, three IVA's, and three Democrats. The Langer supporters soon learned not to expect too much from this committee because, while Langer never repudiated the IVA endorsement, he was careful not to support the IVA platform.

Langer did have the help of important IVA leaders. O. B. Burtness, R. A. Nestos and George Shafer were active in Langer's behalf. Many of the IVA's, however, saw the Langer-IVA union as a loveless marriage. When one of Langer's workers complained about lack of enthusiasm to Theodore Nelson, executive secretary of the Independent Voters Association, Nelson answered that Langer and his friends had been too aggressive and alienated some people.

Langer continued his attacks on the League leadership, saying on one occasion, "I would rather be the most humble practitioner of law in the state of North Dakota than be attorney general or governor in this state and be subject to the domination of an over-lord." Langer emphasized that he believed in the state terminal elevator, rural credit banks, state hail insurance and the Nonpartisan League's social legislation. He said he wanted progressive reform "without socialism and free love."

Socialism and free love were the dominant issues in North Dakota in 1920. A magazine called *The Red Flame* had begun circulating around the state in November of the previous year with a first issue proclaiming that a red flame was "Burning the Hearts out of North Dakota." The magazine's cover was always printed in a livid red, and it contained about 30 pages in each issue. The cover of one of those issues depicted three flaming torches setting fire to schools, homes, and churches. Another cover showed Liberty being burned at the stake, with bright flames, naturally.

The magazine frequently featured cartoons showing the arch-villain, a hook-nosed, gangling A. C. Townley. Governor Frazier was usually shown with a round, placid face until one issue had a cartoon headlined "Unmasked at Last." This time Frazier was shown with the mask removed, and underneath was a bewhiskered, bushy-haired stereotype bolshevik.

Lemke was almost a forgotten man in the campaign until a cartoon in *The Red Flame* depicted him sitting on a truckload of money bags, headed for Russia with Townley and Frazier.



While those three were always caricatured in the magazine, Langer, Kositzky, and Burtness were always pictured as responsible citizens, heroically defending the morals, the schools, the homes, and the churches of North Dakota. There is evidence that the IVA's, Langer, and Kositzky collaborated in publication of *The Red Flame*, which was an expression of the emotional tone of North Dakota political campaigning in the 1920's.

Free love was a recurring campaign theme. One cartoon pictured a bolshevik type at a farm home, taking off with the wife and telling the husband, "She is as much our wife as yours." One cartoon depicted an attractive teacher, with very shapely legs showing as she sat on her desk reading from "Free Love". The children were paired off playing kissing games. The class schedule as depicted emphasized "The History of the NPL" and "Free Love".

A serial started in the March issue of *The Red Flame* headlined, "When the Revolution Came to North Dakota," and the text began thus:

*"May 1, 1923. There was nothing of evil portent in the dawning of May 1, 1923. In Bismarck citizens arose as usual, breakfasted and went about their business. Nine o'clock struck. It found the streets filled with clerks, business and professional men on their way to their day's work and children gayly trooping to school.*

*"And then came chaos. From the vicinity of the Northern Pacific depot came the rattle of musket fire . . ."*

Cartoons illustrating the story showed men, women, and children shot down on the streets, and women being dragged into the McKenzie Hotel.

It is incredible that people should have been influenced by such material, but many a farm boy had to read *The Red Flame* secretly in the barn because mothers wouldn't allow the magazine in their homes.

Reverend A. G. Birchenough of St. Thomas, North Dakota, a frequent speaker for the IVA-Democratic cause, usually closed his two-hour speeches with, "This fight, men, is between Jesus Christ and Karl Marx, between the philosophy of the Christian religion and the materialistic philosophy of socialism, between Peter, James, and John, the old apostles, and Trotzky, Townley, and Walter Mills."

Minnie Nielson warned women, "The fight is not a political fight. It is a fight between civilization and Christianity on the one hand and atheism masquerading under the guise of a farmer's program."

Even the usually quiet and moderately conservative *Hatton Free Press* warned its readers, "Five hundred socialists, philosophical anarchists and followers, the paid hirelings of A. C. Townley, S. B. Wood and William Lemke, the autocrats of the Nonpartisan League, have invaded North Dakota." The *Free Press* asked everyone "to lay aside everything and with an automobile or on foot invade the strongholds of Townleyism and win back the people to sane, progressive government."

Bill Langer put on his usual whirlwind campaign. On June 20 the *Grand Forks Herald* reported Langer had traveled 25,000 miles, given

almost 70 speeches and talked to at least 50,000 people, eighty percent of whom were farmers and fifty percent of whom were members of the Nonpartisan League. Word was circulating that Langer was drawing large and enthusiastic crowds, and the *Herald* predicted his victory.

When the votes were in, however, Frazier defeated Langer by 5,414 votes and William Lemke ran ahead for attorney general.

After the primary, an attempt was made to induce Langer to support O'Connor on a Democrat-IVA fusion ticket. George Schafer, who was to precede Langer as governor, wrote, "If you will support the fusion ticket this fall, which I am sure you will, you will be in a position to reap the reward for your superb effort." Langer, by then the master politician, was too shrewd to follow that advice. He knew he would have to travel a long hard road to get back in the good graces of the powerful Nonpartisan League, and he wasn't about to make the task more difficult by supporting a Democrat-IVA ticket.

Busy as Langer had been with his own primary effort, he still found time to take charge of Hiram Johnson's presidential campaign in North Dakota that year, working to set up Johnson-for-President clubs in every county. Fewer than 35,000 people voted in the North Dakota presidential primary in March, and Hiram Johnson polled more than 30,000 of those votes.

That June Langer was still attorney general, but with so small an appropriation for his office, he took time to publish his one and only book, *The Nonpartisan League*. The title page noted, "Published under the anti-liars law of North Dakota providing for one year in the penitentiary." Governor Frazier had appointed William Lemke as his own special assistant attorney general. In the preface to his book, Langer challenged Lemke and every states attorney in North Dakota to arrest him if he was in violation of the anti-liars law. While the book's subtitle characterized it as a history of the birth, leadership, and activities of the Nonpartisan League, there is not too much of the League in its 240 pages. Langer did describe the first endorsing convention, and considering the fact that he was one of the candidates endorsed at that convention, the following paragraph is interesting: "All men endorsed for office were men who were either mixed up financially with Lemke so he could control them, or were radicals or socialists. At the first election just enough conservatives were put on the ticket to get by."

Langer set out to prove that Townley and all his associates were socialists, and there was an accusation that Lemke hobnobbed with Alex McKenzie "in the secret recesses of the Patterson Hotel and made secret deals with the McKenzie crowd." The attack on Lynn Frazier included the following phrase, ". . . the governor whom you trusted, the governor who betrayed you, the governor whose smiling smile was in reality the hideous 'mask' of autocracy."

Langer's book described in detail the Minnie Nielson controversy, Langer's exposures of the Valley City and Scandinavian American Bank

deals, the Burtness library expose, and contained pages of statistics intended to prove that taxes had risen unduly during the League administration.

It also contained a letter sent out by the clerk of the supreme court to state administration employees stating, "I am authorized by the Chairman of the Republican Central Committee of North Dakota to solicit campaign funds . . ." Then to make sure readers would know who the chairman was, a footnote stated, "William Lemke is Chairman of the Republican Central Committee." Langer's text went on to say, "With the employees giving part of their salary, what a fund can be raised." That statement must have come back to haunt Langer in 1934, when as governor he authorized the collection of political contributions from employees.

The last chapter of Langer's book carried this title: "Needed, a Governor to Protect the People," but Langer had been defeated in his bid for the governorship by the time the book was published. He was on the record, however, saying, "North Dakota needed a governor who would establish an industrial democracy . . . which will not tolerate senseless, relentless, remorseless agitation of soulless, unscrupulous, atheistic socialists."

Commenting about the book, Blackorby wrote, "Later when Langer returned to the League and captured control of it, this book was quoted to impair his position. Copies of it mysteriously disappeared from libraries."

Before the book "disappeared," and there are very few copies available, it had enjoyed a brisk sale at \$1.65 a copy, and the first edition was sold out. Most of the orders seemed to come from other states. When an eastern publisher contacted Langer and offered to put out another edition in a better format, Langer answered, "Had I known for a moment the tremendous demand from Texas, Wisconsin, North Dakota, South Dakota, Minnesota, Iowa, Kansas, Montana, Idaho, Washington, Colorado, Wyoming, Oregon and Nebraska, I would have gotten it out months and months ago."

The year of defeat finally came to an end, and on January 3, 1921, William Langer turned over the office of attorney general to William Lemke.

Practical politician that he was, Langer then must have taken a hard look at his political balance sheet.

On the debit side: he had suffered his first election defeat in the primary; he was a man without a party; he had allowed the bitter enemy of the Nonpartisan League, the Independent Voters Association, to put his name on its guide cards; by running against Governor Frazier, he had alienated thousands of Leaguers.

On the credit side: the campaign had shown he had thousands of supporters in the Nonpartisan League; he didn't need to be immodest to realize he was still an effective campaigner. Many of his supporters believed that if the campaign had lasted another week or ten days, Langer

would have defeated Frazier. Although his enmity with Lemke was final and absolute, Langer knew Lemke was vulnerable and that the years ahead would be rough for the League and Lemke.

Balancing those political assets and liabilities, Langer must have decided on his strategy and realized the need to establish a new image for himself. Instead of a political renegade, a power-hungry, ambitious party traitor, he must convince the members of the Nonpartisan League that he was still true to its basic principles and that he had challenged the League leaders in defense of those principles.

He also had to earn a living. For the first time in eight years Langer was without a job, so he rejoined his former Mandan law partner, S. L. Nuchols, and they moved the law firm to Bismarck, the state capital. With Langer's wide acquaintanceship and reputation as a courtroom lawyer, they didn't want for clients. In a few years the firm was one of the most lucrative practices in North Dakota.

It was a private practice, but for Langer everything seemed to become public. No lawyer's private practice ever was so thoroughly probed and so widely publicized.

In 1941, when the United States senate committee sent investigators into North Dakota to find out everything they could about Langer in the attempt to keep him out of the senate, the investigators talked to dissatisfied clients. The minority members of the committee accused the majority of going out of their way to find those clients, and Senator Abe Murdock of the minority observed that every lawyer has dissatisfied clients, but that Langer had surprisingly few.

The report of the investigators listed no less than twelve of Langer's private cases which the minority called frivolous. One case involved a suit for alienation of affections, which the committee concluded was politically motivated and sheer blackmail. Two cases ended up as a basis for moral turpitude charges against Langer. The first of those involved Jacob Oster of Emmons county who in 1930 had murdered his wife's lover. The only eye witness to the murder was Mrs. Oster. The states attorney, in a move to make it possible for Mrs. Oster to testify against her husband, arranged for a divorce for her.

Langer was retained by Oster for his defense and convinced the sheriff that it would be extremely difficult to interview his client in jail. The sheriff then released Oster to Langer's custody, and the two were gone for several hours.

At the trial the states attorney called Mrs. Oster to the stand, and Langer objected on grounds that a wife cannot be compelled to testify against her husband. The states attorney, with some satisfaction, told Langer and the court that he had secured a divorce for Mrs. Oster so she could testify. Langer, with even greater satisfaction, agreed that the Osters had been divorced but went on to say that on the day the defendant had been in his custody, he had taken the Osters and two witnesses to South Dakota, where marriages were quick and easy, and the two had

been re-married. In spite of that effort, however, Oster was convicted of the murder.

The second private case, also a murder, involved moral turpitude charges. Four Indians were accused of murder. Langer was hired by telephone to defend them. The sheriff agreed to let Langer talk to the Indians at Ft. Yates, but high water and flooded roads delayed his arrival at the jail until early in the morning. The janitor, only person on duty, refused to let Langer meet with his clients. After some argument, Langer smashed one door, broke open the sheriff's desk, and had to break down a second door to get to the Indians. Years later, when Senator Estes Kefauver was at Ft. Yates conducting juvenile delinquency hearings, Langer said to him, "Estes, I want to take you to see the only jail in the United States that somebody broke into."

Another case that involved Indians and the Ft. Yates jail never came to the attention of the investigators. In that case Langer won acquittal of two Indians accused of stealing horses, and Langer's fee of fifty dollars was paid in a few days. But a few days later, the same two Indians called Langer to report they were back in jail.

"What have you done this time?" Langer asked.

"We stole two horses," they replied.

"What did you do with the horses?"

"We sold them for fifty dollars," the thieves said.

"What did you do with the money?" Langer asked.

"That's the fifty we gave you," they said.

Langer had a novel way of collecting some of his legal fees. He would tell clients the amount and have them sign promissory notes. Smaller notes for \$25 or \$50 he didn't attempt to collect, figuring that an unpaid \$50 note could be worth \$500 in campaign support. That was one of Langer's ways of keeping politics in mind.

He was just getting settled in his law office when the 1921 legislative session convened. It was a wild session. The League controlled the senate by one vote; the IVA's had a four vote margin in the house, and neither side would give an inch. When the house moved to conduct an investigation, the senate refused to appropriate money for it. When the senate conducted an investigation, the house called it a "cover-up." When the senate called an attorney who had assisted in a house hearing, the attorney refused to answer a single question.

That session, the seventeenth assembly, was often called the legislature without legislation, but one thing did come out of it. The IVA legislators decided to demand an election for recall of Governor Frazier, Attorney General Lemke and Commissioner of Agriculture and Labor Hagen. Langer took no part in the campaign or election, which was held October 28, 1921, but Lemke was removed from office. R. A. Nestos, the man Langer had defeated for the IVA endorsement in 1920 won the governorship in the recall election and was re-elected in 1922. A year and a half after their confrontation in the IVA convention. Langer was sitting in a

law office on the second floor of the First National Bank Building, while Nestos sat in the Governor's chair. Nestos had lost the battle but won the war.

Governor Nestos had tremendous pressure to undermine the Nonpartisan League program but refused to do so. His vetoes of appropriations for a bridge across the Missouri and for a School of Forestry cost him votes, and in the primary of 1924 Nestos was defeated by A. G. Sorlie a wealthy Grand Forks businessman and a liberal who promised to continue Nonpartisan League programs. There were Leaguers who had misgivings about endorsing a wealthy businessman, but when Sorlie promised to finance his own campaign, he won the NPL endorsement and was elected governor.

Sorlie had been governor only six months when United States Senator Edwin Ladd died June 25, 1925. Sorlie faced the question of whether a governor could fill a United States senate vacancy by appointment, a question that hadn't been tested up to that time, and would be decided by the senate itself. Governor Sorlie contacted an eastern senator who reported that no one so appointed would be seated by the senate and that the vacancy would have to be filled by election.

Believing his appointment would be turned down and that he might be a candidate in a special election, Governor Sorlie made a surprise move with a highly controversial appointment. Gerald P. Nye, a young editor of a weekly newspaper at Cooperstown, North Dakota, which had given Sorlie and the League editorial support, was named to the U.S. Senate. The senate then made its surprise move, voting 41 to 39 to seat Nye.

North Dakota now had two Nonpartisan League United States senators, Nye and Lynn Frazier, who had been recalled from the governor's office in 1921 but was elected to the senate in 1922.

Governor Sorlie was re-elected in 1926, but died August 28, 1928, before the next election. Lieutenant Governor Walter Maddock finished the term; and George Shafer, endorsed by the IVA, won in the primary and went on to be elected governor in November of that year.

Bill Langer assessed the pattern of succession. Frazier, NPL, recalled in favor of Nestos, IVA. Nestos, IVA, followed by Sorlie, NPL. Sorlie, NPL, succeeded by Shafer, IVA. By this time Langer no doubt saw continuation of the pattern of succession with Shafer, IVA, to be succeeded by Langer, NPL.

Governorships and senatorships were important to Langer, but if he were to make a political come-back, nothing was more of a problem than Lemke's control of the League. In 1920 Lemke made a political mistake such as Langer never would have made. Ever since the inception of the Nonpartisan League, the executive committee was composed of Townley, Wood, and Lemke. One of Lemke's close advisors warned him there was dissatisfaction about the executive committee, and that members thought an election should be held. Lemke arranged for such an election, and a

new five-member executive committee was chosen with A. Liederbach as its chairman. It was a decision Lemke would rue.

Liederbach immediately took charge, named himself state manager of the Nonpartisan League at a salary of \$250 a month, and demanded title to the League-controlled industries, including the *Courier-News*, the League's daily newspaper. Lemke refused to make this concession, and the new executive committee split into two factions, Liederbach, O. A. Kaldor and Levang anti-Lemke, and Maddock and Walker pro-Lemke.

The *Courier-News* had brought charges against Langer in the 1920 campaign, and Langer had a \$50,000 libel suit pending against the paper. Lemke left for Mexico in 1922 believing he had an understanding with the Liederbach faction that they would do nothing about the libel suit without consulting Lemke's attorney, Vince Day. While Lemke was in Mexico, the paper printed a full retraction written by Langer. It went far beyond the legal demands for a retraction; it was a laudatory vindication of Langer, absolving him of each and every charge made by the NPL newspaper.

The retraction began: "The new management of the *Courier-News*, inheriting this lawsuit as it did, has made a thorough investigation, and has come to the conclusion that Mr. Langer had been unfairly, unjustly and scandalously dealt with." There were 16 items in the retraction, and item 16 would be especially galling to Lemke. It read:

"Langer and Lemke letter. While Mr. Langer was a candidate for governor, William Lemke published a letter in the *Courier-News* stating that he as assistant attorney general had investigated the following charges: that William Langer had defrauded a widow out of \$3,500, that William Langer had defrauded a man out of three quarter-section of land in Morton County, that William Langer had sold out in the Grain Grading Act . . . The *Courier-News* regrets the printing of said letter, and states William Lemke took full responsibility for the publication. As far as the *Courier News* knows, Mr. Langer defrauded neither widows, orphans or anyone else."

The retraction was signed by P. L. Aarhus and Kaldor.

When Lemke returned from Mexico, he was furious and sent a letter to every NPL county chairman with instructions that the letter be read at every county convention. At the state convention of the League in 1923, members of the executive committee were forced to resign and Lemke was still in control. Then came the mortal blow.

The *Courier-News* was one League enterprise which members prized highly and many were disturbed by rumors that the paper might be sold. Lemke pledged in March that the paper would not be sold without giving the League membership, in open convention, an opportunity to assume full control of the publication.

Townley and Wood felt otherwise, and the very next month after the convention made arrangements to sell the newspaper. Lemke didn't learn about it until an hour or two before the transaction was completed. He

tried to stop the sale by injunction, but the deal was completed before he could act. Lemke never fully recovered control of the League after that.

Bill Langer was doing more than just watching the fortunes and misfortunes of William Lemke and other changes. As early as January of 1921 he had begun creating a new image for himself. In great demand as a speaker, he told audiences over and over again that he was not an IVA and had never been; that he was a liberal but not a radical; that he stood squarely upon the NPL platform and for the high ideals of the organization.

Langer also wrote letters, and from the time he was assistant states attorney of Morton county and had his first stenographic help, he kept a copy of every letter. He kept copies of letters to his father, to other members of his family, to friends and to everyone else. He kept copies of personal letters and of official letters. He kept every letter he received, too. It is estimated that there are no less than 800,000 letters in the Langer collection at the University of North Dakota library.

From 1920 to 1932 Langer wrote to the great and near great. He wrote to Senators Hiram Johnson, Robert Taft and Robert LaFollete. He wrote to North Dakota officials, past and present. He corresponded with people who would soon be his political associates: Frank Vogel, P. O. Sathre, P. L. Aarhus, Dell Patterson, Dave Hamilton, Mrs. Jennie Ulsrud, J. K. Murray, John Nystul, Minnie Craig and scores of others. He wrote to hundreds of unknown and humble workers. At one period he wrote routinely to congratulate high school graduates. That was before the 18-year-olds could vote, but he knew parents voted.

The net result of massive letter-writing was that when the time came for Langer to move politically, he would have pockets of strength all over the state. In 1927, that time had come.

Lemke used to say that Langer re-entered the League through the back door. Langer wasn't particular which entrance he used, but he wanted someone to open that door. Roy Frazier, no relative of Lynn Frazier, had taken over chairmanship of the League after the Liederbach faction had been forced to resign. Frazier was an aggressive, capable person who had done a good job of keeping harmony between the moderates and radicals of the League. He was serving as clerk of the district court in Divide county when he became involved in some legal difficulty and asked Langer to be his lawyer. That gave Langer an opportunity to present his case where it would count, and Roy Frazier became convinced that Langer had been right in his 1920 defection. Frazier was able to arrange meetings for Langer, and often substituted Langer when other speakers couldn't appear.

When the 1928 Nonpartisan League endorsing convention met, the Burleigh county delegation included William Langer as a member. Rumors started to fly as rumors fly at all political conventions. "Langer is back." "What does he want?" Sometimes the question was "What does that S.O.B. want?" Finally the rumors crystalized into a suggestion from



the insiders. Why not run Langer for attorney general? He can't win, they reasoned, but he made a lot of money practicing law and should be good for hefty campaign contributions. Langer wasn't too enthusiastic about running for his old office, but realized it would at least get him back in the good graces of the League and it would give him a chance to test his voter acceptance. Langer was endorsed for attorney general. Lynn Frazier was endorsed for re-election as United States senator, and T. H. H. Thoreson as the League candidate for governor.

Langer set up an organization which Frank Vogel later called "rotten," campaigned with the other League candidates, asked Minnie Craig to organize the women and did an aggressive job of personal campaigning. For once he didn't have the solid support of the prohibitionists. Mrs. Elizabeth Preston Anderson, president of the W.C.T.U., discovered that Langer's opponent, James Morris of Carrington, was also "bone dry," and the women decided not to endorse either of the candidates for attorney general. Langer lost the primary to Morris by 2,129 votes. Senator Frazier won his contest by a margin of 20,000 votes.

Thoroughly disheartened, Langer wrote to L. B. Hanna, former governor, "I am definitely, completely and finally out of North Dakota politics." Langer would go from moments of elation to despondency, from periods of great activity to inaction. Most people believe that was due to his diabetic condition. His brother Frank wrote suggesting, "What difference does it make if you succeed politically or not . . . Why not take over Dad's work? You would make plenty . . . or come out here and I will turn the bank over to you."

By the time Langer had written to thank his supporters and had read scores of letters congratulating him for his good showing against Morris, he was raring to go again. When Frazier called a meeting of the executive committee and the defeated candidates. Langer had a plan. He said what the League needed was a good, progressive, daily newspaper and outlined a plan to raise not less than \$100,000 in \$10 down payments from 10,000 people. The executive committee approved and put Langer in charge of the operation. Langer hired P. L. Aarhus who had been with the *Courier-News* and had been a key in the libel retraction. Aarhus was successful at first and raised about \$15,000. Then came the 1929 stock market crash! It was impossible to sell any more subscriptions. When Langer learned that Aarhus wasn't producing results, he terminated his employment. The two had been exchanging angry letters over expense and salary payments, and when Aarhus was dismissed, Langer had another bitter enemy. Langer then began returning the \$10 payments, which amounted to contacting 1,500 past and potential supporters.

In late 1929 Frazier called another meeting, and Langer proposed another plan, but this time Lemke was on hand to block it. Afterwards Lemke wrote, "The meeting of the NPL at Bismarck didn't turn out the way Langer wanted it. He tried to steal the League and didn't get by with it. I think Langer knows by this time he cannot reorganize the League for

Langer or for any other purpose." At the 1930 convention, it was Lemke who succeeded in getting the gubernatorial endorsement for E. H. Brant. But the elections that year were complete victories for the IVA, and the radicals of the Nonpartisan League, including Lemke, were thoroughly repudiated.

In 1931 Henry M. Tucker of Steele, North Dakota, came to Langer with a new proposition. He argued that the League was dead and what was needed was a new progressive organization. With Langer's knowledge and consent, Tucker sent out a letter which began, "Dear Associates: The IVA and the League are ready to crack and it is time to start something . . .". Langer put Tucker on his payroll, and all through 1931 Langer watched Tucker's progress. Late in the year Langer made his decision, notified Tucker he was withdrawing from his progressive organization, and terminated Tucker's employment. Once again Langer was looking to the Nonpartisan League as the vehicle for a political comeback.

Bill Langer knew he had heavy work to do if he hoped to go into the 1932 Nonpartisan League convention with effective strength. Control of the League began at the precinct level, and Langer engineered cooperation of the state executive committee to send out "commissions" to precinct captains from his own office. They were impressive commissions, signed by the three members of the executive committee, empowering each captain to appoint two assistants, and asking them to call precinct meetings. They were also asked to contribute \$25 each to the campaign.

When Langer came to the 1932 NPL convention, he learned that T. H. H. Thoreson and E. H. Lynner, who both wanted the gubernatorial endorsement, also had been busy. Lynner, finding he had little support at the convention, joined Thoreson in a stop-Langer movement. Control of the convention rested mainly with the chairman, and Frank Vogel, a master parliamentarian, directed the strategy which won the chairmanship for Oscar Erickson, Langer's choice, by a single vote. Of course, there were accusations of skullduggery.

Then, contrary to Nonpartisan League tradition, Vogel succeeded in making endorsement of governor the first order of business. This was important to Langer, for if he were named first, he wouldn't need to make deals with other candidates. On the eighth ballot William Langer defeated Thoreson for the Nonpartisan League endorsement for governor.

Endorsement of Gerald Nye for re-election as United States senator was a foregone conclusion. Nye had gained a national reputation with his investigation of Ruth Hanna McCormick's campaign expenditures. Her vow to defeat Nye made his name a household word in North Dakota.

The convention also endorsed William Lemke and J. H. Sinclair for congress. Langer made no move to oppose selection of his bitter enemy, being astute enough to realize that Lemke would bring votes to the ticket.

For immediate expediency, the two Bills again buried their hatchets, but didn't bury them too deep. Their feud would soon surface again.

Langer's first concern was to see that he had functioning committees in each county, and he always tried to get the most prominent man in the county to manage his campaign. In the Grand Forks city election of 1932 a young businessman by the name of Henry Kennedy had defeated prominent attorney Joseph Bridston for the city commission. Langer didn't know anything about Kennedy's political philosophy but went to see him, and after an hour's conference Kennedy and Langer knew they spoke the same political language.

Bill Langer conducted his usual aggressive campaign. His opponent in the June primary would be IVA-endorsed Frank Hyland, a comparatively unknown insurance man from Fargo, but Langer didn't take anything for granted as he crossed and criss-crossed the state. The issues were everywhere. Deserted farms. Unpainted and deteriorating farm buildings of the depression times. Emaciated cattle trying to find a few spears of grass in drought burned pastures. Dust and tumbleweeds in the ditches and along fence rows. Patches of white alkali where there had once been sloughs. And depressed and worried people. The farmers of North Dakota in 1932 were experiencing the most prolonged and most cruel depression in the history of the state. The 1930 census showed North Dakota's farm population to be 83.4 percent of the total population, leaving only 16.6 percent urban.

Langer told the farmers what they wanted to hear. He promised to do something about farm prices, and he hinted at the unconstitutional embargo when he said, "Only a coward would hide behind the word unconstitutional." He promised to cut taxes and reduce the state budget, to clear the capitol of working wives taking jobs away from unemployed men, to remove the hordes of state inspectors. And he promised a job for every honest, hard-working, unemployed man, even if he had to take the machines off the highways and hire men with picks and shovels to build roads.

Almost every Langer speech ended with, "When I am elected governor and you are in trouble, I want you to come to see me. Come to my office. If I am out of the office, wait for me. I'll soon be back. If it's after office hours, ask where the governor lives, and come to my home." It may have been demagogic, as Langer's enemies claimed, but it was effective. Crowds came to hear and applaud Langer; while it was reported that people actually got up and walked out of rallies for George Schafer, the IVA candidate for the United States senate, who spent most of his campaign trying to defend Herbert Hoover.

Langer, Nye, Lemke, Sinclair, and the entire NPL state ticket swept into power. The legislature would be under complete control of the Nonpartisan League. It was 1916 all over again.

It had been a long struggle for Bill Langer. After twelve years of defeats

and frustrations he had come all the way back — in triumph. William Langer, Governor of North Dakota.

Bill Langer had begun his first term as states attorney and his first term as attorney general with unprecedented burst of activity, but on January 3, 1933, the day he was to be inaugurated governor, he was in St. Alexius Hospital in Bismarck, seriously ill with influenza. It was a quiet beginning.

Langer knew he would need someone to supervise his legislative program and to act as a liaison with the legislature. He knew the legislative caucuses would need a legal advisor. Forgetting his personal enmity, which had been concealed carefully during the campaign, Langer asked Bill Lemke to act as his legislative assistant and appointed him special assistant attorney general until time to assume his duties as congressman on March 4. Lemke was glad to accept the appointment and the \$240 monthly salary.

Minnie Craig, the first and only woman speaker, to date, of the North Dakota House of Representatives, led a delegation to Langer's bedside. Governor Langer took his oath of office, and Mrs. Craig led the singing of the North Dakota Hymn: "North Dakota, fairest state from sea to sea . . . Here we pledge ourselves to thee."

The legislators who sang around the governor's bedside that day must have felt an awesome responsibility in their pledge. In 1933 North Dakota wasn't the fairest state from sea to sea. Three successive years of drought and crop failures, and from one-third to one-half of the state's people on relief. In Billings county three-fourths of the people were subsisting on government doles. Thousands were leaving the state in search of employment. The governor and legislators also had some sobering financial statistics facing them. The state had a bonded indebtedness of forty million dollars. State bonds were selling at eighty-four cents on the dollar. Unpaid taxes totaled twenty-five million dollars. Banks were closing right and left.

With that background, the legislators listened to the governor's message read by Senator E. H. Brant of Linton. Langer had made some brave promises in the campaign, and now he spelled out most of those promises in challenges to the legislature.

The 1932 election had given the governor a House and Senate controlled by the Nonpartisan League. He had his own attorney general. The Industrial Commission and all state executive offices were in the hands of Leaguers. There would be no excuses if campaign promises and legislative challenges weren't carried out.

Governor Langer began his message with drastic budget recommendations. "We must balance the budget. Expenditures for taxes consume fifty percent of the cash income of our citizens, and continuation of these policies can mean only one thing . . . bankruptcy. Unless immediate drastic remedies are adopted, complete ruin faces the farmers of our state."

Langer's wasn't the only voice crying for tax relief and reduction of state expenditures. In the 1932 primary voters had approved measures reducing mileage allowances and salaries of county officials. In the general election voters approved initiated measures reducing the salaries of judges and state officials.

The appropriations committees of both houses sent bills to the governor's desk with the state budget cut from ten million dollars in the previous biennium to five million. Not a single state department escaped drastic pruning. The workmen's compensation commissioners would have to tell their wives, "My salary will go down from \$233 a month to \$186." To farmers who hadn't had a crop for three years, however, \$186 a month was sheer affluence.

On only one point the governor rejected economies. There would be no cuts in aid for rural and elementary schools. But institutions of higher learning were hard hit. At the University of North Dakota the President's salary went down from \$8,000 to \$3,000, the deans' from \$5,000 to \$1,920, and professors' salaries were cut from \$4,000 to \$1,920.

Even the appropriation committee cuts didn't satisfy the governor. He did some more slashing, taking specific items out of the committee bills. Partial vetoes of appropriation measures were unconstitutional, but the committees were not disposed to raise constitutional issues and the governor's additional cuts were approved.

All problems of the depression couldn't be solved by state legislation, but Langer and members of the 1933 legislature struggled to lessen the burdens of depressed farmers. In a realignment of the tax structure, tax rates were reduced fifty-two percent. Excessive penalties on delinquent taxes were abolished and installment payment of taxes was allowed. The redemption period for tax deeds was extended from one to two years. Farm land evaluations were reduced ten percent. The only serious tax controversy was over Langer's recommendation for a sales tax.

Langer's illness was serious, and he wasn't released from the hospital until January 22, but by the time the sales tax controversy developed, he was back in fighting form. The governor argued for a two percent sales tax to reduce the burden of property taxes. Opponents argued that the sales tax would be an added tax which taxpayers could not assume. When Langer threatened to call a special session of the legislature, which would be expensive, the legislators gave in and passed the sales tax by a vote of 27 to 22 in the senate and 63 to 42 in the house.

The governor had non-tax demands, too. His message had called for an embargo act, and the session promptly complied. The first bill to reach Langer's desk for signature authorized the governor to declare and maintain an embargo of any agricultural product when the market price reached a point so low that returns to farmers were confiscatory. Only one legislator, Senator Charles Bangert, a lawyer from Ransom county, voted against and said he considered the act unconstitutional.

Governor Langer wasn't at all satisfied with the way the new capitol

building was being constructed. On December 28, 1930, North Dakota's capitol had burned; and the 1931 legislature, meeting in improvised quarters, provided for construction of a new capitol to cost "two million dollars" . . . "and no more". George Bangs of Grand Forks, Fred Conklin of Bismarck and A. G. Fraser of Fargo were appointed by Governor Shafer to the capitol commission to carry out plans. By the time the 1933 legislature met, the building was about half completed.

Governor Langer had numerous complaints from state contractors and business firms who claimed they had been bypassed in favor of out-of-state firms. There were charges of mismanagement. There were rumors that the building would cost more than the amount allowed by law and that the building would exceed the state's needs. Langer asked for an investigation by a senate committee, and its report was accepted. The 1931 capitol commission law was repealed, and a new law was passed, assigning responsibility to the Board of Administration.

Most of the people who visit North Dakota's magnificent capitol enter through one of the ground level entrances. Twenty-eight wide steps lead up to an impressive first floor entrance, and it is from this entrance that the capitol cornerstone is visible. The cornerstone bears a simple engraving "Erected A.D. 1933". Behind that engraving is a story that could rightly be called "The Case of the Missing Cornerstone."

October 8, 1932, at the close of Governor Shafer's administration, there was an elaborate cornerstone laying. It was preceded by a parade and an impressive program with Vice President of the United States Charles Curtis giving the principal address. The stone was hoisted on a tripod since there was no semblance of a building at that time. When Governor Shafer placed a copper box in the center of the stone, he was flanked by nine former North Dakota governors, Roger Allen, Joseph Devine, Frederick Fancher, Frank White, John Burke, L. B. Hanna, Lynn J. Frazier, R. A. Nestos and Walter Maddock. The **Bismarck Tribune** reported, "History was laid here today." Governor Shafer concluded, "This box will remain here for many years, possibly forever."

The 1933 legislature decided otherwise. It called the first ceremony "premature" and authorized a stone cutter to prepare a new corner stone. On September 5, 1933, the fiftieth anniversary of the laying of the cornerstone of the Territorial capitol, Governor Langer presided at the second cornerstone laying for the new building. Someone had been farsighted enough to rescue and preserve the copper box from the first stone. The first box and a second smaller one containing additional historical documents were placed in the new stone. It was a ceremony without fanfare, since the \$22,000 expense attributed to the first ceremony had been criticized severely.

The 1933 legislature gave Langer most of the things he requested, but some demands were not met. He had sought and failed to transfer all state investigators to the fire marshal's office, to have all inspection work done by the tax department, to cut down many boards and to get a one percent

tax for poor relief. He wanted the state penitentiary to make automobile license plates and to manufacture coffins for paupers. The legislature authorized the manufacture of automobile license plates but drew the line at coffins.

However brave the efforts of the 1933 legislature had been, when it adjourned on March 3 the plight of North Dakota farmers was as desperate as ever. Mortgagors were gathering in farms by the score through foreclosures.

On March 4, 1933, President Franklin Roosevelt declared a bank holiday. The same day, Governor Langer declared a state bank holiday and a moratorium on all debts in North Dakota as an emergency measure. Then on April 17, Langer issued a formal moratorium declaration prohibiting mortgage foreclosures on livestock, other personal property or farm lands occupied and tilled by the owner. Langer emphasized that the moratorium was to protect those who, through no fault of their own, were in danger of losing farms or their means of livelihood, not to protect those who could pay but refused to do so. Exceptions were recognized, thereby giving mortgagors the right to foreclose or bring action in such cases.

The governor's moratorium had to be an act of courage, since voters in the June primary of 1932 had rejected a five-year moratorium, and in the general election of that year turned down a three year moratorium proposal.

Langer also proclaimed a renter's moratorium which made it unlawful to dislodge a renter for non-payment and a small business moratorium to prevent foreclosure on stocks of merchandise, shop equipment, or furniture fixtures of small businesses.

Most states tried some form of moratorium in the 1930's, but none was as broad or as effective as Langer's actions in North Dakota. His proclamations didn't provide for means of enforcement, but the governor was assured of support, mainly by Usher Burdick, who was then president of the 75,000 - member Holiday Association. Burdick had strong words of support. Burdick offered the help of 20,000 men, and asked Langer to use martial law if necessary to sustain the moratorium. Ben Lemke, brother of Bill Lemke, offered the support of 700 Farm Holiday members from Towner county and claimed he could get 300 more men who already had been in major engagements to holding down convictions and dispossessions.

Women, too, took an active part in enforcement of the moratorium. Susie Ista, who was later elected to the legislature, successfully challenged the United States marshal who had come with foreclose papers for her neighbor's farm.

It finally became necessary for Langer to call out the National Guard. "As long as I am governor," he declared, "the moratorium will remain in effect, even though I have to keep on calling the Guard three times a day."

"You are ordered, commanded and directed to use as much of the state

militia as in your judgment may be necessary to enforce the proclamation," he instructed. "In the event any sheriff in violation of the proclamation has or attempts to have any foreclosure or sale, gather such evidence and present the same to me."

The Guard had problems in carrying out its orders. The adjutant general called Langer one day to tell him, "The sheriff has arrested me. What do I do now?"

Years later United States Senator William Langer claimed his moratorium saved 50,000 homes in North Dakota. Others put the figure as high as 75,000.

In May of 1933 Langer had another problem on his hands. The new capitol construction still wasn't going smoothly. Laborers complained of slave driver attitudes of the foremen, and denounced the wage scale of 32 cents per hour. A strike was called and picketing began. When word reached Langer that the contractors were bringing in strike-breakers, he called out the National Guard and sealed off the construction area.

While the National Guard was patrolling, Senator Simonson brought petitions for a referendum on the sales tax. A guardsman called the governor's office, "Senator Simonson is here with petitions to refer the sales tax. Shall we admit him?" The answer was "No admittance." Langer's victory over Nels Simonson was short-lived, however. Secretary of State Robert Byrne ruled the postmark on the petitions was the controlling date, and accepted the petitions. Langer was forced to call a special election for September 22 and the sales tax was soundly defeated.

While Langer was trying to do something about conditions in his state, he had become a thorn in the side of the Roosevelt administration with his persistent demand for an adequate federal farm program. He had urged Henry Wallace, then Secretary of Agriculture, to establish a minimum price for wheat. He had been urging Roosevelt to do something about higher tariffs on grain imports, arguing that it was unrealistic to pay American farmers for not producing while allowing foreign products to come in. Langer grew disenchanted with Wallace when there was no action and was reported to have said, "Wallace would make a good county agent, if he had a little more education."

That October a farm conference was assembled at Des Moines, Iowa, and eleven states were represented. Langer was one of the governors attending, along with Clyde Herring of Iowa, Floyd Olson of Minnesota, and Tom Berry of South Dakota. The conference went on record as advocating a sound agricultural code, minimum prices, prevention of surpluses, determined marketing practices, debt conciliation, and more farm credit. Langer tried unsuccessfully to include an embargo.

Governors Olson and Langer took the recommendations to Washington, and Langer submitted a minority report on the embargo. Roosevelt turned down every proposal expressing faith in his Agricultural Administration program. Langer charged that Wallace



policies had cost North Dakota farmers twice as much as they had received in AAA payments.

Finding no support from the national administration and little cooperation from neighboring governors, Langer on October 16, 1933, declared that the price of wheat had dropped to a "confiscatory" level. Applying his authority under the embargo act, he declared that no shipments of Number One dark northern spring wheat and Number Two amber durum could leave the state.

The daily press, the big grain companies and the railroads screamed "unconstitutional", and the owners of plugged elevators begged for relief. The governors of Minnesota, Montana, Nebraska, South Dakota and Kansas wired Langer congratulations but took no action.

Langer kept the embargo in force until Canada threatened to dump durum wheat into the United States, then lifted the embargo for a few days. Finally, the Grandin Cooperative Elevator brought action against Governor Langer in the United States district court, and the court ruled the embargo unconstitutional.

The effectiveness of Langer's embargo is hotly debated to this day. In 1971 an article in a Red River Valley Historical Society publication argued that the price of wheat would have gone up without the embargo. If that article had been printed in 1933, few farmers would have been convinced. They saw the price of wheat go up during the embargo, and that was all the proof they needed. Their governor had scored again! Langer's files for this period are full of letters of support for the embargo. The only ones who seemed to protest were owners of elevators, and not all elevator owners complained. Orris Nordhaugen, an elevator operator and grain dealer, was as positive in 1973 as he had been in 1933 that the embargo did raise the price of wheat.

During his campaign, Langer often closed his speeches by inviting his listeners "to write to me or come and see me," if you are in trouble. After election, they wrote and they came. From morning until night his waiting room was filled. Langer was never too busy or too ill to see the people or to answer their letters. Their requests were channelled to whatever agency was involved and could help, but Langer did more than refer requests. He followed up, and heaven help the agency that needed a second prodding. Langer was an ombudsman before most people had ever heard the word.

Never too well himself, Langer was particularly touched by requests for medical help, as in the case of the Hoffert family of Rugby. Their son was born with club feet. Langer found an agency that offered to underwrite the necessary medical treatment. After Langer had been ousted from the governorship by the state supreme court, the family was informed that there was no more money for treatments. Langer learned what had happened, and while he was no longer governor, he pressured the agency until they found the necessary funds to continue treatment for Billy

Hoffert. Years later he was accepted as an officer in the Air Force during World War II.

No state agency wanted to tangle with the fighting governor and the same was true of federal agencies with programs in North Dakota. In the severely depressed northwestern section of the state the Victor Vande Walle family, trying to survive without asking for relief, rented a team of horses to a federal work project and were promised sixteen dollars. When they were unable to collect, Mrs. Vande Walle wrote to Mrs. Langer, and explained that she felt the problem was too small for the governor's attention. In a short time Mrs. Vande Walle received a letter from Governor Langer assuring her the money would be paid, and it was. Governor Langer had another loyal supporter, and Mrs. Vande Walle voted in every election. She lived into her eighties, and in later years her eyesight failed. One election day her grandson, Gerald Vande Walle, took her to the polls and accompanied her into the voting booth. When he read the names on the ballot to her, she asked, "Where is Langer's name?" though he was not a candidate that year.

Not everyone was that faithful to Langer. One of his duties as governor was to remove local officials found guilty of "misconduct, malfeasance, corrupt conduct or misdemeanors." In April of 1933 Langer ousted three Burleigh county commissioners for failure to advertise bids. In October he removed three Bowman county commissioners for exceeding mileage allowances, and in November three Stark county commissioners were removed for failure to advertise for bids. Enemies also reared up in the Nonpartisan League. The executive committee, with John Nystul as chairman, demanded a voice in matters of patronage. But following the wholesale cleanup in a number of state departments, Langer bypassed the executive committee and went to his own "brain trust". According to the *Bismarck Tribune* this group included Frank Vogel, Oscar Erickson, R. H. Walker, James Mulloy, Stephen Terhorst and Fred Argast, most of whom held appointive positions in the Langer administration. The resulting enmity of the executive committee was to have political consequences.

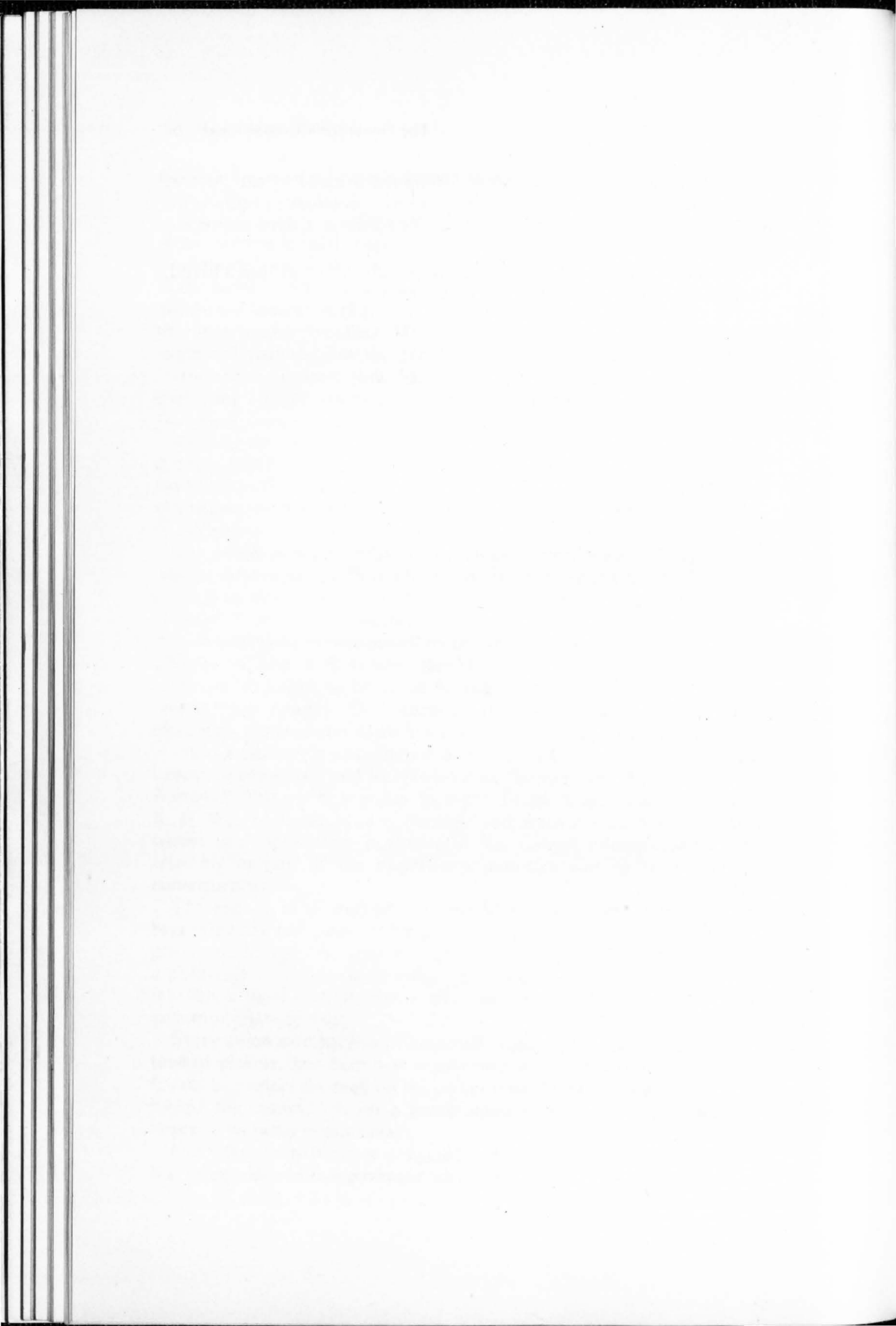
The end of 1933 marked not only a year as governor but also the beginning of a new phase of Langer's political life. Prior to his election as governor, Langer was known as an aggressive law enforcement officer, a politician who challenged other politicians in his own party, but very few felt a personal interest or relationship to him. The first term as governor changed that.

Every union member knew about strikes and feared the general attitude toward pickets. But here was a governor who called out the National Guard to protect the men on the picket lines. Here was a governor who forced the contractors on a government project to raise wages and improve working conditions.

Every farmer at the time struggled under the burden of high taxes and low prices. Here was a governor who actually did something about both

and declared an embargo intended to raise the price of wheat. Almost every farmer had a mortgage on his farm or on his livestock or equipment, and here was a governor who called out the National Guard to prevent foreclosures.

Governor Langer became something personal to those people, a friend, a benefactor, and sometimes a personal enemy.



# THE MAVERICK IN ACTION



Harris and Ewing

## **WILLIAM LANGER**

Testifying in the critical 1941 hearing, with his senate seat at stake

**HARRY TRUMAN, WILLIAM LANGER**  
Aboard the President's campaign train in 1952

Grand Forks Herald



Grand Forks Herald

**MARGARET TRUMAN, SENATOR LANGER**  
For the votes of youth and women



Harris and Ewing

**SENATE HEARING IN 1955**  
The long cigar identifies Langer



Harris and Ewing

**THOMAS CONNALLY, WILLIAM  
LANGER**  
Connally was one of three committee  
members who voted to seat Langer



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**HENRIK SHIPSTEAD, WILLIAM  
LANGER**  
The only senators who voted against  
United Nations



Fargo Forum

**SENATOR LANGER, FRED AANDAHL**  
Opponents for nomination in 1952



Harris and Ewing

**FARMERS UNION DELEGATION WITH LANGER**  
Meeting with North Dakotans in 1958



## THE \$179.50 CONSPIRACY

It was fortunate for Governor Langer that 1933 was a year of solid accomplishments; he spent most of 1934 fighting for his political life.

When Langer started building the political machine for his come-back, he saw a need for a Nonpartisan League newspaper. With the League's decline in the early twenties, the *Leader*, its official organ, was suspended, its final issue being published in July of 1923. After the disastrous election of 1928 the League's executive committee authorized Langer to attempt a daily paper, but with an understanding that he would furnish his own money, to be repaid if and when possible. The newspaper project had to be abandoned, and it wasn't until Langer became governor that he was able to get the *Leader* started again. The first issue of the revived *Leader* was published in July of 1933.

During Langer's prolonged illness in January of that year, he had plenty of time to think, and one of his thoughts concerned revival and expansion of the *Leader* with a plan that might make it possible for him to get back some of the money he had in the newspaper project by this time well over \$20,000. Langer discussed the plan freely and mentioned it publicly the first time in a speech at Verona, in LaMoure county. He later described it with some detail in the first conspiracy trial.

"I felt that an employee who held a position under the state government owed at least sufficient duty to the administration to be willing to go out and assist the administration in securing a large circulation for a weekly newspaper," he testified. "I felt that if they sold subscriptions to an amount totaling five percent of their annual salary, that would not be asking too much, especially in view of the fact that the salaries of state officials, as distinguished from employees, had been reduced twenty-percent."

Langer's chief advisor, Frank Vogel, who was then state highway commissioner, wasn't in favor of the plan, but Langer went ahead. There must have been good response, because later in the year the *Leader* reported a weekly circulation of 125,000. But it wasn't all smooth sailing. One of the solicitors, Harold McDonald, son of State Senator S. S. McDonald, went to the University of North Dakota for subscriptions and discovered that

the campus chapter of the faculty association had decided to resist the solicitation. The chapter adopted a resolution "demanding that there be no coercive solicitation among instructors at state educational institutions" and advised its members against taking subscriptions. A group of students dumped McDonald in the English Coulee, the handiest nearby ditch.

McDonald also solicited funds from employees working for the federal-state relief agency, and that brought Langer's political solicitations up for discussion in the United States senate. There Senator Gerald Nye of North Dakota rose in righteous indignation and demanded an investigation of the "incontrovertible evidence" of wrong-doing in his home state. The Roosevelt administration moved quickly, having little love for that needling pest, the governor of North Dakota. On March 1, 1934, Harry Hopkins, head of the Reconstruction Finance Corporation dismissed Langer as nominal head of the federal relief program in North Dakota.

Langer immediately demanded a grand jury investigation, and federal investigators came to North Dakota looking for evidence. A grand jury was called on March 8, but no evidence turned up.

One month later, on April 8, a special grand jury met in Fargo, and this time there were plenty of people willing to testify. The grand jury returned an indictment not only against Governor Langer but also against Highway Commissioner Vogel, Oscar Erickson, publisher, and Oscar Chaput, manager, of the *Leader*, R. A. Kinzer, former head of the relief program, and solicitors G. A. Hample, Harold McDonald, Paul Yeater and J. A. Kinzer.

The charge was a violation of Section 37 of the Federal Penal Code in that the "defendants did willfully, unlawfully, knowingly and feloniously conspire . . . to defraud the United States by corruptly administering an act of congress known as the Emergency Relief and Reconstruction Act of 1932 which was an act to relieve destitution . . .". The key word was "conspire" and the trials were commonly referred to as the conspiracy trials.

There were twenty-eight "overt acts" listed in the indictment. Nineteen dealt with solicitation or receipt of funds by various solicitors. Five acts related to threats of possible dismissals or decrease of salaries if employees did not contribute. One charge related to firing of an employee for refusal to contribute. The other three of the overt acts concerned deposits of *Leader* funds to Langer's personal account. One charge was that a *Leader* check signed by Langer was made payable to a brokerage firm, which led to the charge Langer had used *Leader* money for stock purchases.

On May 22, 1934, with Federal Judge Andrew Miller presiding, the first conspiracy trial opened in Bismarck.

There may never be another North Dakota court room filled with as many lawyers. P. W. Lanier, federal district attorney, and assistants

Harry Lashkowitz and Donald Murtha represented the government. Each defendant had at least one attorney, with Francis Murphy, J. K. Murray and George Thorpe doing most of the defense work. They were assisted by J. M. Hanley, E. R. Sinkler, F. J. Graham, John Sullivan, Gordon Cox and Peter Garberg. Langer later hired the famous Clarence Darrow and attorneys Harkness of New York and John Davis of Chicago.

There were nine defendants, but as far as the press was concerned, Governor William Langer was the only one. The *Bismarck Tribune* headline on the opening day of the trial read, "Governor Seeks to Avoid Trial." The next day it was, "Governor Pleads Not Guilty." The third day it was, "Langer is Forced to Trial." Another newspaper, The *State Record*, headlined opening of the trial with "Uncle Sam Versus Bill Langer."

The defendants first asked that the indictment be quashed on grounds that the grand jury had been drawn illegally and unfairly. They cited Federal Code, Chapter 1864, which provided "The names of grand and petit jurors shall be publicly drawn from a box containing the names of no less than 300 qualified persons at the time of the drawing."

At the trial, actual procedure was described by F. S. Talcott, clerk of court. Being a Republican, Talcott was required to have a member of the principal opposite party, in this case a Democrat as grand jury commissioner. Each would take a county and write to either superintendents of schools, mayors, judges and clerks of county courts, former grand jurors or other influential persons and ask for names of prospective jurors. When the suggestions were received, a questionnaire went out to each person asking such things as ability to read and write, citizenship, occupation, whether the person had been convicted of a felony, etc. When the answers were in, names of the persons considered qualified would be typed and placed in the box for drawing of prospective jurors. That method has since been changed, but in 1934 Langer didn't have too many followers in the groups selected that way. The challenge of the grand jury was on that account. Defense Attorney Thorpe argued, "The manner of selection and confirmation of grand jury members results in exclusion of members of the class to which the defendants belong."

The defense apparently made a very careful check of the 23 persons chosen for the grand jury. According to their investigation, twenty of the twenty-three lived in cities or towns, fourteen were businessmen and only nine were farmers. Twenty-two grand jurors were politically opposed to the Nonpartisan League and only one was an avowed member. The defense analysis did reveal one error. Banker Garvin Olson of Hatton was mistakenly identified as an undertaker.

The defendants had expected most of the grand jury members, and the seventy prospective trial jurors called for service would be conservative, but they never expected to find so many violently anti-League and particularly anti-Langer. Langer later claimed that when the names were typed

to be put in the box, the anti-Langer names were put on lighter weight cards, which would be easy to pick out.

Judge Miller denied the complaint about the grand jury and the motion to quash the indictment, so drawing for the trial jury took place. The prosecution was allowed six peremptory challenges and the defense ten. After the defense had used all of its ten challenges, there was still one person Langer felt had to be kept off the jury, but there was some question as to how he could be stopped. As the prospective jurors filed in to court the next morning, one of the defense attorneys smiled and winked at the objectionable person. District Attorney Lanier saw the wink and promptly challenged that man.

One prospective juror, Les Hulet of Mandan, was closely questioned. Hulet admitted he knew Langer and had had dealings with Langer, but said he felt he could be absolutely fair. Hulet was not challenged. When the twelve jurors had been selected, sworn in, and given the charge by Judge Miller, they were escorted out by the bailiffs. As they passed the defense table, Langer got up from his chair, put his arm around Hulet, and said, "Hi, Les, how are you?" Judge Miller was livid with rage and reprimanded Langer scathingly, but let the trial proceed.

Of the twelve trial jurors, six were businessmen and six farmers. Lester Crist, a farmer from Grassy Butte, was named foreman.

The trial lasted from May 22 to June 17. The federal prosecution called a large number of witnesses who testified as to solicitation, threats of dismissals and pressure to contribute. The defense admitted there had been solicitations, denied there had been any threats, and claimed that any dismissals were for other reasons.

The press reported that Langer sat chewing an unlighted cigar from which the cellophane had not been stripped. Langer was finally called to the stand and testified at some length. He explained the plan that he had conceived to increase circulation of the *Leader* and testified that as soon as he learned through a federal, field man that there had been solicitations of federal employees, he ordered such solicitations stopped immediately. He said postdated checks had been returned, and that he thought the entire matter had "been cleared up."

Langer testified freely about transfer of *Leader* funds to his own account, saying he had advanced his own money to revive the paper and that the *Leader* and the League owed him over \$20,000. He also said that he and the executive committee of the League were on unfriendly terms, and the committee had threatened to seize the *Leader* funds.

There didn't seem to be any question as to the amount involved in solicitations from federal employees. In his summation for the prosecution, Harry Lashkowitz said, "The allegation against the defendants involves solicitations of \$179.50. This is not a trial involving only \$179.50; it is a crime that goes to the very roots of government."

Judge Miller in his final charge to the jury said in part:

"Either the defendants are innocent of any wrong doing, or they are a bunch of cheap, petty chiselers who are not any more important than anyone else . . . It is true they did not get very far with solicitation or collection of federal relief employees . . . I think the evidence shows they only collected from them a sum equal to around \$180, but again I say to you that is of no importance."

Before the case went to the jury, defendant Oscar Erickson had been excused because of illness. Judge Miller had directed verdicts of not guilty against Joseph Kinzer, Paul Yeater and G. A. Hample.

The case went to the jury on a Wednesday, and it wasn't until Saturday night that the jury returned with its verdict. The verdict was guilty. Judge Miller complimented the jurors on their decision and announced that he would defer sentence until June 29, after the primary election.

A few dates and events now need to be brought into perspective. Harry Hopkins removed Langer as head of the relief setup on March 1, 1934. Five days later the Nonpartisan League met in Valley City for its endorsing convention. John Nystul, chairman of the executive committee and at the time an open and avowed enemy of Governor Langer, announced the meeting was illegal, said a legal meeting would be held in Jamestown March 8, and left. Most of the 163 delegates stayed, however, and they endorsed Langer for re-election.

On March 8, thirty-six delegates met in Jamestown. An indication of the strained relations between the governor and the other major state officials became evident. Secretary of State Robert Byrne, State Treasurer Alfred Dale, Railroad Commissioners Fay Harding and C. W. McDonald, Commissioner of Agriculture and Labor John Husby and A. E. Thompson, Superintendent of Public Instruction, met with the "rumpers," as the Nystul group was called. According to Holzworth's account, the roll call was padded by clerks, bookkeepers, and typists who were given the day off to attend the convention. The rumpers, denounced Langer for attempting to Hitlerize North Dakota and endorsed T. H. H. Thoreson as their candidate for Governor.

The primary that year was on June 27, ten days after Langer had been convicted in the \$179.50 conspiracy, and even though most of the press had called Langer "a convicted felon," he won nomination as the Republican candidate for governor, swamping Thoreson by a vote of 113,000 to 47,000.

Two days afterwards, Langer was sentenced to eighteen months in a federal prison and a fine of \$10,000. Vogel, Kinzer and Chaput were each sentenced to federal prison terms of 13 months and fined \$3,000. McDonald was sentenced to serve four months in the Burleigh county jail.

Immediately after the sentence and bond had been set pending appeals, Joseph Runck of Casselton came forward with the money. Runck had never met Langer but had been befriended by Langer's father. The bond was signed by Runck, Langer's sister, Mrs. Mary Ford, and his uncle, Joseph Langer. Bond for the other defendants was raised by popular subscription.

The motion for appeal was denied by Judge Miller and was then taken to the United States circuit court. With their appeal the defendants filled an affidavit of prejudice against Judge Miller, listing twelve separate charges. One was that the jurors had been allowed to read newspapers and listen to anti-Langer speeches over the radio. Judge Miller's first charge to the jury had recognized that possibility when he said, "You will be kept under surveillance by three bailiffs . . . they will help make you as comfortable as possible, and perhaps place a radio in your rooms . . . Pay no attention to articles you might read in the newspapers." The defense claimed that to be an act of bias because there was so much anti-Langer news.

Most of the other charges related to what the defendants called Judge Miller's personal bias against Langer. The affidavit stated that prior to Miller's elevation to the federal bench, political and personal enmity existed between him and Langer, and that such enmity existed at the time of the trial.

Following that first conspiracy trial, North Dakota witnessed one of the wildest six months in its political history.

Ole Olson, the lieutenant governor, came to Bismarck to assume the office of governor. He was stymied when Attorney General P. O. Sathre ruled that the felony conviction was stayed and suspended by the appeal and that the execution of sentence was delayed and postponed until the United States circuit court had considered the case. Sathre held, therefore, that Langer was still governor of North Dakota.

Olson appealed to the state supreme court. The court moved with dispatch to hear the case. Justice Christianson disqualified himself and District Judge McKenna took his place.

Attorney General Sathre reiterated the argument he had advanced in his first ruling, that an appeal suspended the sentence, and hence Langer was still governor. Sathre also argued that the state supreme court lacked the constitutional authority to remove Langer, and that such removal had to be by impeachment.

Howard Fuller, chief counsel for Olson, argued that the office of governor became vacant by reason of conviction for a felony, and Langer lost and forfeited his civil rights by reason of such conviction, and thus could not serve as governor.

Fuller further called attention to the fact that his client, Olson, had filed his oath of office and had done all things necessary to assume the office of governor, but that the defendant had refused to surrender the office and

continued to hold this office by force and refused to turn over books and papers belonging to the office of governor.

The oral arguments must have been bitter and personal. Added to Attorney Fuller's brief was a three-hundred-word, humble, almost abject apology. He begged for "the personal, kindly and generous indulgence of forgiveness for what must have been an excess of zeal in his oral submission." He went on to state that there was no thought of any personal criticism of Governor Langer. He concluded this unprecedented apology, saying, "We were somehow drawn beyond our calm and dignified discussion into a sea of argument and in the attempt to find some return to safety, we doubtless presented the action of one lost in deep and turbulent waters."

Usher Burdick asked to file an "amicus curae" brief in his own behalf, and in behalf of the North Dakota Holiday Association of which he was state president. Burdick presented arguments that the amount had been insignificant, only \$179.50; that the practice of campaign assessments had been followed in North Dakota and other states; that the anti-Langer forces had levied a two percent assessment on its people; that the Democratic organization collected funds from the postmasters; that when an employee received his salary, the money was his and the United States government had no further claim on it. "How can it be," he asked, "that the Governor has defrauded the United States Government?"

The state supreme court, in a four to one decision, with only Justice Moellring dissenting, ruled in favor of Olson. In a brief statement it said that according to Section 21 of the Constitution, when a person is indicted and tried by a district court of the United States upon a charge of felony, is found guilty and sentenced, he has been convicted of a felony. The fact that an appeal had been taken from such judgment and sentence did not change the status of the judgment and such conviction disqualified the defendant so that he ceased to be an elector, and ceasing to be an elector, he no longer was qualified to be governor.

Still Ole Olson found his entrance to the office of the governor blocked, this time by the National Guard. Langer was barricaded in his office. Angry crowds had been milling around the capitol and in Bismarck, and Langer had called out the National Guard, as he said to avoid riots. His enemies said he had called out the guard to keep himself in office by force if necessary. Adjutant General Earle Sarles submitted to the authority of Olson, however, and Langer gave up his office.

There were other elements of excitement around the capitol. On July 12 Governor Langer had called for a special session of the legislature to convene July 19. When Olson assumed the governorship, he rescinded the call. Langer sent word for the legislators to come, and quite a few did. Langer addressed them and asked for impeachment proceedings. Both houses were having trouble getting quorums: one senator had to be dragged in bodily. The House appointed a committee to initiate impeachment proceedings, but no further action was taken.

Bill Langer was without a job, and having been stripped of his civil rights, he couldn't even practice law. Far more important for the political history of North Dakota, Langer was disqualified as a nominee to run for the office. The Republican central committee met and named Lydia Langer to fill the place on its ticket.

Few young women had ever led a more sheltered life than Lydia Cady Langer. Now, sixteen years out of that sheltered life, Lydia Langer found herself a candidate in one of North Dakota's most turbulent campaigns. Lydia Langer had confided to a friend whose husband also was involved in politics, "You must put on a veneer. Don't let them get under that veneer; don't let them touch you." Lydia Langer never let the public get under that veneer, and she campaigned with quiet dignity. She never lost her delightful eastern accent and she never lost her femininity.

Bill Langer campaigned for and with his wife. Author Blackorby attended one of the rallies and wrote, "Because of the conspiracy trials, Langer was considered a martyr, and at public rallies, the mood was almost reverential. As Langer entered the hall, the crowd would stand in silence, and then there would follow cheering as great as North Dakota had ever heard." The regard for Bill Langer carried over into rallies for Lydia and the couple campaigned tirelessly, but Thomas Moodie won the election. Considering the attitude at that time toward women in politics, the wonder of it was that Lydia Langer came within 17,000 votes of victory out of a total of 275,000 votes.

Then followed another almost unbelievable Langer maneuver. Bill Langer went to Minneapolis to look into Moodie's life when he had worked for a newspaper there. Finding what he wanted, Langer came back to Fargo and called George Schonberger, Cass county chairman for the Nonpartisan League. He asked Schonberger to go to the Great Northern depot and meet Walter Welford and bring him to the Metropole Hotel. In a few minutes Welford arrived still wearing his work clothes. Langer told Welford to go home and get things in order, since he was going to be the next governor of North Dakota. Walter Welford was moved to tears, expressed his gratitude to Langer, and promised to do everything Langer wanted.

Langer's predictions proved correct. The North Dakota supreme court was given evidence that Thomas Moodie could not meet North Dakota residence requirements for governor because he had voted in a Minneapolis election in 1930. For the second time in six months, the court disqualified a governor.

Having seen Welford installed, and while waiting for the decision from the federal appeal court, Langer kept in touch with his supporters by letter, by personal contact and at rallies. He accepted contributions to his defense fund, and donations came in from all parts of the state in nickels, in dimes and dollars. Dances and socials were held to raise funds. One



farmer in LaMoure county sold livestock to contribute to the fund.

Finally, on May 7, 1935, the United States Circuit Court of Appeals ordered the judgment and sentence set aside and vacated by reason of insufficiency of evidence. A new trial was ordered, and Judge Andrew Miller was notified that the case would proceed no further under him. In the same order, the court appointed Judge A. Lee Wyman, United States District Judge of South Dakota, in place of Miller.

The defendants now faced a second trial, but fewer defendants. Oscar Chaput and Harold McDonald had changed their pleas from not guilty to guilty. That left only Langer, Vogel, Erickson and Kinzer as defendants. The second trial began November 1 in Bismarck. Judge Wyman had ordered a panel of 138 prospective jurors. At the outset the defense again challenged the whole panel on the grounds that eighty percent were residents of towns where anti-Langer sentiment flourished, and that it was not truly representative of the people of North Dakota. Judge Wyman denied the motion.

The jury was drawn, and essentially the same testimony offered by prosecution and defense. The case went to the jury November 15. The jury finally informed the court that their last vote was ten to two, with no chance of agreement.

Ernie Reich was one of the jurors who held out for acquittal. The fact that Reich was from Casselton, Langer's former home town, was to become one of the charges against Langer in the attempt to oust him from the United States senate. Reich might never have been selected as a juror in the second conspiracy trial if Dr. Sprague of Casselton hadn't been hard of hearing. Before that second trial the prosecution had called Dr. Sprague, a leading Republican, to inquire about Ernie Reich in its investigation of prospective jurors. Being hard of hearing, the doctor went to get help on the long distance phone call from a neighboring business, which happened to be the Reich and Ritchie Garage. He found Wilber Ritchie there and asked him to come back to his office and find out what the long distance call was about. When Ritchie had finished taking the call, he told Dr. Sprague all they wanted to know was if Reich was all right.

There would still need to be a third trial in the conspiracy case, but before that could proceed, Judge Andrew Miller arrested Langer, Vogel, Erickson and Kinzer on charges of perjury. This stemmed from the affidavit of prejudice which the defendants had filed against Miller. Langer declared it was the only time in the history of American jurisprudence that anyone had ever been arrested for perjury as a result of filing an affidavit of prejudice.

The perjury trial, to be held before a jury, convened in Bismarck on December 3. The entire case revolved around arguments by opposing attorneys. When the lawyers had finished their arguments, Judge Wyman

directed a verdict of not guilty. The trial closed on December 6.

Things moved more quickly after the perjury case. On December 10, 1935, the third and final conspiracy trial began in Bismarck with Judge Wyman presiding. On December 19, the jury, after deliberating five and a half hours, brought in a verdict of not guilty. Langer, Vogel, Erickson and Kinzer were formally cleared of all conspiracy charges. The verdict was in, but the argument of whether Langer had been guilty, or had been the victim of political persecution would go on and on to this very day. The arguments over the second trial and incidents involving Judge Wyman's son would carry over into 1941 and 1942 in the United States senate ouster hearings against Bill Langer.

As for the master politician, he picked up another cellophane-wrapped cigar and began planning the next chapter of his political career.

## TO SEAT OR NOT TO SEAT

With the conspiracy trials out of the way and his civil rights restored, Langer was looking toward Washington by 1936. He knew his chances of being elected United States senator would be much better if he ran from strength, from the office of incumbent governor, and made plans to run again for that office.

By that time Walter Welford had a liking for the governorship and wanted to succeed himself. Almost as soon as he had dried his tears in the Metropole Hotel at Fargo in December of 1934, Welford forgot his pledge to Langer. Welford had his own group of advisors, and the group didn't include Bill Langer, who had alienated so many state officials when he was governor in 1933. Welford joined their anti-Langer rump coalition. Langer may have expected that Welford and the rumpers would hold their own nominating convention and did his home work to be sure he'd control the regular League organization. When the endorsing convention met in Bismarck March 5, 1936, most of the delegates were instructed to back Langer for governor.

Most of the state officials, including Welford, had announced they wouldn't run on a ticket headed by Bill Langer, and they refused to participate in the Langer-controlled League convention. As expected, the rumpers held their own convention and endorsed Welford for governor and T. H. H. Thoreson for lieutenant governor.

The campaign was a bitter struggle of personalities. Bill Lemke, endorsed by both groups, joined the rumpers in an attack on Langer, hammering away at the corruption of Langer's administration. Welford's attacks were almost as bitter. In one of his first campaign speeches Welford charged, "Bill lives for politics. He doesn't live for farmers, nor does he live for anybody unless he can get them in his clutches."

Langer criticized the Welford administration for building a political machine of payrollers, for raising taxes, for increasing the state appropriations by nine million dollars while he, Langer, had reduced them by five and a half million dollars. To the attacks for corruption Langer replied, "The federal government spent nearly a million dollars to

find me honest. I am the only candidate inspected by the United States government and found to be 100 percent pure."

After the primary, there was rejoicing in the rumper camp. Walter Welford had defeated William Langer for the nomination.

Shortly afterwards, the Langer-controlled Nonpartisan League met in special convention and, for the first time in its history, decided to file candidates in the Independent column. They endorsed Langer for governor, William Crockett for lieutenant governor, and Owen T. Owen for attorney general.

Five other candidates filed as independents, but North Dakota law allows candidates running in the Independent column to use their own identification. Langer, Crockett and Owen identified themselves as "Nonpartisan League." The other five candidates had varied if not imaginative identifications: Nonpartisan Farm Labor, Nonpartisan League Republican, Progressive Republican, Progressive Party . . . Progressive Platform, and Republican . . . Less Politics . . . More Performance. The 1936 general election ballot should be a collector's item. There were seven columns on a ballot two feet wide.

It was a presidential election year, and there were six groups of presidential electors. In addition to electors in the Republican column pledged to vote for Landon and electors in the Democratic column for Roosevelt, the Prohibitionists, the Socialists and the Communists had electors pledged to vote for Colvin, Thomas and Browder, respectively. There were three other Communist party candidates, including P. J. Barrett for governor. It wasn't the first time the Communist party ran candidates in North Dakota. In 1930 the notorious Communist organizer, Mother Bloor, had set up headquarters in Minot and the same P. J. Barrett was the Communist candidate for governor. He polled 5,754 votes that time, with every county in the state contributing a few to that total.

The sixth group of presidential electors in 1936 was pledged to vote for William Lemke, under the Union party label, so North Dakota had a "favorite son" candidate for president.

The economic depression of the Thirties had brought out a lot of agitation for a third party. One group was centered around Father Charles E. Coughlin, the radio priest in Detroit, Michigan, who had once been an ardent supporter of Roosevelt but then turned into a severe critic of Roosevelt and the Democratic administration. Huey Long led another third party movement in Louisiana, and after his assassination the Reverend Gerald L. K. Smith took over leadership of that group. The third movement was in California under Dr. Francis Townsend, founder of the Townsend Pension Plan. William Lemke was in touch with all three leaders.

Father Coughlin assumed leadership of the entire third party movement, learned the filing requirements in each of the states, and then called William Lemke and Thomas O'Brien of Massachusetts to a meeting in

Detroit. The result of the meeting was the name of the party, The Union Party, and the candidates, William Lemke for president and Charles O'Brien for vice president. The platform was brief: Farm aid, support of the Frazier-Lemke refinance bill and the Townsend Plan and a demand that the government stop issuing interest-bearing bonds. The Union party group believed that if the election contest between Republican Alfred Landon and Roosevelt should result in a tie, the election would have to be decided in the House of Representatives, where each state had one vote. If the Union party carried North Dakota and/or Massachusetts, and hopefully other states, they believed Lemke and O'Brien would have as good a chance as anyone to be elected president and vice president of the United States.

There was still another reason the 1936 ballot in North Dakota was unique. William Lemke, candidate for president in the Independent column, was the same William Lemke, candidate for congress in the Republican column; Usher Burdick also was running for congress as a Republican.

When Lemke was challenged for being a candidate for two offices, he met the challenge by saying, "I am not running for president. The Union party electors are running for president. I am running for the office of United States Representative on the Republican ticket. I want to be in congress to help elect myself president . . . Don't forget Usher Burdick . . . When this election is thrown into the House, I want him there to help elect the Union party candidates."

Lemke was so busy campaigning for the presidency in other states that his supporters in North Dakota began to worry that he might lose out for Congress. It has been said that in North Dakota politics, anything can happen, and usually does. Only 36,000 North Dakotans voted for William Lemke for President of the United States, but 131,000 voted to send him back to Congress.

As for Langer, he set another of his amazing records, becoming the only governor ever to be elected in the Independent column. He eliminated Welford from the governor's office and from future North Dakota politics as well.

On January 6, 1937, Bill Langer was inaugurated for a second term as governor. He had been in the hospital at the time of his first inauguration. This second time, before he could deliver his own message, he had to listen to out-going Governor Welford deliver a detailed message. In it the one time political protege of Langer recounted successes of his administration and took some ill-concealed jabs at the former Langer administration.

Langer's inaugural message also was a long one, twenty-five pages of it. He stressed the importance of cooperating with the federal government in the matter of poor relief and implementing the newly-enacted social security and unemployment legislation. Langer recommended the establishment of a water commission to assist in developing the Missouri

River basin. He recommended a minimum wage law and safer working conditions and recommended greater development of the state's lignite mines. True to his campaign promises, he asked for legislation to provide free text books in both public and private schools and to provide for free transportation to schools.

Nor had Langer lessened his zeal for strict enforcement of the liquor laws. He had a specific recommendation to enact a liquor nuisance law making it illegal to carry an open bottle or container in a car, and making the car subject to confiscation on violation of the law.

Langer added 28 specific recommendations to his general recommendations, from legislation taxing airplane franchises to one giving the state power to condemn the easements on two toll bridges in McKenzie county so that no one would be required to pay the \$1.50 fee for crossing.

Pity the legislators who had to listen to those messages. They must have welcomed the opportunity to stand for benediction.

Welford had won the sales tax battle in his administration, and the 1937 legislature extended the sales tax for another two years. State unemployment insurance was provided. State Soil Conservation districts were established, and the first water board was created to develop the Missouri basin. Langer vetoed appropriations amount to \$166,398, but he signed a six million dollar appropriation for poor relief. Most of the things Langer had asked for in his message were provided by the legislators in 1937.

Following the legislative session, three major events highlighted the first year of Langer's second term as governor.

The counties in North Dakota, particularly the western counties which had been the hardest hit by drought and depression, were trying to get their finances in order. The brokerage firm of Brunk and Brewer had contacted many of the county commissioners and were assisting the public officials in their refunding operations. The Bank of North Dakota had been instituted for the purpose of helping government subdivisions by purchasing their bonds. When the counties attempted to sell their bonds, however, they were told the Bank of North Dakota was not in the market for those bonds. The counties then placed their bonds with the Brunk and Brewer firm, often at far less than par. Later the counties learned these bonds were being held by the Bank of North Dakota and by government agencies such as the Workmen's Compensation Bureau and the Insurance department, and that these agencies had purchased the bonds from the brokerage firm at par. Almost twenty counties were involved, and Brunk and Brewer admitted that in 1937 and 1938 their profits from these sales had been almost \$300,000.

As governor, Langer was Chairman of the Industrial Commission that controlled the Bank of North Dakota. The Bank and the government agencies could have purchased the bonds directly from counties had they been given permission to do so by the Industrial Commission.

In 1937 Gregory Brunk purchased land from Bill Langer, land which Brunk admitted he had never seen, and it was alleged the land was pur-

chased at a highly inflated figure. The bond transactions and the sale of the land to Brunk were issues Langer had to live with in every future campaign.

This was the issue Lemke referred to when he accused Langer of corruption. Lemke may have been unreasonable in his enmity of Langer or unjust in his criticism, but one thing must be said for William Lemke. He was absolutely incorruptible. Although Lemke unwisely defended the Scandinavian American bank, he never personally profited from any transactions of the bank. Lemke unwisely borrowed money from the Home Owner's Association in which he was an officer, but he paid for that indiscretion. During at least one campaign, the opposition provided free taxi service for people to see what they called "the Lemke mansion paid for by the taxpayers." When Lemke used the bond issues in his campaign against Langer, he did so because of his enmity of Langer and because of his own standards of personal and political conduct.

The allegations over the bond transactions were mild compared with the furor that resulted from what became known as "The A. C. purge." The Fargo Forum on August 3, 1937, published a lengthy editorial which began, "A great institution, the North Dakota Agricultural College (A. C.), lies prostrate today, because the politician has traversed the campus, leaving his slimy trail and all that it portends . . . The citizenship of North Dakota is today confronted with a crisis so real, so terrifying in its possibilities as to sink into insignificance the crises of other days."

In 1919, after the Nielson controversy, the Board of Regents was replaced by a Board of Administration which would, among other duties, administer the state educational institutions. The law provided that the board would be composed of the State Superintendent of Public Instruction, the Commissioner of Agriculture and Labor, and three members appointed by the governor. In 1937, at the time of the A. C. controversy, A. E. Thompson, State Superintendent of Instruction, John Hagen, Commissioner of Agriculture and Labor, and three Langer appointees, Mrs. Jennie Ulsrud, J. D. Harris and R. A. Kinzer, were members of the Board. Mrs. Ulsrud was Chairman.

On July 29, 1937, the Board of Administration sent notices to seven North Dakota Agricultural College faculty members and personnel that their services were no longer required. The seven included R. M. Dolve, Dean of the School of Engineering, Ada Bales, Dean of Home Economics, P. J. Olson, Assistant Dean of the School of Agriculture, I. W. Smith, Professor of Mathematics and Dean of Men, A. H. Parrot, Registrar, Jean Traynor, Secretary to the President, and N. D. Gorman, County Agent, and Leader of the Extension Department. In addition, Dr. H. L. Walster had been relieved of his duties as Director of the Extension Service, and the board had accepted the resignation of President John Sheppard and appointed Dr. John West of the University of North Dakota as acting President of the North Dakota Agricultural College.

A group of alumni and former students and North Dakota citizens

sent a telegram of protest to Governor Langer and appealed to all graduates and former students of the Agricultural College to appeal for reinstatement of the dismissed staff members. Langer wired the alumni group that in 1933, when the legislative committee voted to close the college, he had personally and successfully opposed such a move. The alumni challenged that statement, claiming that records did not show any such committee action.

While the governor and the college backers were feuding, there were other serious developments. Dr. A. Yeager, internationally famous for his work in plant breeding, and Dr. L. M. Roderick, famous for his research in sweet clover poisoning, resigned from the faculty. In April of 1938 the North Dakota Agricultural College was removed from the accredited list by the North Central Association of Colleges and Universities.

Mrs. Ulsrud, chairman of the board, said the board considered the dismissals necessary in the interest of economy and efficiency; but many persons believed it was a Langer move for control of the Extension Service and the Experimental Station. These two departments would have control of about twenty million dollars annually in federal benefit payments to farmers under the AAA program. This would involve about 3,200 persons, with 600 working full time in the program. Most of Langer's supporters then and later could see little or no justification for the so-called purge, but one thing did come out of the controversial action.

Aroused students, graduates and citizens circulated petitions for an initiated measure that would change the administration of the institutions of higher learning and remove them from direct political domination. In the primary voting of 1938, the people approved the measure. A Board of Higher Education was set up, to become effective July 1, 1939, and consist of seven members to be appointed by the governor and approved by the senate from a list of three names selected by the President of the North Dakota Educational Association, the Chief Justice of the state Supreme Court, and the Superintendent of Public Instruction. It is not a little ironic that the law giving the Board of Administration supervision of the institutions of higher education was the law Langer bitterly opposed in 1920. In 1939 the law was changed as a result of Langer's own political activity. Following the subsequent election of Governor John Moses, most of the dismissed personnel were reinstated and the Agricultural College was readmitted to membership in the North Central Association.

While Governor Langer was severely criticized for the bond transactions and the Agricultural College dismissals, there was almost unanimous approval of his efforts to raise grain prices. July 22, 1937, the price of 37-pound wheat was reduced from 89 cents to 37 cents a bushel, a drop of 52 cents in a single day's trading. This was a serious blow to the farmers of North Dakota because millions of bushels of wheat that year were of light weight quality. Langer called a meeting of farm leaders, and



afterwards sent men throughout the state to pick up two-pound samples of light wheat. The samples were rushed to the state mill, threshed, milled into flour, and baked into bread. Three days later, Langer had his answer: light weight wheat was ideal for making high quality bread. There would be no unconstitutional embargo this time. The Industrial Commission ordered the State Mill to offer 37 cents a bushel over the market price; a day later the Minneapolis market met the North Dakota mill's price. When durum wheat went down to 48 cents on the commercial market, the State Mill announced it would pay 65 cents a bushel, and the Minneapolis market again met the North Dakota price.

By 1938, another election year, Langer's goal was the United States Senate. The Nonpartisan League, still under firm Langer control, was the first faction to hold its endorsing convention. As was expected, the League endorsed Langer for the United States Senate, even if it meant he would be opposing Gerald Nye.

After the League endorsed Langer for the Senate and Burdick for Congress, Lemke sent word he wouldn't run with Bill Langer on the ticket. The rumpers wanted to give Lemke one of the endorsements for congress, but again Lemke refused if it meant he would have to campaign against Burdick.

"I decided to conduct my own campaign," Lemke said in describing his 1938 race. "One room that cost us thirty dollars a month, with one man in charge and one stenographer. I gave three radio talks and made fifty speeches, averaging two or three a day. Even my friends were surprised that I could go into that campaign without any organization, without guide cards and single-handedly win two to one and eliminate a corrupt system at the same time."

The corrupt system he alluded to was of course Langer's, and again Lemke's voice was the decisive one. There is little question but that it was he who helped Nye defeat Langer in the primary. Because Nye's margin of victory was only 5,151 votes, Langer again decided to file as an Independent candidate.

Lemke, realizing that it would take more than his own personal efforts to defeat Langer in a three-way general election contest, joined Senator Nye in some practical wheeling-dealing. Nye and Lemke agreed to support John Moses, the Democratic candidate for governor, if the Democrats would keep Jess Nygaard, their candidate for the United States senate, from campaigning too vigorously.

It has been said too many times by too many political writers that the Democratic party did succeed in keeping Nygaard from campaigning vigorously. Jess Nygaard was a political realist. He knew that it was smart politics for the Democrats to put all their money and effort toward the election of John Moses. Jess Nygaard, however, wasn't the kind of candidate who would sit on his hands for anybody.

He spent his own money, used his own car, equipped it with loud speakers, hired four dance orchestra musicians, traveled all across the

state, giving dances twice a week to attract crowds. His campaign slogan was typical of the man: "Hear the political issues, in a style easy to take!" Neglected candidate that he was, Jess and Daphna Nygaard, long-time Democratic national committeewoman, enjoyed campaigning and their campaign had some lighter moments.

Langer was speaking in Jamestown, and it so happened the Nygaards were at home that day and the local committee invited them to the rally. When Langer spotted Nygaard, nothing would do but for Nygaard to join him on the platform where Langer sat with his arm around Nygaard. When Langer got up to speak, he said he was giving his time to his good friend and Democratic opponent, Jess Nygaard. Jess began his talk with "You probably have noticed how Langer has kept his arm around my shoulder. It isn't because he likes me so much. It's just that he doesn't dare let go." Nygaard received a meager 19,244 votes, but he finished the campaign with no bitterness and with a clear political conscience.

In the meantime Lemke and Nye kept on denouncing Langer's corrupt administration. Langer emphasized the old age assistance measure that was on the state ballot. Although a candidate for a national office, Langer made the North Dakota pension plan his one big issue. He spoke in every county, spoke at 444 places between August 22 and October 1, with almost all of his campaign directed to the passage of the measure that promised at least \$40 a month to every aged person.

C. J. "Red" Myers, who did most of the driving for Langer during this campaign, explained how it was possible to make such a record.

"Early one morning we started out from Minot," Myers said, "and we followed the Great Northern and made every loading platform, every elevator and every community, with Langer making a speech every forty-five minutes."

Langer's diabetes was already a problem. "Most of the time Langer gave himself the insulin injections, but now and then I gave them. Langer's personal friend and physician, Dr. Rowen, had warned us what to do if Langer had an insulin reaction. We carried a bag of oranges. On a private plane Bill did pass out. I ripped open his shirt collar, loosened his belt while the others broke open oranges and forced orange juice down his throat."

In spite of Langer's vigorous campaigning, the bond transactions, the AC purge, Nye and Lemke's violent opposition and the voting strength of John Moses, were too much for him. Senator Nye polled 131,907 votes and Langer 112,007.

After the election, Lemke breathed easier. Langer's political career was at an end, he thought. Langer was finished! Finally! Completely! Irrevocably!

Langer's post-election statement at that time is significant. "The most important issue in this campaign was the old age assistance act. The overwhelming support of this act is far more important than my election to the United States senate," he said.

When the 1939 legislature was in session, Langer never let them forget that measure. He kept up an insistent demand that the legislature appropriate money for the pensions. He kept reminding the legislators and Governor Moses that the measure had carried in every county, that over 150,000 people had voted for it. When the legislature refused to appropriate the money, they gave Langer another issue.

With never-let-the-people-forget-you strategy, Langer circulated petitions to finance the pension act. The first measure provided for a transactions tax, the second would prohibit highway construction for a time and shift the money to pay pensions, and the third would establish municipal liquor stores, with the income going to pay pensions. Langer campaigned tirelessly for the three measures. Governor Moses and tax groups worked just as hard to defeat them. At the special election held July 11, 1939, all three measures went down to defeat, but Langer had kept his name before the public in an off-election year and had endeared himself to another bloc of voters, the soon to be called Senior Citizens.

Now it was 1940, the year of decision.

Again the first faction to hold its endorsing convention was the Nonpartisan League, with Langer solidly in control. One of the first proposals was a motion to allow candidates to withdraw. The fact the motion was made by Frank Vogel was evidence it had implications for Langer. When Langer's name was proposed for the senate endorsement, Langer asked to withdraw and in turn nominated Usher Burdick. The convention ignored Langer's request, and proceeded to vote. The outcome was Langer 67 votes, Burdick 41, and Frazier 24. Langer insisted he had withdrawn and therefore the vote didn't count. It was now noon, and after the noon recess, Langer addressed the convention. He said he wouldn't accept the endorsement until the convention had voted again. This time the vote was Langer 91 votes, Burdick 35, Frazier 7 and Lemke 1.

Langer had played the role of the reluctant candidate to perfection. There could be no question that the Nonpartisan League in open convention had drafted him to run against Lynn J. Frazier.

After the Nonpartisan League convention, Langer sat back and watched the political scrambling of the Progressive Republicans, mostly League rumpers, and the Regular Republicans trying to get together on a candidate to oppose him.

Senator Frazier and Congressman Lemke remained in Washington. Neither one had sent as much as a message to the Nonpartisan League convention. There were efforts by the Progressive Republicans to get Lemke to run for governor so they could endorse Frazier for the senate. Both Lemke and Frazier were contacted, but when no definite word came from either official, most of the Progressive Republicans left their own convention in disgust and went to the Regular Republican convention.

There was enough Frazier strength in the Regular Republican convention to attempt an endorsement for Frazier, but when the senator refused to pledge support for the entire Republican ticket, the endorsement went

to Thomas Whelan, a potato grower who had attracted attention with the slogan, "To Hell with Hitler," printed on his potato sacks.

Now it was Senator Frazier who found himself without endorsement from any faction, but his supporters filed for him. It was a quiet primary campaign. The news about the war in Europe occupied the headlines and the front pages of the papers, and the state's politics and politicians failed to engender much enthusiasm or interest.

Thomas Whelan, as might be expected of a member of the American Legion, campaigned for national defense and preparedness. Senator Frazier, who stayed in Washington too long, was on the defensive most of the campaign because of his negative votes on national defense issues. It was no time to be against preparedness.

Bill Langer was hospitalized May 9, and the reports were that he had been in an automobile accident. Langer, Mrs. Kolstad, the president of the North Dakota Nonpartisan League Women, and the driver, Andrew Feist, were in an automobile that overturned on the way to a meeting. Mrs. Kolstad was injured critically and died as a result. Feist suffered a broken collar bone, but Langer was not injured, the *Leader* reported.

Langer seems to have led a charmed life when it came to accidents. He had survived a serious accident in his first campaign for states attorney in 1914. Now he was the only one to come out of the 1940 accident without injuries. In 1950 Langer was to have another brush with death. That year Langer had asked Frank Kosanda, a pilot, to fly him to a meeting in Golden Valley, a community northwest of Bismarck. It was a late evening meeting, and the flight back to Bismarck began at 1 a.m. Flying at 6,000 feet, the plane's engine stopped, and they were out of fuel. Providentially, there was a full moon, and Kosanda landed in a stubble field without damage to the plane. As they were making their descent, Langer had asked, "Do you expect to get hurt?" The next day Langer needed help from a masseur to relax his muscles. Kosanda's autographed picture of Langer has this message: "With pleasant memories of an unforgettable airplane ride."

While accidents never seemed to immobilize Langer, he was not so fortunate when it came to illnesses. On May 8, 1940, he was hospitalized for chronic cholelithiasis with diabetes mellitus. Langer wasn't released from the hospital until June 21, a few days before the primary. Not wanting to make a martyr out of the hospitalized Langer, his opponents refrained from attacking him during the primary campaign. Langer was immobile, but with the help of his supporters, he kept letters, cards, posters, and publicity material flowing in great quantities from his hospital room. It was tremendously effective. Didn't a Kennedy years later wire his brother, "Go back to bed, the campaign isn't over."

Langer opened his campaign with a statewide radio hook-up originated from his hospital room on June 12. He recognized the public concern about military preparedness and, in a way, pledged to support it not only for our country but for the entire western hemisphere. In a second

broadcast from the hospital on June 19 he pledged, "I will never vote to send our boys to Europe . . . I believe in and I will fight for an adequate army, navy and air force."

Just before the primary, his campaign team sent out thousands of post cards that read, "When a farmer is sick for a long time, his neighbors get together and put in his crop. Let's put in the crop for Bill." On June 25 those followers "put the crop in for him." Langer defeated Lynn Frazier and Thomas Whelan. Charles Vogel eliminated E. A. Johansson in the Democratic primary.

Following the primary, the newly-elected precinct committeemen of both parties met as required by law to elect the county officers and state central committeemen. The state central committee then met to choose its state officers. The law also provided that candidates nominated in the primary were eligible to participate, and Langer was at the Republican state meeting with full voting rights. The Nonpartisan League, since it came into power in 1916, had elected the Republican party's state chairman. Langer gave away that chairmanship and surprised everyone by coming out for Thomas Whelan. The reason was obvious. Langer knew his enemies would run someone in the Independent column; it was just a question of who. Langer knew it couldn't be Frazier because after his own victory as Independent in 1936, the IVA legislators had enacted laws which made it impossible for a candidate defeated in the primary to be a candidate for the same office in the general election. That eliminated Frazier.

Langer may even have suspected the candidate would be his arch enemy, Bill Lemke. Whomever it would be, Langer would need all possible help to keep voters in the Republican column. The state chairman would be obligated to support the ticket, but it would be all the more helpful if the man who held that office were beholden to Langer for his election. Rumors were that Langer and Whelan had an agreement that in exchange for support of Whelan for the chairmanship, Langer would share in control of patronage. Deal or no deal, Thomas Whelan was named Republican state chairman that year.

True to Langer's expectations, his enemies began looking for a candidate to oppose him. The strongest candidate was Bill Lemke, but he had already been nominated for congress and was certain of election. Yet for Lemke here was an opportunity to get the senatorship, a post he felt he should have had when Nye had been appointed. And Lemke was confident he could win because his voting strength had exceeded Langer's in the past. Lemke and Langer had each run for various state offices fourteen times. In his fourteen contests Lemke had won twelve times with an average of 98,490 votes. Langer had won nine of his fourteen contests with an average of 84,052 votes. On paper Lemke couldn't lose, so he yielded to the pressure and filed for the senate in the Independent column.

Bill Langer and Bill Lemke had been in opposite camps in many an

election, but this was the first time the old enemies had opposed each other for the same office. The state prepared for the battle of the giants.

Charles Vogel was the Democratic party's 1940 candidate for the senate. Back in the winter of 1931-1932 while driving home from Bismarck, Charles Vogel was stalled in a snowdrift. A long, black car stopped, a tall man got out to see if help was needed and introduced himself as Bill Langer. That was the first meeting between the two men who, eight years later, were opponents in an election for the United States senate.

Vogel put on an aggressive campaign, so much so that Lemke accused Langer of having gone to Washington to make a deal with the Democratic national committee to have Vogel do just that. Vogel denied the story then and later and criticized both Langer and Lemke during the 1940 campaign, accusing both of making it a campaign of personalities instead of issues. Vogel supported the New Deal and pledged he would never vote to send American men to fight on foreign soil.

Lemke and Langer had buried the hatchet of their feud in 1932 and then had exhumed their weapons in the senatorial slugfest of 1938. In the fall campaign of 1940, Langer was astute enough to keep his political weaponry concealed. But Lemke came out swinging, and Lemke was never at his best when emotionally aroused. Blackorby reported a speech where a heckler had aroused Lemke. Lemke lashed out at the heckler "You snipe, you rattlesnake, you rat. Come up here, you snipe, come up here you rattlesnake," the candidate was quoted.

Lemke made defeat of "Langerism" his main issue. He defended his own record in congress as always having voted for the farmer, for the laborer, for the state of North Dakota and for the nation. Yet he always came back to attacks on Langer, and accused Vogel of entering the race not to win but to get an appointment after the election. Lemke's supporters were worried as they saw his campaign taking on an abusive, mud-slinging tinge.

Langer, as expected, received enthusiastic support from Whelan, who introduced Langer at rallies and helped him pick up votes in the northeastern part of the state.

William Stern, North Dakota's Republican national committeeman at that time stayed out of the state race. Or did he? Stern said his only concern was to have the party's presidential ticket of Wendell Willkie and Charles McNary carry North Dakota and urged the voters to vote Republican. It didn't take a master politician to realize this would fit with the kind of campaign Langer would wage, since Langer depended on keeping voters in the Republican column.

For the voters of North Dakota, the 1940 campaign revealed a Langer they had never seen before and would never see again. Gone was the maverick. In 1938 Langer had berated both the Republican and Democratic parties. In 1940 Langer was an honest-to-goodness, cross-heart Republican. Businessmen no longer saw the wild, flamboyant,

rabble-rousing Langer in a rumpled suit. As the Minot Daily News described him, "In 1940 Langer had the appearance of an affable businessman making his calls from town to town." Langer was wooing the conservative businessmen who had given him the nickname "Wild Bill."

Langer made a special point of calling on editors of weekly newspapers. He reminded them it was he who had fought the printing commission bill and the attempt of some Nonpartisan League leaders to control the press of the state. His approach charmed more than one editor. H. J. Goddard reported in the Dickey County Leader of the "pleasant half hour conversation with Langer with his feet on my desk." After Langer's visits, the editors usually wrote articles describing friendly chats with the relaxed, jovial, courteous and confident candidate.

It was during this campaign that Red Myers met Langer at the airport in Fargo to take Langer to a meeting in Mayville.

"Langer stepped off the plane a picture of expensive elegance", said Myers. "He was wearing a suit that even in those days must have cost three or four hundred dollars. He told me he had just talked to a banker's convention. Before we left for Mayville, Bill wanted to go to the bus depot. He took his suit case into the wash room, and he was gone so long, I was worried. When he came out he was wearing a wrinkled suit coat, baggy trousers, scuffed shoes and his famous, battered, perspiration-stained campaign hat."

Langer didn't forget his farmers, but he knew he would need more than his faithful 80,000 farmer friends. On election day the faithful 80,000 were there, plus 20,647 other voters. Langer won with 100,647 votes.

His rise had been a grueling, often a frustrating, ordeal, but the 1920 prediction of the Columbia University class prophet was finally achieved in 1940 and William Langer was a United States senator.

On January 3, 1941, Senator-elect William Langer stepped forward with Senators LaFollette, Maloney, and McFarland to take the oath of office in the nation's capitol. The ceremony was interrupted by Senator Alben Barkley, majority floor leader, who announced that a petition had been filed with the secretary of the senate by a group of North Dakota citizens protesting the seating of William Langer.

After a brief discussion and at the recommendation of Barkley, Langer was seated "without prejudice," subject to a parliamentary ruling that only a majority vote of the senate would be needed to pass on the question of Langer's right to the seat.

The petitions were referred to the Committee on Privileges and Elections, chaired by Senator Tom Connally. There were sixteen members on the committee, including Gerald Nye of North Dakota and Hiram Johnson of California. Nye asked to be excused since he came from Langer's home state; and Johnson also asked to be excused because Langer had been one of his supporters when he had tried for the presidency.

The committee went into session January 9. They found the petitions protesting William Langer's seating were signed by eight North Dakota citizens. C. R. Verry, secretary for the petitioners, in an accompanying letter, pointed out that all the petitioners were Republicans, that all were citizens of North Dakota, that one signer was a state senator, and that three of the petitioners were former members of the legislature. The letter further called attention to the fact that William Langer became the Republican nominee to the senate in a three-sided race, receiving only thirty-five percent of the vote, and again in the general election had won in a three-sided race, this time receiving about thirty-eight percent of the vote. It noted further that for twenty years Langer had been the center of political turmoil in the state, had twice held the office of governor and once was compelled to surrender his office after being convicted of a felony in federal court. The petition listed ten charges.

The senate committee assigned a subcommittee to study the charges and report back. On May 23, 1941, the subcommittee recommended that the petitioners should be asked to submit more detailed and chronological testimony in support of their charges, and that investigators should be sent into North Dakota. Two investigators, Elbert Smith and Sam Hood, spent three months in North Dakota. Their report submitted to the full committee comprised a book of exhibits and 4,194 pages in ten volumes of evidence.

While all this had been going on, Bill Langer was far from idle. He was enjoying all the prerogatives of a senator. On January 6 he cast his first vote in the routine of choosing the president pro-tem of the senate. During 1941 and 1942, while his political fate was being decided, Langer introduced forty-four bills and resolutions. He also was busy on the home front. Believing that a good offense is the best defense, on May 24, 1941, Langer sent an open letter to his constituents in North Dakota, reporting:

*"During my public life, my political enemies have charged me time after time with crookedness, dishonesty and corruption. Although the United States government spent many thousands of dollars, and my political enemies many thousands more, bringing some twenty-odd civil and criminal cases against me, the courts and juries have invariably established my innocence in every criminal case. The Senate has designated two investigators to re-investigate me. I hereby ask anyone claiming to have evidence involving me in crookedness or dishonesty that such evidence he presented to the two United States Senate investigators. The press will announce the places where testimony will be taken."*

On November 3 the full senate committee began considering the charges against Langer. The charges covered the whole span of his political career, as states attorney, as attorney general, as governor, and his twelve years of private practice. The committee began holding hearings, and witnesses appeared from North Dakota both for and against Langer. Langer was a ready and willing witness. He presented his



testimony in a confident manner that at times bordered on arrogance. This must have irritated the august senators who were sitting as judges holding his political fate in their hands. After the last witnesses had been heard, the committee went into closed sessions on November 18. On January 29, 1942, Senator Theodore Green, who had succeeded Tom Connally as chairman, presented the committee's majority report to the senate. A minority report was submitted March 5.

On March 9, the senate took up general debate, a debate which was to last through March 27. Senator Scott Lucas, in charge of the majority's position, presented eleven charges which the majority believed constituted moral turpitude.

#### 1. THE EMMA OSTER CASE

Jacob Oster murdered John Peterson in the spring of 1930; Emma Oster was the only witness. Oster was held without bail in Hazelton, North Dakota, during which time the county states attorney obtained a divorce for Emma, enabling her to testify against her former husband. As Oster's lawyer, Langer persuaded his friend, the sheriff, to deputize him and release the prisoner in his custody. Langer took Emma and Jacob Oster and two witnesses to McIntosh, South Dakota, where they were remarried, thus preventing her from testifying against her husband. Langer promised he would get her a divorce free of charge after the trial.

Senator Lucas admitted the state's attorney possibly arranged the divorce so that Emma could testify against her former husband, but he could not condone Langer's setting up the remarriage, because two wrongs do not make a right.

Senator Ellender commented that Langer was just returning the case to the situation as it was before Mrs. Oster's divorce, and that if Langer wanted to do wrong, he could have let Jacob escape while in South Dakota.

Senator Lucas said he did not care about the facts leading up to Langer's act; he was concerned only with the point involving moral turpitude.

#### 2. BREAKING DOWN THE DOORS OF A JAIL

Langer was employed to defend four Indians from Fort Yates charged with murder. The sheriff agreed to let Langer talk to the Indians when he arrived. Because of bad roads and weather, Langer did not get there until about three o'clock in the morning. The janitor would not allow Langer to enter. Langer got the keys after breaking down the jail doors and breaking into the sheriff's desk. Because of this episode, Langer ended up in court. The case ultimately reached the Supreme Court of the state and was dismissed.

When Senator Wiley asked Langer if there had been any proceedings to disbar him, Langer answered, "Not quite. It went to the supreme court.

The judge in the district court took very violent offense in the matter and the sheriff complained that I had broken down his door and had been destructive of public property."

Senator Wheeler wanted to know why the senate should refuse Langer a seat because of this case, when the state supreme court dismissed the case and the North Dakota Bar Association did not disbar him because of his activities.

Senator Lucas said he probably wouldn't have brought up this case if Langer had not stood before the committee and elaborated on it, and took much delight in doing so.

### 3. STEALING A DRUG STORE

While Langer was states attorney of Morton county in 1914, he arrested Mr. and Mrs. John Hamre, proprietors of a drugstore in Shields, North Dakota, on a charge of selling liquor in back of their store. After arresting them, he closed and locked the drugstore. He failed to secure the necessary legal papers giving him this authority. The Hamre's sued Langer for \$20,000 for stealing the drugstore by locking up the place.

Senator Wheeler inquired how Langer managed in court. Senator Lucas replied, "He won the case, of course. He wins them all. It is not possible to beat him in North Dakota."

Senator Wheeler defended Langer by stating he knew conditions in small towns near Indian reservations, and that he would have acted without taking time for a warrant, since it is hard for a sheriff or a district attorney to catch bootleggers out there.

### 4. INCITING A RIOT IN MINOT, NORTH DAKOTA, AND SEIZING TELEPHONE LINES

In 1917 Langer hired some fifty detectives to assist in making prohibition raids in Minot. Langer and his men gathered evidence under cover for three weeks. After several fake raids, the real one took place, resulting in 156 arrests and 153 convictions. As a result of this raid Langer was arrested for inciting a riot.

Included in this charge was Langer's act of preventing the telephone office from operating in Minot. He did this by holding the telephone officials at gunpoint to prevent members of the gang from tipping others about the riad.

Langer was subsequently tried and acquitted of charges.

Langer testified before the committee at some length about this case. "Well, of course I was in that raid, and it was necessary to stop that telephone. I myself went up with three men with guns and took possession of the local telephone booth, and while we were in there, the lawyer for the telephone company, Mr. A. J. Palda, came in with a gun and tried to throw us out. Well, it was 54 minutes from the time we took the telephone

before they got in, and by that time the raid was over, and we surrendered it to them.”

Senator Hughes thought this proved that the town was not peaceful, but rough indeed. Senator Wheeler understood why Langer had acted as he did. Some of the towns in the West were controlled by a rough element in those days. Tough measures had to be taken to clean them out. Senator Chandler thought there was no excuse for conducting a raid in such a manner then or in the present.

#### 5. NATIONAL GUARD CALLED OUT AND MARTIAL LAW DECLARED IN DEFIANCE OF FEDERAL AND STATE COURTS

After Langer had been convicted of extracting campaign money from federal employees in 1934, Ole Olson, the lieutenant governor, petitioned the Supreme Court to remove Langer from the governor's chair, which he refused to vacate. The court reached its decision on July 17, but did not file the ouster order until the following day. On the same day the court reached its decision, Langer and ten of his friends met and signed a self-styled “declaration of independence” for North Dakota. Langer then declared martial law to keep the peace.

When Langer was asked in the committee if there had been any mob violence in Bismarck and if there were any disorders, Langer answered, “There was not. There was no mob action in Bismarck. I might add just as soon as that declaration was signed, I went down there and I was in the balcony. There wasn't any mob there.”

When he was asked about his intention, if it was to prevent the service of the ouster papers upon him, Langer answered, “Well, I do not know that I had any particular thought of that at that time.”

When he was asked to explain the unprecedented “declaration of independence”, he said, “It meant when I was ousted as governor and when the conviction was reversed, there was a nucleus for going out and putting up one great big fight to be re-elected governor of North Dakota . . . I got there two and a half years later.”

Senator Lucas felt that Langer's decision was one of the most important documents in the case and that it was a perfect example of moral turpitude and disrespect of law and order.

#### 6. RESPONDENT'S SECOND CONSPIRACY TRIAL PAYMENT OF MONEY TO CHET LEEDHOM AND JAMES MULLOY IN CONNECTION WITH THE CONSPIRACY TRIALS

Langer wanted someone to watch the marshal's and clerk's office to see that no one tampered with the jury. He felt it would have to be someone the judge trusted in case a complaint was made. James Mulloy, Langer's close friend, knew a man in South Dakota named

Chet Leedhom, whom Judge Wyman trusted. Mulloy went to South Dakota and brought Leedhom back. Leedhom was in the state one week before the trial and three weeks while the trial was in session.

This charge covered pages of written and oral testimony, including Langer's detailed account:

"I wanted someone who would be watching the marshal's office and the clerk of court's office and that if he saw someone tampering with the jury or going in with the jury, it would have to be someone in whom the judge had confidence. It couldn't be any Tom, Dick or Harry, or any ordinary detective."

When Langer was asked if he didn't think there was impropriety in making that kind of an arrangement, he replied:

"No, I don't think there was any impropriety in it and I would do it again tomorrow. It is something any defendant has a right to do to protect himself. That first jury had been tampered with. Usher Burdick warned me of influence in the first trial; he knew of people going in to the jury room. He told me that if the next trial comes on, I should be sure to have somebody who would be watching that clerk of court and that marshal's office. I might add that we caught them trying to monkey with that jury and Mr. Murphy went before Judge Wyman and made the proper objection and Judge Wyman stopped it."

Senators Lucas and Chandler had never heard of such a thing as hiring anyone to watch a jury and a judge. Not only that, but they contended that \$1,700 to \$1,800 which Langer was alleged to have paid Leedhom was a great deal of money for a few days' work.

Senator Wheeler said he had prosecuted cases in Montana where they had not only one but several government detectives to see that no one got to the jurors. He thought the government did this in every important case it tried and that it was the practice in every American city.

Senator Murdock went on record by saying, "As for a charge of moral turpitude, Langer's actions were prompted by an excess of zeal or apprehension. Is there a senator here today who would not have been apprehensive of a retrial in view of the fact that there was evidence that jury had been tampered with in the first trial . . . The evidence shows that the deputy clerk of court was sentenced to a long term in the federal penitentiary thereafter for the theft of a large sum of court funds, and the deputy marshal was dismissed at the instance of the Department of Justice for irregularities in his accounts. We cannot therefore conclude that the complaint of Mr. Langer that the jury was in the hands of bad characters was groundless."

## 7. EMPLOYMENT OF GALE WYMAN, JUDGE WYMAN'S SON

When Mulloy went to Deadwood, South Dakota, to see Chet Leedhom, it was suggested they employ Gale Wyman to help Langer. Mulloy felt that Langer's approval was needed. Gale Wyman came

to Bismarck to talk to Langer. After the perjury trial, Langer, Mulloy and Gale Wyman met in Langer's office where Wyman received a \$275 check for the balance of his payment. A previous payment had been made in the Grand Pacific Hotel in Deadwood, South Dakota.

In questioning Langer about this transaction at the committee hearing, Senator Wiley asked Langer when he had become cognizant about the fact that Wyman's son had been brought into the case, why he had paid him. Langer answered, "I knew nothing about Gale Wyman's having been brought into the case, and I wanted to get him out of town. I paid him because I owed it to him because Mulloy had made him a promise in South Dakota. I couldn't antagonize the judge's son. He was trying me in court at the time. If he had asked for \$1,000 I would have paid it."

Senator Lucas insisted the payment to Gale Wyman was to influence the judge.

Senator Wheeler said the record showed that Langer did not know that Mulloy had employed Gale Wyman until he came to Langer's office.

Senator Murdock scored Mulloy when he asked, "Who should the senate believe, a Judas, a self-implicated criminal, a friend of Langer's; or Bill Langer, who has held the office of attorney general, governor and now senator?"

The North Dakota press gave detailed reports of the senate debates and on March 31, 1942, the *Grand Forks Herald* wrote, "Several Senators had voted for Langer because of the contempt they held for one of the petitioner's main witnesses, James Mulloy. Before the hearings, Mulloy had confessed to several unlawful acts. His character was so reprehensible that the examiners held their noses while listening to him. Most did not believe him without corroboration even while under oath. Many Senators reported that they wanted to wash their hands of a case connected with such a character."

#### 8. WAS ERNIE REICH, A JUROR IN RESPONDENT'S CASE #2, FIXED?

The jury in the second conspiracy trial against William Langer, Vogel and others, was dismissed because they could not reach an agreement. Ernie Reich and one other juror held out for a verdict of not guilty. Reich, who lived in Casselton, North Dakota, birthplace of Governor Langer, said that before the trial a number of people had talked to him about the case, but there was no evidence of bribery. Mulloy testified that George Schonberger, who lived in Casselton and was employed by Langer, had discussed the trial with Reich. Schonberger told Mulloy that Reich was "reliable." However, both Schonberger and Reich later denied Mulloy's statement.

The majority noted the "lavish" gifts Vogel presented Reich after the trial . . . gifts which tended to arouse suspicion of wrongdoing. It seemed that following the trial Reich borrowed \$150 from Vogel and

\$10 from Langer with no evidence of repayment. Also, during Langer's 1937 administration, Reich received a contract amounting to \$1,036.28 to furnish oil and grease to the state. In addition, Fred Ingstad of Fargo, who was a representative of the Huber Manufacturing Company, testified that Reich received \$950 of Ingstad's commission from sales to the State Highway Department. Ingstad said that Vogel did this as Manager of the State Bank of North Dakota in August, 1937.

The majority in its summary of this case agreed that what Senator Lucas called "rewards" had come after the trial. The majority concluded in its report, "There is no evidence, however, which indicates that any direct attempt was made to bribe him before he was accepted."

Lucas said he thought the juror who held out in the conspiracy trial was pretty well rewarded.

Senator Ellender noticed the evidence showed only one direct connection between Langer and Ernie Reich, namely the \$10 loan. He could not see any wrong in Reich getting a contract from the State of North Dakota.

#### 9. LANGER'S SALE OF MEXICAN LAND STOCK TO THOMAS SULLIVAN, SPECIAL ATTORNEY FOR THE GREAT NORTHERN RAILWAY COMPANY

In May 1938, in his Chicago office, Sullivan paid \$25,000 for 500 shares of Langer's Mexican land stock. Sullivan made the last payment on the stock to Langer just 15 days before the Board of Equalization reduced the valuation of the Great Northern Railroad a little over \$3,000,000 from the 1937 figure.

Senator Frazier, who held considerable amount of the same stock, testified before the committee that the stock was practically worthless. To this, Senator Murdock brought out the fact that Lemke had filed a claim with the Mexican government for \$900,000 and later for another \$302,000, which would indicate the land was considered worth more than a million dollars.

Senator Lucas regarded it as questionable for a state governor to have dealings with an attorney for a railroad company.

Senator Wheeler brought out the fact that in 1938 many of the railroads experienced low income and many states reduced their taxes.

Senator Murdock corroborated this, and indicated that all Class A railroads had decreased earnings in 1938 averaging 21.95 percent, while the decrease for the Great Northern Railroad was 25.26 percent. Murdock produced data to show that in 1935-1936 the Great Northern paid the state of North Dakota \$2,378,485 and in 1937-1938, when Langer was governor, the same railroad paid \$2,515,209 in taxes to North Dakota.

#### 10. GREGORY BRUNK AND V. W. BREWER MADE ALMOST \$300,000 in GROSS PROFITS ON NORTH DAKOTA BONDS IN 1937 AND 1938

V. W. Brewer and Gregory Brunk enjoyed a monopoly on buying county bonds in North Dakota in 1937 and 1938. This was during Langer's administration and made almost \$300,000 in gross profits. They would buy or arrange to buy bonds from counties in desperate need of money at below par. Then Brewer and Brunk would sell the bonds at par or close to par to the Bank of North Dakota which in some cases had previously refused to deal with the counties. Under North Dakota law, county bonds could have been purchased directly by the Bank of North Dakota or one of the state's other industries.

Senator Chandler charged that Governor Langer permitted only these two bond salesmen to operate in the state. Senator Murdock challenged this testimony by reporting that other bond salesmen had also made profits from county bonds in the state.

Senator Lucas insisted that the point to remember was that the sales were made when Langer was governor and that he could have stopped them.

Senator Connally reported that the Moses administration had recently bought \$100,000 worth of bonds through Brewer, the person Moses had denounced in his campaign. Senator Murdock added that Moses campaigned on a promise to clear up the situation, but in 1942, Frank Vogel was still Manager of the Bank of North Dakota.

#### 11. LANGER'S SALE OF LAND TO GREGORY BRUNK

During 1937 Gregory Brunk, in the name of the Des Moines Realty Company, bought 5,600 acres of North Dakota land from Governor Langer for \$56,800, sight unseen. Investigators later appraised 3,990 acres of the property and supposedly found it to have an equitable value of \$5,718.46.

The majority labeled this deal between Langer and Brunk as a "cover-up" whereby Brewer and Brunk paid thousands of dollars in order to get in with the right people in North Dakota, thus enabling them to buy and sell bonds at huge profits. Senator Murdock agreed that Brunk did not act rationally in buying Langer's land in North Dakota, but Murdock didn't feel that it was a dishonest transaction.

This completed the majority's discussion of the eleven cases alleged to involve moral turpitude.

The petitioners had included two other charges and affidavits in their first petition, but they later withdrew the charges. One case involved alleged illegal absent voters ballots in the 1936 election, and the second case related to the alleged deal between Langer and Whelan after the primary 1940.

On March 16 Senator Murdock took over the senate debate. A number of cases involving Langer's private practice that had been investigated

and made a part of the investigator's report, were challenged in the written report of the minority but were not discussed on the senate floor. These cases were referred to as the Geis case, the Wruck case, the Hornung case, and the Clara Knight case. Seven of the charges were discussed by the minority.

#### 1. THE TAKING OF \$2,000 FROM MRS. FRED JOHNSON IN WHAT WAS KNOWN AS THE JOHNSON MURDER CASE

A boy by the name of Floyd Johnson, while under the influence of drugs, liquor or both, committed a murder in Minot, North Dakota, pleaded guilty to the charge and was sent to the State penitentiary for life. Some time afterwards the father, Fred Johnson, died, leaving the widow a \$5,000 life insurance policy. Mr. Langer engaged a meeting with the widow, Mrs. Fred Johnson, and at such meeting assured her that he could obtain the release of her son from prison by the payment of \$2,000 to him. This money was paid over to Mr. Langer. Mr. Langer knew, as every attorney in the state well knew, that he or any other attorney could not secure the release of Floyd Johnson until he had served fifty percent of his life expectancy. By the statements of Mrs. Johnson and her son Floyd, Mr. Langer had never done one thing for the release of her son, and some ten or more years had passed. An affidavit signed by D. D. Verry and C. R. Riley of Minot accompanied the charge.

The minority submitted testimony to the effect that this was a fee paid to Mr. Langer four years before he became governor, that the attempt to secure a pardon was a matter of record in the state of North Dakota, and that Mrs. Johnson's suit was settled and dismissed when Mrs. Johnson's son persuaded his mother to withdraw the suit.

Senator Murdock took occasion to call attention to the fact that Verry, who signed the affidavit and who was secretary for the petitioners, had received the only rebuke of its kind by the North Dakota supreme court. In a civil case involving Verry, the court added this statement to its decision, "Furthermore, the court does not give credit to the testimony of Verry and his wife."

#### 2. CONVICTION OF CONSPIRACY IN FEDERAL COURT

William Langer was prosecuted by the Federal government on a charge of conspiring to defraud the United States government by taking commissions or "kick-ins" of part of the salaries paid to employees who were paid in whole or in part by the Federal government. On this charge, he was convicted, fined and ordered to serve a term in the Federal penitentiary. An appeal was taken and the case ordered back for a new trial on purely technical grounds. The second trial resulted in a disagreement, but we understand the jury stood ten to two for conviction. The third trial resulted in a directed verdict by the trial judge. Members of the jury were reported to have



stated had the case actually been submitted to them, a verdict of guilty would have been returned. The admissions of Mr. Langer on cross examination, in the first trial, were sufficient to justify a verdict, and we invite the attention of this committee particularly to the transcript of this case. Charges of irregularities in the last two trials should be investigated by your committee as they go to the very foundations of our government. We refer you to the files of this case in the office of the Department of Justice in Washington, D.C.

This charge received strong criticism and condemnation by the minority. They called the petition's specifications misleading, garbled and inaccurate, that the first conspiracy case was remanded for re-trial because of insufficiency of evidence and not because of a technicality, that there was no directed verdict in the third conspiracy trial but that a verdict of not guilty was brought in by a jury after the judge had refused a motion for a directed verdict, and that there had not been a word of testimony offered in the entire hearing to show that two jurors had been bribed in the second conspiracy trail.

### 3. ALLEGED PERJURY IN AUTOMOBILE ACCIDENT

On February 28, 1940, Langer was involved in a fatal automobile accident. While being driven by his chauffeur, and accompanied by Mrs. Kolstad, a woman who was president of the Nonpartisan League Women, on their way to a meeting the car overturned. The driver was only slightly hurt, but the woman died some time later as a result of the injuries received in the accident. Before the woman died, the chauffeur, an ex-convict, who listed rum-running among his prior occupations, explained to Langer's insurance company that the mishap occurred because of a broken steering rod. When the chauffeur testified before the Senate Committee he swore that Langer had induced him to change his story because if gross negligence as represented by mechanical failure were proved against Langer, as the host in the death car, the latter might have to pay an amount in excess of his insurance policy.

The majority believed the chauffeur in every particular. The minority preferred to believe Langer rather than the testimony of an ex-convict.

### 4. STATEMENTS MADE BY WILLIAM LANGER IN 1937 AS TO FEDERAL SEED AND FEED LOAN COLLECTORS

In the fall of 1937, Mr. Langer made the following statement from the public platform, and over KFJR broadcasting station, addressing his remarks to the farmers of North Dakota. "If the Federal seed and feed collectors come to your place, treat them as you would a chicken thief." In North Dakota we treat chicken thieves with shotguns, and, therefore, that must have been what Mr. Langer meant. We ask, is that proper advice to people of this state, or any state who have been helped financially in time of great need?

The minority commented the only evidence the petitioners presented was in the form of editorials from the Fargo Forum, and said the charges and specifications were obviously frivolous and had no business in any serious proceedings.

#### 5. THE WITHDRAWAL OF PUBLIC ROAD FUNDS BY THE BUREAU OF PUBLIC ROADS

During the term of William Langer, as Governor, the Bureau of Public Roads withdrew all Federal funds from North Dakota, because of the misuse, graft and squandering of the road funds.

The minority called attention to the fact that the only evidence for that charge were editorials from the *Fargo Forum*, a newspaper "viciously" opposed to Mr. Langer.

#### 6. DISMISSALS OF INSTRUCTORS IN THE NORTH DAKOTA AGRICULTURAL COLLEGE

Because some several instructors in the North Dakota Agricultural College would not bow their knees to the then Governor, William Langer, and members of the Board of Administration, and because they would not contribute a "kick-in" of part of their salaries each month to the William Langer political machine, they were summarily dismissed from their positions. Some of these instructors had been with the college many years and were receiving part of their salaries from the Federal government.

The minority commented that this charge was only supported by newspaper editorials from the *Fargo Forum* dated August 1st and August 3rd, 1937.

#### 7. DRESSER DRAWER EPISODE

On July 10, 1938, one L. F. Pfeifer and a Mr. Moo, who were inmates of the North Dakota State Penitentiary, and assigned to do work at the Governor's mansion, while the Governor and his family were away from home one day, discovered \$16,000 in 16 rolls of currency and 260 shares of Pond Extract, Ltd. preferred stock (valued at that day at under \$455,000) in the dresser drawer of Governor Langer's bedroom. While under the influence of liquor taken from the Governor's pantry, the one trustee took a \$1,000 roll of bills, hired a taxi to take him to Fargo where he was picked up and returned to the Penitentiary. He was not prosecuted by Mr. Langer for taking the money, the presumption being that Mr. Langer desired no publicity over this affair. The presumption also was that this cash and these securities represented "kick-ins" on state employees' salaries, "kick-backs" for the sale of jobs and on state contracts, which were common practices during the Langer administration.

The minority called attention to the fact that the statements came only from convicts who worked about the premises.

After all the specific charges had been discussed, Senator Lucas presented the summary and conclusions of the majority:

"This case is predicated on misconduct not as a private citizen, but as a public officer and as an attorney at law, an officer of the court, involving moral turpitude. The committee records its firm adherence to the oft-challenged but never weakened, principle that the senate has the right of stopping at the door any applicant . . . who has proved to have degraded himself by prior commission of crimes. As an official of the court, as an attorney general and as governor, the respondent has demonstrated a contemptuous and shameful disregard for the high concept of public duty. Your committee finds that the charges of moral turpitude have been proven beyond all reasonable doubt and recommends that the integrity of the United States senate be upheld by denying William Langer the right to be a United States senator."

The majority report was signed by 13 members of the committee. In addition to Senators Scott Lucas and Albert Chandler, who often spoke for the majority, Senators Theodore Green, Walter George, Carl Hatch, James Mead, Tom Steward, James Tunnell, Harley Kilgore, Warren Austin, Styles Bridges, Alexander Wiley and Hugh Butler comprised the majority.

Senator Murdock brought the minority report by himself and Senator Smith, saying:

"In a representative democracy, the lawfully expressed will of the people should always prevail . . . the judgment of the people of a state should only be reversed when there is the most clear and convincing proof that such step is needed. We do not believe that any such conclusion is justified at the present time. The petitioners have evidently adopted the view that if you say enough things about an individual and extend the period of time sufficiently long and use sufficiently abusive phraseology, those who will try the case will give up in exhaustion. To find Senator Langer guilty on the charges referred against him requires that we indulge in presumptive imagination, which we do not feel we are justified in and therefore refuse to do. We therefore recommend that the proceedings against Senator Langer be dismissed.

Senator Tom Connally added his own minority report, which said:

"I do not join in the minority report in all its details. In the main I agree with its conclusions. I am unable to find sufficient evidence in the records to justify the exclusion or expulsion from the senate of William Langer without indulging in the wildest inferences and presumptions. I oppose the unseating of Senator Langer on the record as made."

Bill Langer, according to the *Fargo Forum*, "continued his goodnatured ways. Several times when senators were in doubt about a date or page number, he would volunteer the information. He chewed his unlighted cigar and whispered with senators who were defending him."

After the majority and the minority had made their recommendations, there was lengthy discussion of the general aspects of the case. The

questions of moral turpitude and excess of zeal were often lost sight of. The questions became whether the senate had the right to exclude by majority vote any senator-elect other than for election irregularities, should the senate reverse the actions of a sovereign state in electing their own representatives, did the case come under expulsion or a question of seating, and what vote would be required in either case? The case finally boiled down to two points of view. The Langer champions, while denying that there had been anything but uninhibited behavior, argued that if Langer had been guilty of moral turpitude, he could only be removed by a two-thirds vote. Those advocating expulsion claimed that the senate had always had the inherent right to protect its integrity, and that a morally unfit person could be excluded from its membership by a simple majority vote.

Finally, on March 27, 1942, the majority presented the motion: Resolved that William Langer is not entitled to be a Senator from the State of North Dakota. The motion lost fifty-two to thirty, with 14 not voting. William Langer's right to his seat as a United States senator was affirmed.

Harry Truman, who later became Langer's friend as well as President, was one of the senators who had voted to keep Langer out of the senate.

Senator Nye did not vote on the resolution. William Lemke thought that if Nye had thrown his full weight against Langer, Langer might not have been seated. Nye reminded Lemke that since he (Nye) was from Langer's state, he was bound by custom and propriety to appear neutral. Lemke was not the kind of person who could conceal his emotions and convictions. It was during this period that he voiced his harshest criticism of Langer. "Mr. Langer is not only dishonest, but insane as well," he once said. "Yet he is shrewd and cunning, but he does not know right from wrong. If there ever was a Dr. Jekyll and Mr. Hyde, there is one."

As late as December of 1941, Lemke still had hopes of reaching the United States senate. On December 23 of that year he wrote to Governor Moses and asked to be appointed United States senator after the expected ouster of Langer. He reminded Governor Moses of how he had opposed the corrupt Langer machine for years and how he had sacrificed a sure house seat to run against Langer in an attempt to prevent him from reaching the senate. The seating of Langer was a crushing blow to Lemke.

The verdict was in after one year, two months and twenty-four days. This was the second time Lydia Langer and the four Langer daughters had had to wait a year for a verdict. Politics has its price for the families of politicians.

## FAITHFUL 'ERRAND BOY,' INCONSISTENT ISOLATIONIST

Taking the oath of office in January of 1941 and finally winning approval for full membership in the world's most exclusive club, the United States Senate, in March of 1942, William Langer began a career that was to last two months short of nineteen years.

Back in 1933, when Langer had become governor of North Dakota, that state, like much of the nation, was suffering its worst economic depression. The people needed an ombudsman to watch for their interests, and Bill Langer fulfilled that need. When Langer was finally seated as a senator, World War II was on, and the people of North Dakota needed an "errand boy" for federal contacts. Bill Langer accepted that role and made a career of it.

For many people the wartime scarcities — difficulty or inability to get a car, refrigerator or a new stove — represented inconvenience. But for a farmer who needed a tractor, scarcity of machinery struck his means of livelihood. The authenticated accounts of the tractors, the combines and trucks that Langer secured for farmers; the farm boys who were released from the draft through Langer's efforts, and the errands Langer ran for individuals, government agencies, and service clubs could fill a book. A few of Langer's errands are related.

Oscar Oien of McLean county was a small farmer. His pick-up "truck" was one converted from an old 1925 car. When he applied for a certificate to buy a used vehicle, the county rationing board turned him down. He appealed to Senator Langer, and in two weeks he had a certificate allowing him to buy a new pick-up truck.

Monsignor Lauinger of Linton, serving a number of rural parishes, needed new tires for his car. The rationing board of Emmons county asked him if he didn't know there was a war on. Monsignor Lauinger knew there was a war, but he also knew men's souls needed ministering to in time of war, and he knew Bill Langer. He got his new tires.

The Cando Creamery needed a chicken picker, the mechanical, not the human kind. Without it they couldn't hope to meet the competition of a neighboring creamery that had been fortunate enough to get one of the labor-saving machines for its poultry operations. Someone suggested to

the Cando owners that they contact Langer. "That wouldn't do me any good," the manager commented. "Langer knows I am the biggest anti-Langer man in Cando." In desperation, he did finally contact the senator. On Monday of the following week the creamery manager had his order for the machine and the name of a dealer who could provide it.

A few years after the war, the small village of Lansford needed a fire engine. Officials heard of an army surplus fire truck at a depot in the Twin Cities, but no amount of letter writing or telephoning could get through to the right people. At a meeting of the village trustees, someone suggested contacting Senator Langer. "That . . .!" They finally contacted "that . . ." and in a few days they were notified that the engine would be waiting for them.

When the village officials got to the surplus depot, the army hadn't had time to do the necessary paper work and accept payment, so the officials took the engine without paying. While waiting for it to be turned over, the mayor of a suburb of Minneapolis introduced himself. "How in hell did you get this engine?" he wanted to know. "We have been trying for weeks to get it."

A Wahpeton, North Dakota, businessman, who was a highly vocal anti-Langer person, wanted to give his daughter an automobile for a wedding present. Swallowing his pride, he called Senator Langer and got the car in time for the wedding. "How could I vote against Langer after that?" this man asked later.

Bill Langer didn't restrict his errand running to North Dakota residents. Senator Estes Kefauver of Tennessee told the story of a woman coming to the Senate Office Building in Washington one day and asking the guard to see a senator who could give her some help. The guard said, "Lady, if you're in trouble, the man to see is Senator Langer."

Most people may have forgotten the highly publicized Finn twins case. Thomas Gaddis, who wrote the magazine story about the case back in 1959, began it thus:

"Charles and George Finn have been trying for nine years thinking they can buck whole blocs of federal officials and win, simply because they are right. Most of us are too smart for that. You can be tagged as a looney, like the Finns were. You can make the federal asylum. The Finns did. But thanks to United States Senator Langer and a police reporter for the Los Angeles Examiner . . ."

The Finn twins, former army pilots, wanted to buy a used Curtiss Commando plane and set themselves up in the air transport business. They studied the law and thought they had met all the requirements. But in nine years of dealing with a dishonest businessman with political connections, and dishonest, inept local, state, and federal officials, the twins landed in an insane asylum in Springfield, Missouri. A \$198,000 federal lawsuit was pending against them. The police reporter finally got to Langer and said, "It is the most disgraceful miscarriage of justice ever inflicted on an American citizen."

Bill Langer set off for Springfield, Missouri, and found the Finns in solitary confinement at the federal hospital because they had gone on a hunger strike. Langer effected their release. "They are as mentally sound as anyone I know," Langer declared in getting Private Law 600 through the eighty-fifth congress and signed by President Eisenhower. That law authorized the United States Court of Claims to hear and adjudicate the case of the Finn twins.

In 1949 the Montana Dakota Utilities company in North Dakota was running out of gas for its generating plant and succeeded in getting an option on a supply near Warren, Wyoming. The North Dakota Public Service commission had approved construction of a pipeline, but approval also was necessary from the Federal Power commission. Company officials were confident of getting that approval, when some Montana citizens woke up to implications of the project for their state. Before the company or the North Dakota commission realized what was happening, the word was out that the Federal Power commission was about to reverse itself and deny approval.

The option was soon to expire when Elmer Cart, North Dakota public service commissioner, got Langer on the telephone. In some highly salty language Langer told Cart he was not about to go to bat for a private utility company. Cart finally convinced Langer that many people of North Dakota would suffer if the pipeline were not approved. Langer said, "I get the picture. I'll raise hell."

The senator must have raised the right amount of hell, because the Federal Power commission promptly sent word of two hearings, one in Miles City, Montana, and one in Washington, D.C. After the hearings, the commission approved the 350-mile pipeline for the company.

From the most insignificant request to the most important and obvious, Langer seemed to be able to supply what was needed. As one writer put it, "If a farmer needs a wringer for his washer, Langer can get it for him, and he can also get the power line to supply the electricity to run the washer." How could Bill Langer, a maverick at that, get tractors, tires, automobiles, chicken pickers, and move federal agencies, federal officials, or private businesses in those years of war-induced scarcities?

For one thing, Langer was among the most feared men in Washington. No one, neither a cabinet member nor a department head, wanted to be the victim of the tongue lashing Bill Langer could deliver on the senate floor.

Added to the fear which bureaucrats had of him, Langer had a remarkable staff, efficient and relentless. For many years Irene Edwards was the head of that staff. Donnell Haugen, administrative assistant to Congressman Usher Burdick, recalled, "I once heard Irene Edwards work over some department head from whom Bill wanted something. It was a masterpiece, flattering, cajoling and threatening at the same time. She knew every bureaucratic nook and cranny in the federal government and where to put her finger to get what she wanted. She was really a wonder."

Nor was Langer ever too busy to lend a hand himself when necessary. He was an irresistible force, and for him there was no such thing as an immovable object.

During the Korean War, the M. and C. Company, a small manufacturing plant, had been trying every possible channel to get steel, without which they would be forced to suspend operations. Abner Moberg, one of the owners, asked Corman King of Valley City, who had friendly relations with Senator Langer, to accompany him to see the senator in Washington. After hearing their story, Langer tried every agency without success. His ire was up and he called one high government official an SOB and accused him of working for the big steel companies. It was then 7 P.M. and Langer began trying to contact Vice President Barkley. He finally located the vice president, and King recalled the conversation which followed: "Albin, this is Bill Langer. A couple of my boys from North Dakota need a few tons of steel, and your bureaucrats have turned me down. Yes, I know you are in a poker game, but, Albin, you call your boss and tell him we get steel or I will start an investigation of his whole goddamned war. I'll be waiting in my office, and if I don't hear from you in half an hour, the investigation is on." In fifteen minutes, according to King's recollection, Barkley called to tell Langer to meet with John R. Steelman, one of President Truman's top assistants, at the White House the next morning.

They were ushered into the Cabinet room, and while waiting for Steelman, Langer passed a note to King. "Ask for twice as much steel as you need," he advised. Steelman came in and told Langer he had been briefed by the President to do what he could for his friend Bill Langer. Langer related the details. King told how much steel was needed, and Steelman said, "Granted."

When the men came back to Langer's office, the senator threw his brief case in the air and said, "We won." Staff members stood up and cheered.

A few years later, after government controls had been lifted, North Dakota businessmen again complained to Senator Langer that they couldn't get steel. This time Langer called Benjamin Fairless, president of United States Steel Corporation. "This is Senator Bill Langer," he said. "I was visiting with you the other night at the cocktail party . . ." Langer never attended a cocktail party, but he knew that Fairless had been at one of the recent exclusive functions and gambled on the fact that Fairless could hardly be expected to remember all the senators he might have encountered. The result of the telephone conversation was that fourteen carloads of steel went out to North Dakota.

Langer made a political career out of running errands for constituents, yet found time to introduce 1,823 bills and resolutions. His critics said he introduced too many bills. More important than the number, however would be the kind of bills included in Langer's 1,823 total.

Coming from an agricultural state, Langer surprisingly introduced only 131 farm measures. When Langer first came to the senate, he



requested membership on the Agriculture committee. Senator Nye, with more seniority, was already a member of that committee, and also from North Dakota. Then, when Senator Young came to Washington, Langer yielded the agricultural assignment to Young. Young's presence on that committee may account for the fact that Langer introduced comparatively few farm measures, since he and Young usually saw eye to eye on most agricultural issues.

During Langer's last five years in the senate, most of the farm bills he introduced were co-sponsored. In 1957, when Langer introduced seven farm bills, three were co-sponsored with Senator Young, and in the other four he joined other senators.

Langer supported and worked for high, rigid price supports, limited imports of agricultural commodities, and for liberal farm credit. In 1943 he began a sixteen-year struggle to get the Agriculture Department to cancel certain feed and seed loans that had been contracted during the depression. Langer said repayment would cause undue hardship and pointed out that Canada and other countries had adopted such a course. Langer introduced nine separate bills for such cancellations, the last in 1959. He wrote to one North Dakota farmer, "The Agricultural Department has no conception of the problems of farmers."

Langer was as much of a gadfly while a senator as he had been when governor. When Langer was governor, Secretary of Agriculture Henry Wallace was his target. Later Secretary of Agriculture Ezra Taft Benson received Langer's caustic criticisms. Langer opposed Benson's flexible price support and soil bank programs, arguing that the soil bank was of little value to a family-size farm where it was hard to make a living utilizing all the acres. Langer tried four times just to limit soil bank payments to \$25,000 to any one individual.

Langer was a champion of rural electrification programs, and he believed both the rural electrification and rural telephone programs were best served by cooperatives. The private utilities had little love for Langer. He once told about a high telephone official who had testified against a rural telephone bill and threatened to go to North Dakota and do everything possible to defeat Langer. The cooperatives, on the other hand, appreciated Langer's efforts in their behalf. The rural electric co-op publication, called Langer "the greatest champion of rural electrification in Congress. Bill Langer broke the bottleneck and got rural electrification going in North Dakota," the magazine said.

While Langer introduced few farm bills, he offered 262 labor measures, in keeping with the pro-labor tradition of the Nonpartisan League. As a member of the Post Office and Civil Service committee, Langer learned to know and appreciate the problems of federal employees. He not only introduced bills to raise salaries, improve working conditions and improve retirement benefits, but also was able to get many of those bills enacted into law. Langer's role in one case has been covered in detail in the *Congressional Almanac* of 1949, which handled it as follows:

"Civil Service Pay Raise . . . S 1762. This bill passed the Senate. The measure was to have given pay raises averaging \$125 a year, costing 100 million dollars annually. However, an amendment adopted single-handedly added an extra \$38,900,000 before other Senators knew what was happening. Few Senators were on the floor when the Langer amendment was offered. It was in the evening toward the close of the session. Langer explained his amendment would benefit employees in the lower-pay-class classification. Senator Ferguson (R) asked what the cost would be. Langer said he hadn't figured it out. Senator Long (D), handling the bill on the floor, added that it would add one million dollars and the committee would have no objection.

"The President pro-tem called for a voice vote. When the "ayes" were called for, Langer's lone voice, loud and clear, was heard. When the "noes" were called for, there was dead silence. A few senators snickered and looked around for opposition, but no one spoke up. "The 'ayes' have it, and the amendment is adopted."

"Some time later, after the Senate had gone on to another bill, Long took the floor and explained he hadn't understood Langer's amendment, but promised to try to straighten out the matter when the bill was considered during the House-Senate conference on the bill. Langer was a conferee, and the final bill was a compromise at \$125,000,000."

Langer hadn't gotten his full \$38,900,000, but he had succeeded in adding \$25,000,000 annually in pay raises.

Postal employees became a matter of personal concern for Langer, and when he succeeded in getting the Langer-Chavez-Stevenson bill enacted into law, the postal employees considered it a major triumph. This was a bill that provided a new retirement formula for the employees, and for the first time provided retirement benefits for widows and dependents. It was a bill many senators and representatives had predicted never would pass. The postal employee publication wrote, "This bill will forever stand as a perpetual memorial to courageous Senator Langer." Twenty-one uniformed postal employees formed an honor guard at the senator's funeral.

As chairman of the Post Office and Civil Service committee, Langer succeeded in getting legislation passed which overhauled the post office department. In that struggle, he carried on a fierce battle with Postmaster General Donaldson. When Donaldson curtailed postal service, Langer introduced a resolution of condemnation and a bill which would have forced restoration of such service. Langer proposed a special "lend-lease" to the senate . . . that they send Donaldson to Paris in exchange for the postmaster of the French metropolis. The postal department of Paris was reputed to be highly efficient. What was especially galling to Langer was that the efficiency of the French service was made possible with American dollars.

It was during Langer's chairmanship of the postoffice committee that he got an opportunity to deliver a stinging rebuke to Senator Lucas, one of the few political enemies whom he never forgave because Lucas had led the fight to keep him out the senate. When Lucas complained that Langer's committee was holding up some thirty-eight postmasterships in Illinois, Langer replied, "I am sure the distinguished senator from Illinois will not deny his brother is a postmaster. I am sure he'll not deny that his brother's brother-in-law is a postmaster. I want to know if any of the nominees are veterans who had been marked down in point-rating classification, or if others had been marked up because of political influences."

Matters of public health had been Langer's concern since he was attorney general of North Dakota and discovered the inadequacy of state health laws. Langer's name appeared on 115 health and welfare bills in the senate. When Langer introduced Senate bill 3690, there was both criticism and ridicule. "What do you suppose wild Bill wants now? Compulsory urinalysis?" was one satiric question.

The critics may not have known that Langer had suffered all his adult life from diabetes, and they might not have known Langer's deep concern for adequate and affordable health care. When Langer spoke in favor of his bill, he said medical authorities had estimated there were 890,000 Americans suffering from diabetes. When research attention was focused on that illness, it became known that two million people were suffering from the disease. "Hundreds of thousands of people are lying in their graves because they did not have a urinalysis," Langer said.

Langer sponsored 39 bills providing for research, detection and control of diseases from one as rare as transversemyelitis to the well-known killers, diabetes, cancer, cerebral palsy, arthritis, rheumatism, and silicosis. He introduced measures for the study of drug addiction and for better care of the handicapped, particularly the blind.

Langer was a special friend of the veterans, and 164 measures benefiting service men and their dependents were introduced by him. During the two years following World War II, most of Langer's legislative activity was on behalf of veterans.

Women also owe Langer a debt of gratitude. Widows and dependents were the subject of many of the labor and veteran measures which Langer sponsored, as well as beneficiaries of social security and railroad retirement improvements for which he worked. He tried with seven bills to provide maternity leave for federal employees.

Langer was an early and ardent supporter of the equal rights amendment. In the Langer collection at the University of North Dakota library there is a complete file on this amendment. In 1943, when the equal rights amendment was reported favorably by the Judiciary Committee, Mrs. Cecil Bray, chairman of the National Women's Party, wired Langer, "You will go down in history as a member of the group that took the first historic step."

In 1950, when Senator Margaret Smith led the successful fight for approval of the equal rights amendment, Langer was one of seven senators who joined in support. Between 1943 and 1959 Langer introduced four separate resolutions calling for the equal rights amendment. One of his last official acts, in September of 1959, just a few weeks before his death, was to request senate consent for a special printing of a pamphlet with questions and answers to the objections of organized labor to the equal rights amendment. Langer had kept his pledge to the small group of North Dakota women who had asked him in 1945 to back their cause through the amendment. Langer's pledge was "I intend to give it my wholehearted, enthusiastic and unqualified vote."

Some of Langer's legislation is typically Langerian. He introduced a resolution calling for a constitutional amendment which would limit the amount of money that could be loaned to Great Britain, he supported and introduced a number of bills limiting liquor advertising, three bills granting a \$25 income tax deduction for voting in federal elections and two bills prohibiting experimentation on living dogs.

Some of Langer's proposals were ahead of his time. As early as 1953 Langer introduced a bill granting 18-year-olds the right to vote; and he tried it again in 1955. Before the energy crisis of the early 1970's, but with North Dakota looking forward to increased use of lignite coal for fuel, one of Langer's first bills in 1941 had the title, "To establish plants for the manufacture of power fuel from agricultural products and lignite to help solve the gasoline shortage."

Controversy was a way of political life for Langer. While many of his bills, his statements, and actions were criticized, there was nothing like the controversy that swirled around him because of the 629 private bills Langer introduced, particularly the 493 bills for "the relief" of individuals.

Shortly after Langer had defeated Fred Aandahl in 1952, and after the Republicans realized that Bill Langer would most likely be named chairman of the Judiciary Committee, Joseph Bridston, an implacable Langer enemy, began a move to keep Langer from being seated in the senate in 1953. As Langer stepped forward to take his oath of office in January of that year, Senator Taft announced, "I understand a protest has been filed with respect to the seating of the Senator from North Dakota." It was like a replay of 1941.

Bridston was successful in getting fourteen Republicans to join him in the petition alleging that Senator Langer had introduced 400 bills for the relief of 1,600 aliens, that he had been particularly active in behalf of aliens from Pakistan, that he had received compensation for the introduction of such bills, that an organization of Pakistanis had collected more than \$12,000 in 1952, and that a large portion of these funds had gone to Senator Langer. The petitioners noted that they had no subpoena powers and asked the senate committee to conduct the

necessary investigation to see "if the things we suspect about Langer's activities in connection with illegal alien traffic are true."

Nevertheless, Langer took his oath of office and the petition was referred to the Privileges and Election committee, which in turn referred it to a subcommittee chaired by Senator Frank Barrett of Wyoming. Bridston and Harold Shaft, attorney for the petitioners, appeared before the subcommittee. While the first anti-Langer proceedings had required months of investigation, days of debate on the senate floor and hundreds of pages in the *Congressional Record*, the second petition was covered in the following brief report in the *Congressional Record*: "The Privileges and Elections subcommittee March 27, dismissed the petition which challenged the right of Senator William Langer to his seat in the Senate. The petition filed at the start of the 83rd Congress by 15 North Dakotans asked for an inquiry into immigration bills sponsored by Langer. Subcommittee Chairman Frank Barrett of Wyoming said the group voted unanimously to dismiss the petition after hearing testimony from those sponsoring it."

Not all of Langer's 493 private bills for "the relief of" individuals were to aid aliens. The very first bill of this kind introduced by Langer February 3, 1941, was for the relief of Mary Many Wounds of Fort Yates, North Dakota. This bill was to compensate the young woman in the amount of \$2,500 for an injury she sustained while a student at the Chilocco Indian School in 1902.

Of the sixteen private bills for the relief of individuals in the years 1941 through 1944, nine were referred to the Committee on Claims, two were referred to the Committee on Finances, two were referred to the Committee on Pensions, two, including the Mary Many Wounds bill, were referred to the Committee on Indian Affairs, and only one referred to the Committee on Immigration.

In addition to the bills for individuals, Langer introduced measures to improve the status of aliens of Pakistan, Liberia, India, Indonesia, Latvia, Indo-China, Germany and Japan.

That Langer wasn't the only senator and representative asked to introduce bills in behalf of aliens is evident from a special message sent to congress by President Eisenhower in 1956 relating to the immigration problem in which the President said, "Undue and a largely useless burden is placed on Congress and the President by an avalanch of private bills for the relief of aliens. In the 84th Congress 3,059 such bills were introduced. At the beginning of the present Congress, 2,159 private immigration bills have been introduced. Congress should provide the necessary administrative procedure for handling such cases, vesting in the Attorney General discretionary power to grant relief."

Langer sponsored two bills making it mandatory to grant a hearing before an alien could be deported. In 1949, when the senate was considering HR 4567 to permit entry of more displaced persons into the country, Langer said, "I believe every true American interested in

immigration ought to support it so that laws can be enforced to protect American people against undesirable people coming in." That same year when HR 2063, a bill for the Central Intelligence Agency, was debated, Langer said he wanted safeguards to protect the United States from having groups of communists or fascists coming into the country. Langer introduced an amendment giving the Commissioner of Immigration greater control and jurisdiction over aliens.

In 1952, Senators Langer, Kefauver, Kilgore, Magnusson, and others sponsored a bill to completely overhaul the immigration laws, and in 1955 Senators Langer, Humphrey, Kefauver, and others sponsored a similar measure.

The question of Langer's motives in making immigration bills a major part of his legislative activity wasn't settled in 1953. The subcommittee dismissed the petition but didn't conduct the investigation requested by the petitioners to see if it was, as they charged, "a racket," or whether Langer had humanitarian motives. The question of motives may never be settled, but it should be remembered that Langer's father, mother and grandparents were all immigrants. Langer saw first hand how his father made it possible for more than a hundred immigrant families to come to the United States during a period of persecution in Austria. With that background it could be expected that Langer would have a special interest in and a deep compassion for immigrants facing deportation.

One other criticism of Langer's legislative record should be noted. His enemies charged that Langer was unsuccessful in getting bills enacted into law. In the 1946 senatorial campaign a pamphlet was circulated charging that Langer had introduced more than 400 bills and only three minor ones had been enacted into law, one for a bridge across the Missouri River, one for a bridge over the Yellowstone River and a bill changing the term of court for one judicial district in North Dakota.

Some senate colleagues, however, attest to Langer's success in getting his measures passed. In the *Congressional Record* during 1958 remarks by Senator Margaret Smith and Senator Wayne Morse said in part, "William Langer's importance in the Senate has been enhanced by the fact that he has served as Chairman of two important committees. This has contributed to his ability to obtain passage of many of the major bills he has sponsored. Prior to June 1958, 49 major bills introduced by Senator Langer have been enacted into law, and another 48 such bills have been approved by the Senate."

Senator Alexander Wiley, who in 1942 voted to deny Langer his senate seat, said of Langer's record, "During Langer's chairmanship of the Judiciary committee, one of the finest records in the number of bills cleared by his committee was achieved. Langer gets results. Specific laws now in effect attest to the strength of his record."

In a tribute to Senator Langer at the memorial service after his death, Senator Yarborough of Texas said, "Langer left an imprint and influence

on this body, and on the laws of the country that will be felt for generations."

Senator Langer was given membership on the Post Office and Judiciary committees as his first assignments and served on these two committees during his entire senatorial career, except for two years when he left the Post Office committee to assume chairmanship of the Judiciary. He held chairmanships when the Republicans were in control of the senate in the eightieth congress and again in the eighty-third. In 1947 and 1948 Langer was chairman of the Post Office and Civil Service committee, and in 1953 and 1954 he chaired the Judiciary committee. Langer sponsored and supported a great deal of legislation that came out of these committees. He also was made a member of the Foreign Relations committee in 1953. With a very few exceptions, Langer was on the negative or losing side on all legislation approved by the Foreign Relations committee.

Langer's constituents in North Dakota knew what to expect when it came to military draft legislation. Time and again Langer had said, "My people came to this country to get away from that kind of thing. I will never vote for the draft." He opposed the military conscription bill in 1945, and in 1946 when the draft bill was up for consideration, it looked as if he intended to filibuster it to death, but he yielded after four hours. The final passage was by voice vote, but Langer had made his position clear.

Langer often used the technique of proposing bill-delaying amendments when he knew there was no chance of defeating a measure. When a draft bill was being considered in 1951, he introduced an amendment placing 100 percent excess profits tax on all corporations. The amendment was ruled out of order.

In 1955 Langer's amendment to the draft bill was a proposal which would have prohibited any member of the United States armed forces from serving in a foreign country. Thirteen senators supported him, but the amendment was defeated 70 to 14. Langer continued his opposition to the draft for the entire 19 years he served in the Senate.

Senate colleagues didn't have to wait very long to know what Langer's foreign policy would be. His first vote as a senator was cast on January 6, 1941, when he voted for the president pro-tem. His first crucial vote on legislation, however, was recorded on March 8, 1941. It was a vote against the lend-lease bill.

In 1945, when another lend-lease bill, HR 2013, was before the senate, Langer began a lengthy argument by saying, "A year ago I was the only senator who voted against the extension of lend-lease." He went on to state that 566 rubber-tired tractors and 366 rubber-tired combines went into Canada in 1945 under lend-lease through the small border town of Portal, North Dakota, while the farmers in North Dakota were begging for such machinery. He then proceeded to read telegrams from North Dakota farmers, telegrams that filled seven pages in the *Congressional Record*. He also submitted an amendment to the lend-lease bill that

would prohibit manufacturer disposition to any foreign government of any machinery, implements, or equipment for use on the farm. A lengthy debate followed before his amendment was defeated 47 to 28.

The foreign aid policy of the United States which began in 1947 and 1948 with Truman's European recovery programs continued almost without change for 25 years. In 1947 Langer's speech was the only one against the first European recovery appropriation. "I cannot vote for this bill," he said, "unless some means is made to help the needy people in the United States, the sick, blind, aged, Indians who need help, before the French, Italians and Austrians." Langer was one of six senators voting against first passage, and when the conference report was before the senate, usually accepted by voice vote, Langer asked that the record show his "nay".

In 1948 when the Marshall Plan was made a part of the European Recovery Act, Langer submitted his own "Marshall plan" for the aged, the annuitants, the widows of veterans, the veterans themselves, and the teachers. "I think that before we appropriate sixteen or twenty billion dollars for any Marshall Plan, we should make a thorough analysis of what is needed in the United States," he declared.

In 1951 Langer proposed four amendments to the foreign aid bill. His first amendment, reduce the dollar amount of the aid, was rejected by a vote of 29 to 51. His second amendment, to reduce the aid by fifty percent, was ruled out of order. His third amendment, to reduce the aid by forty percent, also was ruled out of order. Langer's fourth amendment was to appropriate five billion dollars each for the following projects: highway construction, rural telephone construction, educational loans, public health, and grain elevator construction. Again his amendment was ruled out of order. From 1951 to 1959, Langer had a perfect voting record of "nays" on each and every foreign aid bill.

Langer opposed every form of foreign aid whether it was Roosevelt's lend-lease, Truman's European recovery program or Eisenhower's mutual security pacts. Since his first crucial vote was against such aid, right or wrong in foreign policy, it is fitting and dramatic that Langer's very last vote, just before his final illness and death, cast September 14, 1959, was against the mutual security appropriation of 1960.

In addition to his general opposition to foreign aid bills, Langer opposed aid to Turkey and Greece in 1947 and opposed 363 million dollar aid to China in 1948. The 1945 Breton Woods conference plan to set up a monetary fund for reconstruction development was opposed by Langer. He attempted to add an amendment to this bill to the effect that the United States would not accept membership in the monetary fund until the articles of agreement included a provision to prohibit any loans for the purchase or production of implements of war. In 1959, when President Eisenhower asked to amend the Breton Woods agreement with an increase in the United States subscription, Langer voted "nay".

Langer had a hatred of England that was almost a phobia. When



Winston Churchill was scheduled to visit the United States, Langer is said to have sent a telegram to the Vicar of the Old North Church in Boston suggesting he hang two lanterns in the belfry. In 1948, when a three and three-fourths billion dollar loan for Britain was under discussion in the senate, Langer gave vent to his dislike for that country by reminding his colleagues that England had defaulted on her World War I payments. "Why call this a loan? We know it will never be paid," he charged.

Langer then introduced eight bills, appropriating three and three-fourths billion dollars for each of the following projects.

Reimbursement to all old age pensioners.

Cancer research.

Establishment of agricultural colleges in Alaska, Hawaii and Puerto Rico.

Cancellation of all seed and feed loans.

Farm to market roads.

Rural electrification assistance.

Purchase of jeeps and automobiles for veterans.

Reduction of the national debt by three and three-fourths billion dollars.

Langer was equally adamant and vocal in his opposition to all international agreements. He made news when he and Henrik Shipstead of Minnesota were the only senators to oppose the ratification of the United Nations Charter. Langer saw only the weaknesses of the United Nations. He claimed the organization would be only a debating society with no power to legislate or to enforce legislation. He saw the danger of a U.N. Security Council of only eleven members. He argued that the veto power to the big five was the power to declare war and was like hiring a burglar to guard the safe. Langer felt it was necessary to explain his vote on the United Nations to his people and he sent a copy of the speech about it on July 28, 1945, to all the postal box holders of North Dakota. Among other things, Langer said, "In my campaign for the senate five years ago, I pledged to the fathers and mothers of North Dakota that I would never vote to send our boys away to be slaughtered on the battlefields of Europe . . . Having so pledged myself . . . an organization . . . with either expressed or implied . . . authority to send our boys all over the earth . . . I cannot support."

When the North Atlantic Treaty Organization was under consideration, Langer had more company. There were six senators who opposed the NATO alliance. Langer had two objections to NATO. First, he believed that under the plan the President could commit troops to military action without a declaration of war; and he saw NATO polarize the world into two armed camps. Langer believed the proper course of action was to negotiate with Russia openly and peacefully. In 1955 Langer was one of three senators who opposed a plan to protect Formosa, believing that it would give the President a blank check to send forces into

the mainland of China. Langer was alone in opposition to Southeast Asia Treaty Organization.

During Truman's administration, Secretary of the Treasury Henry Morgenthau proposed a plan for the decentralization and de-Nazification of Germany. Langer for once agreed with Truman on a matter of foreign policy, since Truman opposed the Morgenthau plan. Langer called the plan "colossally stupid. It would reduce Germany to a nation of peasants and there would be no quicker way to destroy our one last hope for a democratic Germany," was his assessment.

Margaret Truman in the story of her father, *Harry S. Truman*, wrote that her father referred to the Morgenthau plan as "a fanciful scheme that would have reduced 60,000,000 Germans to the status of beggars and left a heritage of hatred that the Communists would have been happy to reap."

With that exception, Langer opposed Truman's foreign policy as he had opposed that of Roosevelt, and would oppose Eisenhower's. Since he had no regard for foreign policies of the Presidents, it was only natural that Langer would have little respect for the State Department which helped formulate those policies. There were times when Langer's regard for the department bordered on contempt. He claimed that the State Department was a refuge for the intellectuals of the eastern establishment. And how Langer disliked the eastern establishment, the bankers, the manufacturers, the oil men who had, as Langer expressed it, "become subservient to foreign powers and lost sight of their duty to the United States."

"Credibility" wasn't the household word in the fifties that it became in the seventies, but Langer attacked the credibility of the State Department and maintained that it operated in an "aura of mystery and intrigue".

Langer opposed the confirmation of all the Secretaries of State with the exception of James Byrnes, a former senate colleague, but he even lost faith in Byrnes. Langer's opposition to the secretary carried over into their assistants. In 1944, when nominees for Under Secretary of State and five assistants were submitted for confirmation, Langer voted "nay" on all six names. One of the assistant secretaries was Nelson Rockefeller.

In his opposition to foreign aid and to all international agreements, Langer was an isolationist, a consistent and persistent isolationist. There is, however, another side to Langer's foreign policy views that needs telling. He was an internationalist when it came to support of the International Wheat Agreement. When that agreement was due to expire, Langer as chairman of a subcommittee to hold hearings on it almost single-handedly secured the three-year extension. In 1953 Langer introduced and achieved passage of Public Law 180 authorizing the President to make wheat and wheat flour from the CCC stocks available to countries supporting the Wheat Agreement.

While Langer wanted to sell all the wheat possible to other countries, he was a selfish internationalist when it came to imports. Langer opposed

unlimited imports of wheat and other agricultural products and supported high tariffs and low quotas. Langer had a particular grievance against imports from Canada, a grievance that went back to the days of his embargo while governor. He had been forced to lift the embargo for a few days when Canada threatened to dump supplies of Durum wheat in the United States.

Langer was an internationalist in his support of the Reciprocal Trade Agreement. If he was a selfish internationalist when it came to imports of agricultural products, Langer was a cautious internationalist when it came to reciprocal trade. Langer supported Senator Karl Mundt's amendment to have the Tariff Commission study the effect of reciprocal trade on the parity price of grains, and another amendment to have the Trade Commission study the effect of this trade on United States industries. He refused to support more than a one-year extension of the agreement.

There is another side to Langer's foreign policy that also should be examined. Langer was a humanitarian, and most of his opposition to foreign aid was based on the fact that there was too much emphasis on military aid, too little emphasis, if any, on economic aid, and even less emphasis on humanitarianism.

Langer voted against the United Nations but voted for a two-billion-dollar appropriation to UNRRA, the United Nations Relief and Rehabilitation Administration, because, as he said, "that would feed the hungry and clothe the naked." Langer supported another measure that would send food, clothing and medicine to Germany and Austria after World War II. Langer introduced an amendment to the foreign aid bill of 1953 to make surplus commodities available to foreign countries and supported Senator Humphrey's amendment that would make fifty million dollars of CCC supplies available.

Langer introduced more than a dozen foreign aid bills of his own, including one in 1949 for the relief of people of Pakistan, one in 1953 to alleviate the plight of Arab refugees, and in 1955 he introduced a measure for the relief of people of Liberia.

Langer joined seven other members of the Foreign Relations committee in a message to President Eisenhower asking that more attention be paid to economic aid and less on military aid in appropriations.

Langer had another reason for opposition to most foreign policy, which he expressed when he voted against NATO. Langer believed that the proper way to get along with other countries was not to divide the world into two armed camps, but to negotiate with our enemies, including Russia. Langer supported and helped introduce Senate Resolution 11 in 1951 that resolved "that the members of this congress reaffirm the historic and abiding friendship of the American people for all peoples, including the people of the Soviet Union, by declaring that the American people welcome all honorable efforts to compose the differences between them

and the Soviet Union." Langer twice introduced bills that would have authorized stamps affirming our friendship with all foreign countries.

It might be well to examine Langer's foreign policy record in the light of more recent events. On December 31, 1973, a news story appeared under the headline, "Congress Takes Independent Stance in Exerting Foreign Affairs Policy." The gist of the article is contained in the sentence: "Congress, reflecting a growing congressional coolness to the 25-year-old foreign aid programs, remodeled the foreign aid program to emphasize humanitarian programs."

Langer was the only senator who had spoken out at the very beginning against the foreign aid program in 1947; and in 1948 he had introduced his humanitarian "Marshall plan."

In 1973 the American people were applauding President Nixon and Secretary of State Henry Kissinger for their "detente" negotiations with Russia. Senator Langer was arguing for "abiding friendship for all peoples, including the Soviet Union, and all honorable peaceful means of negotiations" as far back as 1951.

In 1973 the military draft was discontinued, something Senator Langer fought for relentlessly for nineteen years.

Wild Bill Langer may have been a senator born twenty-five years too soon. It may have been visions; it had to be courage because many times Langer stood alone.

Langer insured for himself a special place in history for what he said and did February 1, 1955. The Southeast Asia Collective Defense Treaty, commonly known as SEATO, was before the senate for final passage. This was the treaty that was subsequently signed by Australia, France, New Zealand, Pakistan, Republic of Phillipines, Kingdom of Thailand, United Kingdom of Great Britain and Northern Ireland, and the United States for the protection of Laos, Cambodia and Viet Nam.

Senator Langer rose to explain his position, and he quoted three predictions from testimony given to the Foreign Relations committee:

"It is a clear cut example of super-internationalism that would immediately drag us into a jungle war 10,000 miles away.

"It is a treaty that would provide for sending American boys to die in every swampland, jungle and rice field of Southeast Asia.

"It may well be the death certificate of a million or more of the selected youth of America in the bloody jungles of Viet Nam, Cambodia, Laos and Thailand."

Langer continued, "I cast the lone vote of the Foreign Relations committee against reporting the Treaty favorably to the senate. I believe in my conscience the United States is making a mistake in ratifying this Treaty."

Having said that on February 1, 1955, the senator from North Dakota, standing alone, all alone this time, voted "nay."

# KEY PEOPLE AROUND LANGER

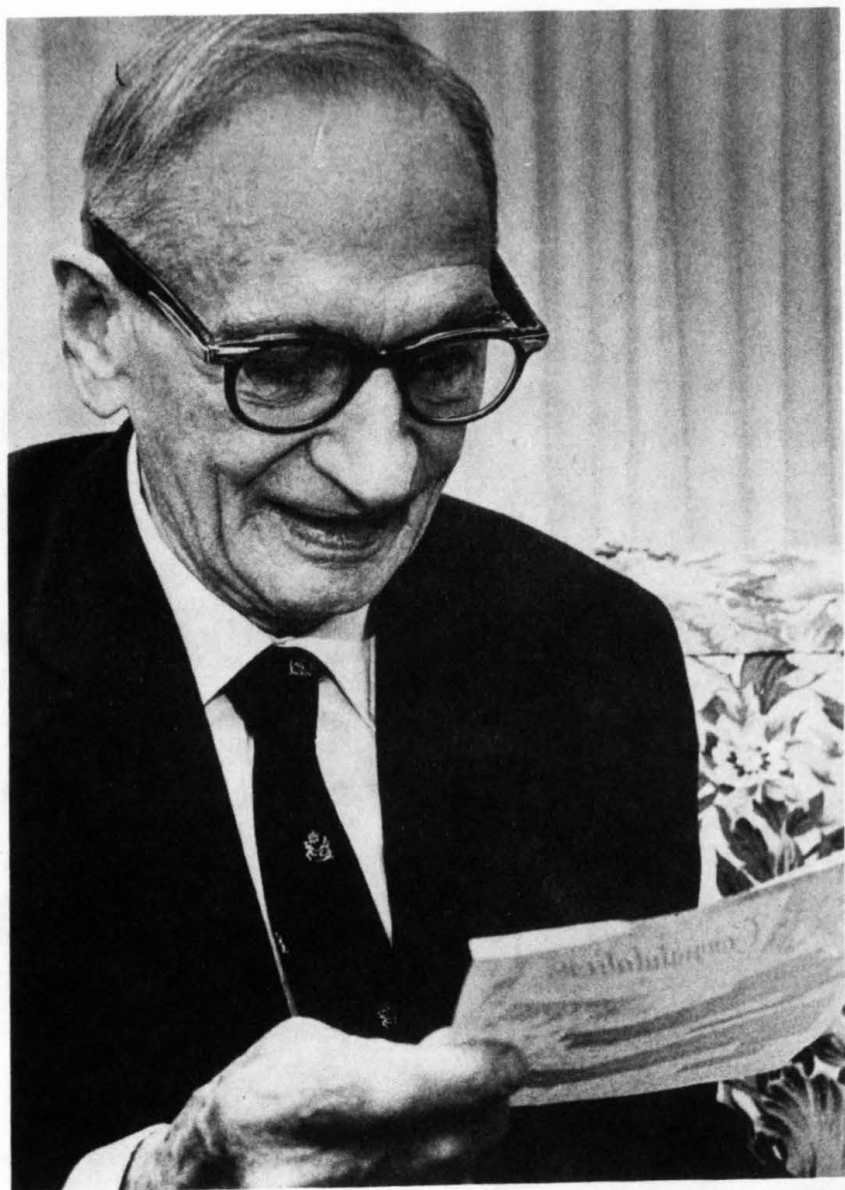


Photo by Harry Jennings, Fargo Forum

## SENATOR WILLIAM LANGER

Reading congratulatory telegram after victory in his last North Dakota primary in June, 1958



State Historical Society of North Dakota

**WILLIAM LEMKE**

Sometimes friend, sometimes adversary in the  
Nonpartisan League



North Dakota Department of Public Instruction

**MINNIE J. NIELSON**

Superintendent of Public Instruction, 1919-1926



State Historical Society of North Dakota

**USHER BURDICK**

Opened way for Langer to progressive movement

**FRANK VOGEL**  
Number One of the "King's Men"

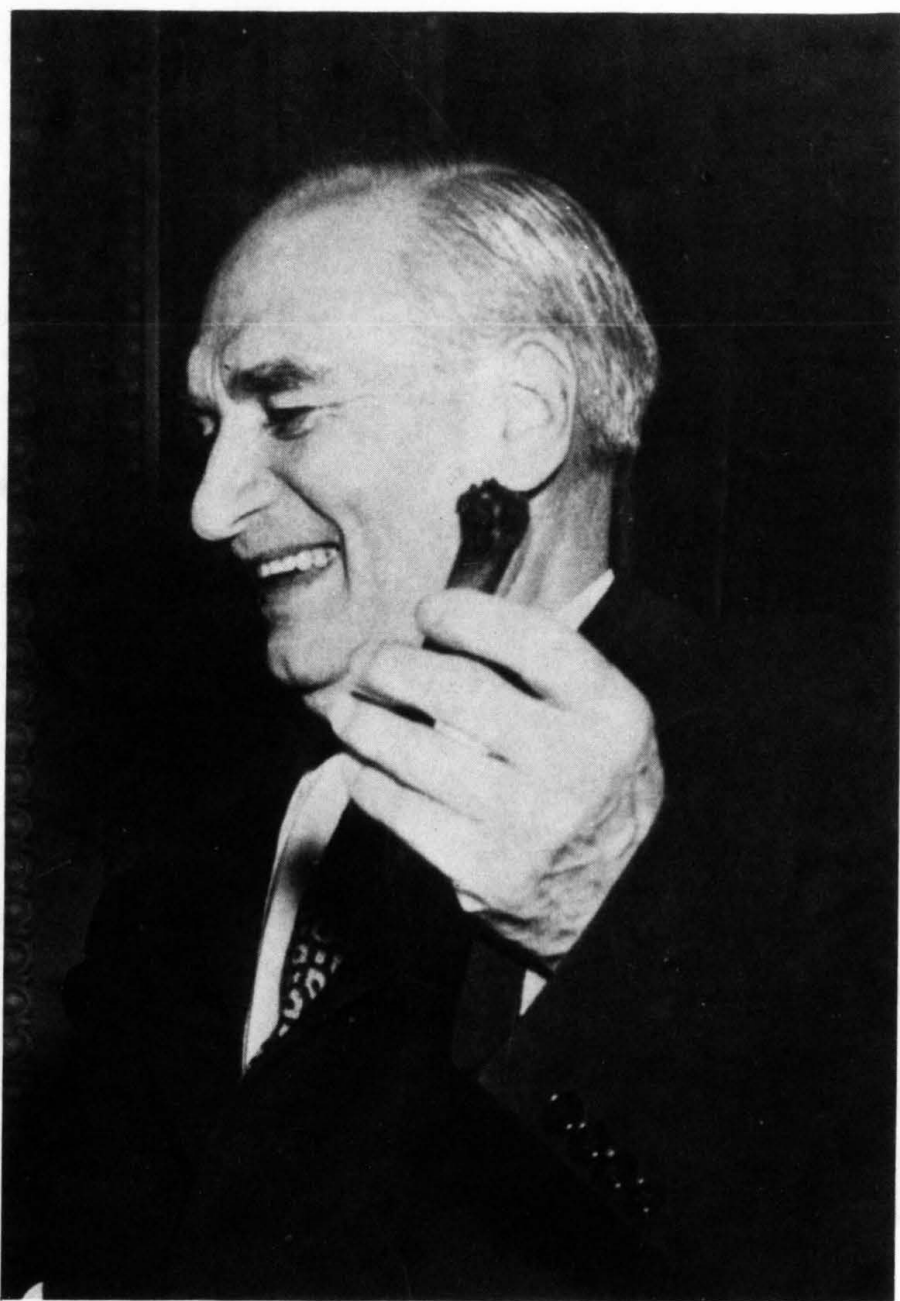


Fargo Forum

**JOE WICKS, SENATOR LANGER**  
Wicks, the most colorful of "King's Men"



**PIUS REIS**  
Faithful friend from Napoleon, N.D.



Harris and Ewing

**WILLIAM LANGER AND HIS SYMBOL**  
A chewed cigar became trademark of the senator



## THE MAVERICK, THE MAN, THE POLITICIAN

Bill Langer came to the United States senate well-qualified as a maverick. Almost twenty years before, in 1920, he had sought and accepted endorsement from the Nonpartisan League's enemy, the Independent Voters Association, and then campaigned on the Nonpartisan League platform. In 1936 Langer refused to abide by the Republican primary results and was elected governor on the Independent ticket. In 1938 he again refused to accept the mandate of the Republican primary and was defeated as an Independent candidate for the senate of the United States. When Langer finally came to the senate, he registered as a Republican, received committee assignments from the Republican party, and then voted most of the time with The Democrats.

In 1947, with Republicans in control of the senate, Langer had enough seniority to get the chairmanship of the Post Office and Civil Service committee. As chairman he helped get committee approval of a great deal of legislation benefitting federal employees. One measure was of prime importance to Langer, HR 4127, which the committee approved. Then the Republican leadership refused to call up the bill for action before adjournment. Langer gave vent to his anger with a denunciation of the Republican leadership:

"Mr. President, I wish to serve notice on the Republican leadership that if this bill is not taken up and voted on before the senate adjourns, I intend to place the responsibility squarely upon the Republican leadership. Time and time again, Mr. President, the matter has been brought to the attention of the Republican leadership; and yet when the Republican policy committee met on this bill, I, as chairman of the Committee on Civil Service, was not invited to attend. My advice was never sought. The committee reported the bill by a vote of 12 to 1. Today I want to say to every federal employee that if the Republican leadership does not permit a vote on this bill, I shall advise them to vote the Democratic ticket at the next election."

Senator Homer Capehart, Republican from Indiana, rose to say what had no doubt been said many times off the floor:

"I am opposed to the Republican chairman of a small committee . . .

trying to bulldoze and dictate to the Republican party . . . My observation has been that the senator from North Dakota is more of a Democrat than he is a Republican. My recommendation is that he go over and sit with the Democrats and run on their ticket and become a member of the Democratic party. As one Republican, I am sick and tired of seeing Republicans run on the Republican ticket, accept favors at the hands of the Republican party, and then rise on the floor of the senate, desert their party, and advise people to vote the Democratic ticket."

That public scolding didn't reform the maverick. One of the sacred cows of congress is party regularity. Each annual edition of the Congressional Almanac devotes a section to party unity. Included in the discussion are lists showing the five senators and representatives of both parties who have the best record in support of their party, and those who have the worst record. Langer's name is always in the list of the "worst" Republican senators and, with very few exceptions, he is the first worst.

At the end of 1947, the year of the chastisement from Capehart, the Congressional Almanac singled out Langer for this special mention: "William Langer was the most chronic shifter. He voted against the Republican party 37 times. Senator Morse was runner-up voting against the party 34 times out of 60."

In 1948 who but the great maverick would have the political effrontery to tell the people of North Dakota that it really didn't make any difference which President they voted for? Senator Young would have excellent relations with Dewey and he with Truman.

That year the Congressional Almanac again gave Langer special mention, reporting: "The Republican Senator who most often differed with the majority was William Langer with fifty-two percent. Senator Smith of Ohio was next with thirty-nine percent.

In 1952, when President Truman made a whistle-stop trip across North Dakota en route to Montana to dedicate the Hungry Horse dam, the Republican senate candidate, William Langer, was a VIP. . . Very Important Passenger on the presidential train. As James Lamb, manager for Democratic candidate for the senate, Harold Morrison, put it, "There was Langer, and we were having trouble getting Morrison on that train." That year four other Republican senators led the list of Republicans who had deserted their party; Langer was number five. In 1955 Langer got back in his maverick stride, and from that year on he continued to hold two records: first in opposition to the Republican party and first in opposition to President Eisenhower.

In 1953 Langer was again the beneficiary of Republican seniority and was given chairmanship of the Judiciary committee. President Eisenhower announced the appointment of Governor Earl Warren of California to be Chief Justice of the Supreme Court. Warren's name was submitted to the senate on January 11, 1954, and referred to the Judiciary committee; Langer announced there would be a full-scale investigation with a complete FBI security check. Langer said the committee had more

than 200 letters with thirty-two charges. Senator Watkins called the charges a lot of "tommyrot" and Senator Eastland called the charges "rubbish", but Langer insisted they would be a matter of public record. The Republican leadership was furious, but it was not until February 24 that the committee voted on the nomination. The vote was twelve to three, and Langer was not one of the three who voted against confirmation. He voted for confirmation in the committee and did not protest the unanimous senate confirmation on March 1.

There has been considerable speculation on Langer's handling of the Warren nomination. *The New York Times* wrote that Langer held up the nomination to secure more federal jobs for his own constituents. It may be that Langer's memory went back to 1941 and 1942 when some senators insisted on making what he must have considered "tommyrot" and "rubbish" as part of his public record.

In 1959 the maverick inflicted "the unkindest cut of all." President Eisenhower announced appointment of Lewis Strauss, former head of the Atomic Energy Commission, as Secretary of Commerce. Strauss had earned the enmity of a number of Democrats for his work on the AEC, and Langer announced at the very beginning of the controversy that he would vote against confirmation. The vote was 46 to 49. Senator Margaret Smith and Langer were the only two Republicans who voted against the Strauss confirmation, and their votes blocked for the first time since 1925 the confirmation of a cabinet member. It was the first veto of a major Eisenhower appointment in six years.

The Republican leadership decided this time the maverick would get more than a senatorial tongue lashing. A major patronage appointment, the state census director, was about to be named. The census bureau was under the Post Office and Civil Service committee, of which Langer was the ranking Republican member. He had already decided on his choice for North Dakota, and had wired Clarence Haggard that it would be his reward for trying to keep the Nonpartisan League from going into the Democratic party.

Vice President Richard Nixon himself notified the Republican leadership in North Dakota that Langer would have nothing to say about the census director. Instead of Clarence Haggard, Orris Nordhaugen received the coveted appointment.

While Langer was setting records as a maverick in the United States senate, he wasn't neglecting the home front. With Langer in Washington after the 1940 election, the Nonpartisan League had gone into decline. Oscar Hagen, League candidate for governor in 1942, polled 70,000 votes but lost to Democrat John Moses. In 1944 Leaguer Alvin Strutz polled just 50,000 votes and lost the Republican nomination to Fred Aandahl. In 1946, with Langer running again at the head of the ticket, Elmer Cart, the NPL candidate for governor, went down with only 28,000 votes, a new low for the League.

After the victories of Thomas Moodie and Moses, the IVA had likewise

declined in influence, and a new faction, the Republican Organizing Committee or ROC, had taken IVA's place. The ROC-controlled legislature of 1947 passed two anti-labor laws and showed strong bias against the Farmers Union.

The Farmers Union and organized labor then realized they needed to get into politics by way of the Nonpartisan League. They took over at the 1948 endorsing convention, winning League support for a complete Farmers Union-labor ticket. Their candidate for governor, Irvin Schumacher, came within 11,000 votes of winner Aandahl. Usher Burdick was returned to congress, and ambitious young Wallace Warner was elected attorney general. Election of those two and some legislative gains were the only victories for the Farmers Union-labor ticket, but the coalition continued in force, held annual conferences on the mutual interests of farmers and workers, and kept the Nonpartisan League organization alive in both rural and urban precincts. When the League merged with the Democratic party, there was a strong, active political structure.

The 1948 campaign had another result. Langer had given only token support to the NPL ticket. Had he given complete and enthusiastic support, Irvin Schumacher may very well have been elected governor. Even so, Schumacher's strong showing and Warner's victory alarmed the maverick. Langer did not actually want another Nonpartisan League governor, a conclusion that may shock many people. It is, of course, generally conceded that conclusions regarding Bill Langer's political behavior are often conjecture. But since the governor is the titular head of his party, election of a Nonpartisan League governor would have relegated Langer to the Number 2 spot in the state.

Langer was at the 1950 endorsing convention of the League and, sure enough, there was that ambitious Wallie Warner already wanting to be governor. Who was endorsed? Frank Vogel. This wasn't the Frank Vogel who skillfully master-minded League conventions; this wasn't the able administrator who had gone from tax commissioner to highway commissioner to manager of the Bank of North Dakota. In 1950 Frank Vogel was a very sick man, but always loyal, he accepted Langer's last assignment.

Another endorsement was made at that 1950 convention that didn't attract too much attention at the time, but it was an endorsement that had taken some planning. In November 1949 Elmo Christianson, a young lawyer in Cavalier, North Dakota, received a call from Senator Langer. Christianson had met Langer when he was a law student at the University of North Dakota, but he did not expect Langer to have remembered him. Langer told Christianson that he was on the way to Cavalier and asked Christianson to round up all the Nonpartisan Leaguers he could for a meeting. After the meeting in Christianson's office, Langer asked Christianson to reorganize the Nonpartisan League of Pembina county and get himself elected a delegate to the state endorsing convention.

Elmo Christianson came to the convention, and one of the first things he heard was that George Duis, whom he knew from the university, wanted the endorsement for attorney general. Knowing that Duis was one of Langer's supporters, Christianson was sure that Duis would get it. Christianson was asked to come to Senator Langer's rooms and assumed he was going to be asked to work for endorsement of Duis. Langer told the surprised Christianson that he would be endorsed for the office of attorney general; Christianson was a better name than Duis. Christianson was endorsed and elected.

A balanced ticket was something Langer considered important, and he was always looking for good Icelandic or Scandinavian names. Oscar Kjorlie, a Fargo business man vacationing in California, received a surprise call from Langer. Langer wanted to know if Kjorlie could speak Norwegian and learned that he could. Langer then told Kjorlie he was going to get him the Nonpartisan League endorsement for the office of governor. Oscar Kjorlie was a conservative Republican who later proudly called himself a Goldwater Republican. He considered the Nonpartisan League completely radical. His candidacy didn't get off the ground, however, when Kjorlie's sister, serving as secretary-treasurer of the Nonpartisan League executive committee, refused to ask the League to endorse her conservative brother.

Bill Langer made another trip to North Dakota in 1950, and he came back that time not as a maverick or a politician. He went to pay his last respects to William Lemke, who died unexpectedly on May 30. Langer and Lemke's enmity had been long and bitter, but Langer would have been the first one to agree with Blackorby's last evaluation of William Lemke: "He was a rebel, a zealot with political acumen, but he had a constructive program that had made his life a purposeful one and that had caused him to compile a record as one of North Dakota's most distinguished sons."

The year 1952 was re-election time for Langer, and he was at the Nonpartisan League endorsing convention. During Christianson's term as attorney general there had been serious allegations of misconduct against him, and Langer had taken an off-again, on-again attitude in the matter. The League's executive committee and a number of Leaguers were meeting in Valley City to discuss and take action on the case. Langer learned of the meeting and called Gorman King, a prominent Leaguer, out of the meeting. When he learned that the group had decided to ask for a grand jury investigation of the Christianson situation, Langer was so furious that he ordered King out of his car. A few days later, however, Langer wired the secretary of the committee congratulating the group on their action. By the time the Nonpartisan League met in convention, Langer was back supporting Christianson, who had some potent support. After the head of the ticket had been endorsed and just before endorsement for the office of attorney general, Langer took a seat at the front of the hall facing the delegates. Christianson's supporters gave some

effective speeches, but Langer gave the most effective speech of all, and he didn't say a word. As each Christianson supporter compared the treatment Christianson was receiving with the treatment Langer had often received, and as each "persecution" was recalled, Langer's head, cellophane-wrapped cigar in mouth and all, nodded in assent. Christianson was endorsed and re-elected, but he was forced to resign after conviction in a federal court.

The 1952 Nonpartisan League convention was the last which Langer controlled. After 1948 a group called Insurgents had worked to take the League out of the Republican column. Langer had given reluctant support, once calling the movement "the rebirth of the fighting spirit of the Nonpartisan League."

In February of 1955 Senator Langer told a friend, "I will go where the League goes." There were indications, however, that he was having second thoughts about his pledge. That same month Arnold Holden, one of the Insurgent leaders, was in Washington and told Langer there was growing support among Leaguers to switch the organization to the Democratic party.

Langer shook his head and said, "I don't think the Nonpartisan League should move to the Democratic party because of North Dakota's strong Republican traditions. I think the League should stay in the Republican party as far as the state ticket is concerned, and on the national level we can support the Democratic presidential candidates if they are O.K." Then Langer added, significantly, "If I were re-elected to the senate as a Democrat, I would lose my Republican seniority."

Holden replied, "I don't know how the Nonpartisan League convention would feel about you running as a Republican and the balance of the ticket in the Democratic party."

Senator Langer only promised, "I shall have to think it over."

With or without Langer's support, the Insurgent movement was not to be denied. The movement finally achieved success at the 1956 Nonpartisan League convention when, for the first time in its history, the League voted to file its candidates in the Democratic column. The Democratic party, meeting shortly after the League convention, voted to support the entire League ticket, headed by Wallace Warner as candidate for governor. In the June primary, the Democratic-NPL surprised everyone by polling almost 60,000 votes.

That was in June. On July 27, 1956, Langer asked consent of the senate to have printed in the Record "a statement on the issues in the forthcoming political campaign." The statement contained the following:

"Approximately a year ago I pledged to the Nonpartisan League . . . that "I would go where the League goes." That pledge I must now break . . . My honest conviction is that the interests of peace are best served under Republican leadership . . . I am firmly convinced that the best chance for peace in this country would be best served by a Republican President, a Republican Vice President and a Republican congress . . . I

cannot support the candidacy of any governor who in the case of a Republican vacancy would replace the vacancy with a Democrat.”

Late that fall the Suez canal trouble broke, and the world held its breath wondering if that would be the beginning of World War III. It was then that Langer put a title to his remarks of July 27, “The Issue is: Shall We Have More Carloads of Coffins” and sent the circular to all postal boxholders in North Dakota. The entire Democratic-NPL ticket went down to a crushing defeat.

Langer had said the reason he could not keep his pledge “to go where the League goes” was that he could not support the war policies of the Democratic party. He had another reason.

On February 10, 1959, a small non-publicized meeting was held in Langer’s senate office in Washington. Henry Linden, Langer’s field man in North Dakota, had been asked to bring Francis Daniel, Clarence Haggard, Pius Reis and Margie Sabo to Washington. It was a command performance of highest priority. Langer told the group he wanted them to go back to North Dakota and reorganize and revive the Nonpartisan League. Pius Reis asked Langer if he didn’t think he was too old to start that. Langer replied, “Pius, we are both old, but let’s show these young people what we can do.”

While the merger of the Nonpartisan League and the Democratic party had had its problems and power struggles, the Democratic NPL had scored its first victory in 1958 when it elected Quentin Burdick as United States representative in congress. There was no question but that the merger was effective.

Knowing that, Langer still believed it would be possible to reorganize the Nonpartisan League with its former independence. The group went back and tried to carry out Langer’s instructions. Clarence Haggard and others tried to bring about a revival of a separate Nonpartisan League, but without the presence of the masterful maverick politician, their efforts were unsuccessful. Had Langer lived, he might very well have come back to once again scramble politics in North Dakota. The maverick’s legacy to North Dakota politics must be his supreme faith in the Nonpartisan League and his life-long desire to keep the League as a separate, functioning political faction.

With most politicians it is difficult to divorce the man from the politician. Not so with Bill Langer. There was Langer, the man; there was Langer, the politician.

Langer, the politician, was ruthless, as when he fired Peter Aarhus. But that was a sensitive period for Langer. He was trying to build a new image for himself and couldn’t afford to have a man out in the territory who was proving to be a liability. Langer was ruthless when he terminated Tucker’s employment, and announced he wanted nothing more to do with Tucker’s new progressive organization. Tucker had been on Langer’s payroll, and Langer had encouraged the formation of the new group. But once Langer decided he would go back to the Nonpartisan League, the

sooner he divorced himself from any other progressive movement, the better. Langer was ruthless when he refused to share patronage with John Nystul and the League executive committee, but Langer had seen what happened when Lemke shared his control, and Langer didn't want another Liederbach threatening to grab for control of the Nonpartisan League.

It had taken a measure of ruthlessness to survive three conspiracy trials, a perjury trial, and two attempts to keep him from being seated in the United States senate. It had taken ruthlessness to survive a dozen endorsing conventions and to win eighteen out of twenty-three elections.

By the time Langer had come through those campaigns, and had made countless other personal appearances, there were few people in North Dakota who hadn't seen and heard Bill Langer.

What did they see? Before illness took its toll in the early 1950's, they saw a tall, broad-shouldered well-built, handsome individual. They saw his intense, probing blue eyes, eyes that could get steely in anger, but eyes that more often reflected the infectious smile that was Langer's trade mark. They saw him as a speaker with arms that flailed rather than gestured. They saw his huge fist come crashing down on the lectern or table. The Congressional Almanac once reported, "Senator Langer gave one of his desk-pounding speeches." Langer was said to have cracked a senate desk with his powerful fist.

What did they hear? They heard a rough, harsh, rasping voice. It was a voice that sounded hoarse, and after days of campaigning often was hoarse. It was a booming voice; Langer had his own loudspeaker. They listened to that rough, rasping voice for one, two and sometimes three hours. Henry Martinson, a former North Dakota labor commissioner, often shared the platform with Bill Langer and commented, "The people gave Langer more than rapt attention; at times it seemed more like reverence."

Math Dahl, when he was commissioner of agriculture and labor, and Langer were due to speak in Mohall at 2 P.M. one day. They didn't leave the capitol until 2 P.M. Bill Langer didn't believe in being on time. He was known to sit in a car waiting, just to make a late, impressive entrance. When Langer and Dahl reached Mohall at 5 P.M., they found a capacity crowd, and they were told no one had left. The audience listened to Langer for another two hours.

Langer's speeches were long, lively, loud, entertaining and usually extemporaneous. He liked to establish contact immediately with his audience. He tried to find someone he could single out for praise or needling, usually needling. Speaking at a meeting near Devils Lake he pinpointed Tom Goulding, one of the grand jurors who had indicted Langer, and while Goulding may have wished he hadn't come to the meeting, the crowd loved it.

If Langer was in a German community, he usually started his speeches in German. Speaking to a German crowd in Cass county, he saw Harry



Lashkowitz in the audience. Lashkowitz was one of the prosecuting attorneys in the first conspiracy trial, but he and Langer had remained close personal friends. Still speaking in German, Langer said, "Harry Lashkowitz is a smart man, a very smart man, but he isn't as smart as you are; he can't understand a word I am saying and you can."

Standing on a truck at a meeting in Towner, in the middle of a sentence Langer's voice boomed, "There are my good friends from Casselton, Tom and Mary Alme." He jumped off the truck, picked up Mary Alme, gave her a rib-crushing hug, leaped back on the truck and finished his sentence.

Langer could use anything for the starting point in his speeches, a caustic editorial, a critical letter, or a news story. He once brought in the license plate from his automobile and built a speech around it. In North Dakota, as in most states, the governor is given license plate No. 1, and the senior senator No. 2. A hostile administration decided to punish Langer when he was senator, and let him take his turn with the rest of the people in applying for the license. By the time Langer had paraded his multi-digit license plate in speeches across the state, the motor vehicle registrar must have regretted his punitive action.

Langer would go from one subject to another without bothering with proper transitions. He would go from the success of his embargo to the time they arrested him for stealing a drugstore. He liked nothing better than to talk about all the times he had been arrested, and always acquitted. While he was waiting for the decision from the Circuit Court of Appeals in the conspiracy case, Langer would tell his audience that when they came to visit him in Leavenworth to be sure to bring some German kuchen.

Langer could be entertaining and lively, but he could also be serious and emotional. Clarence Haggard, a cynical, hard-boiled horse trader with little or no respect for politicians, decided to go and hear this demagogue they were all talking about. After hearing Langer say, "If you are in trouble, after I am elected governor, I want you to come to me," Haggard decided this man was no demagogue. This man meant what he said, and Clarence Haggard became one of Langer's loyal supporters.

In a campaign Langer was untiring. In one campaign he was reported to have made twenty-three speeches in twenty-three towns in a period of nine days. In 1938, in his first try for the Senate, Langer made 444 appearances from August 22 to October 1.

Such records seem unbelievable, but Secretary of State Ben Meier kept a log of two days of campaigning with Langer in 1952. At 4 P.M. at Medina, Meier picked up Langer and a railroad man by the name of Bernard Delmore, who was to accompany them for a series of labor meetings. Langer had just finished speaking to a group of farmers.

They drove seventy miles to Bismarck, where Langer spoke to a labor group at 7 P.M. After the labor meeting, they drove 120 miles to Minot for another labor meeting at 9 P.M. Following that meeting, after a drive of another 100 miles, they reached Belcourt on the Indian reservation,

where Langer met with a group of Indians. They had reservations at a hotel in New Rockford, 100 miles from Belcourt, and reached their hotel at 3 A.M., according to Meier's log.

Langer was pounding on the doors at seven o'clock that morning reminding Meier and Delmore they had to be at Melville, twenty-five miles from New Rockford, for a nine o'clock meeting. From Melville they drove to Woodworth, a distance of 30 miles. Their next destination was Pettybone, about ten miles from Woodworth, but between the two towns the car became mired. Langer, Delmore, and Meier each picked out a farm to go to for help, but all came back to the car to report that there was no one at home at any of the farms. "They are in Pettybone waiting to hear me," Langer said. Seeing the railroad track about half a mile away, Langer walked the track for five miles into Pettybone. Delmore, even as a railroad man, had no desire to negotiate five miles of railroad ties, and started off for Pettybone by road.

Two farmers in a truck finally came by and pulled the car out of the mud hole. Meier by car, Delmore by road, and Langer by track, all came into Pettybone about 5 P.M. The farmers were still waiting for Langer.

From Pettybone to Windsor, about forty miles, where Langer spoke at a 7 P.M. meeting, and then another thirty miles to Ypsilanti for a 9 o'clock meeting. They drove to Jamestown to spend the night, or what was left of it.

This was 1952, Langer was 66 years of age and suffering from advanced diabetes. When it was time for his medication, Langer reached for the hypodermic needle, gave himself an injection of insulin, and kept right on going.

Those who campaigned with Langer, if they could keep up with his man-killing pace, knew there would never be any dull moments. Langer could meet any situation with complete assurance and good humor. On one campaign trip during the World Series, Langer and one of his lieutenants stopped at a farm to ask for a farmer's vote. The farmer told Langer point blank that he wasn't for him, and didn't want to talk politics. Langer said, "The hell with politics. Turn on your radio so I can hear the rest of the World Series baseball game."

During one campaign Langer was standing in the crowded lobby of the Patterson Hotel and a farmer came up to shake his hand.

Langer turned halfway around, grabbed the arm of the woman standing behind him, swung her around and said to the farmer, "You've never met my wife." The man shook her hand and walked away, quite pleased to have met the famous Lydia.

When the woman, who was not Lydia Langer, started to protest, Langer just laughed and turned her back to where she had been standing.

Langer had an impish sense of humor, and there was never any condition too serious for that sense of humor to surface. A senator was giving an eloquent speech, with a gallery crowd hanging on every word,

when he had to stop. Langer was reaching over taking cigars out of the senator's pocket.

Langer had his moments of depression, but they were rare during a campaign. There was one exception. During the 1952 senatorial campaign, Langer and Orris Nordhaugen were in a hotel room in Minot when Langer had a telephone call telling him that Senator Taft had just announced his support for Fred Aandahl. "It was the only time I saw the senator completely crushed," said Nordhaugen. When it was time for the next meeting, however, Langer had conquered his depression. People, campaigning, crowds seemed to give Langer an abundance of energy and enthusiasm. In mingling with the crowds, Langer was at his best. If he could move and hold an audience, he had even greater charisma when it came to personal contacts.

State Senator S. F. "Buckshot" Hoffner had just returned from military service in 1946 when the Nonpartisan League of Benson county asked him to represent the county as a veteran delegate at the state convention. The League provided for a veteran delegate from each county. Hoffner, who was to become state chairman of the League, had no interest in politics in 1946, but went to his first League convention. Someone pointed out Langer. Hoffner recalled, "He had his arms around two people while he visited with a third. I was introduced to Langer, and he made me feel important. He never forgot me, not even my nickname, and as a result of that first meeting, I decided I wanted to go into politics."

The first time Judge Ralph Maxwell met Langer, all Maxwell had on was his underwear. Maxwell, George Duis, and Morgan Ford, Langer's nephew, shared a room at the University of North Dakota. In the middle of the night, in walked Senator Langer. Maxwell was embarrassed, but Langer soon had him at his ease. At that first meeting, Maxwell knew "Here was a man truly touched with greatness."

George Schonberger, Cass county Nonpartisan League chairman, was combining grain when an implement dealer, described by Schonberger as "the worst Langer hater in Cass county," drove into the field. As they were chatting, who should drive up but Bill Langer. Schonberger went on with his combining while the two men visited. At the end of the first eighty-acre round, they were still talking, and at the end of the second round, the two men were still engaged in conversation. At the end of the third round, Langer had left. The implement dealer confessed to Schonberger, "I guess I have been mistaken in that man."

A severe critic, a cynical horse trader, a disinterested veteran, a college law student, Langer could communicate with all of them.

Langer campaigned the year around, and after he was elected senator, whenever he came back to the state he kept in close touch with his Nonpartisan League supporters, and he didn't neglect the Republican or Democratic party leaders.

Dave Kelly was Democratic national committeeman for years. For many of those years, since he didn't have any Democratic senators or

representatives from North Dakota in congress, Kelly worked with a personal friend, Senator Pat McCarran. Langer convinced Kelly he could handle patronage and party matters for him. From that time on, after Langer would register at the Columbia hotel in Grand Forks on a trip, one of his first calls went to Dave Kelly. A lot of strategy was designed when those two wily politicians got together. Gorman King of Valley City, years younger but already well seasoned in politics, was another Democratic leader Langer often contacted.

In the Republican party, Langer worked closely with Bill Stern, Republican national committeeman, and George Longmire, state chairman, who followed Thomas Whelan in that office. With Longmire a Langer supporter and Joseph Bridston a Langer enemy, the battles in the Grand Forks county Republican party were frequent and bitter.

Traveling between towns, Langer made side trips to see farmers, regardless of the distance and regardless of the time, day or night. The next morning the farmer was in town, bright and early, basking in reflected glory. "Who do you suppose called on me at 2 o'clock this morning? Bill Langer."

Congressman Usher Burdick, campaigning with Langer, wrote, "I drove with him, and one time we were 100 miles from our scheduled destination. All at once Langer remembered that some rancher living in the Bad Lands had wanted to see him, so we drove eighty miles out of our way to see him."

When Langer was in a small town, after he had been in all the cafes and beer parlors, he went to the home of the most prominent Leaguer. News travels fast in a small town. "Langer is at Ford's," and in minutes the Ford living room was filled with Leaguers and people of all political faiths who wanted to see Langer. Before long someone had Langer in a corner telling him about the fellow who wanted the postoffice job at Buttzville. Before the evening was over, Langer was in the kitchen with his arms around Cora Ford and the other women who were trying to find enough doughnuts and coffee for the crowd in the living room.

Bill Langer never forgot the women. He was the first governor to recognize the women officially. He broke with the League leaders over Minnie Nielson, and Langer always appreciated her spunk and ability. It was Langer who encouraged Minnie Craig to try for the speakership of the North Dakota House of Representatives. He named Jennie Ulsrud, chairman of the Board of Administration, and Laura Sanderson a member of the Capitol Commission. Langer appointed Susie Ista director of the Farm Census, and his last state campaign director in 1958 was Emma Stenehjem.

Langer campaigned on Sundays. He told Father Kuhn, a life-long friend in Mandan, "When I am in a town on Sunday, I always ask which is the biggest church in town. That's where I go, because that's where the people are." Langer was a Catholic, but as a politician he was ecumenical.

Langer campaigned at funerals. Before the funeral, he'd call the most

prominent Leaguer in town. Two minutes before the services, no earlier, Langer and his companion were at the door of the church. The undertaker had been alerted, and Langer and the prominent Leaguer would be escorted to reserved seats at the very front of the church.

It was Langer, the politician, walking down the aisle of the church. Langer, the man, had already contacted the widow, expressed his sympathy, and had told the widow if she ever needed anything, to get in touch with him. Langer's flowers, usually red roses, were among the floral tributes.

That was Langer, the man. No one knew Langer, the man, better than Senator Wayne Morse, who said in one of his tributes: "The tenderness of the man . . . that great human quality of tenderness . . . the understanding of human frailty in others . . . one of the characteristics that made us love Bill Langer."

From ruthlessness in the politician, to the very opposite quality, tenderness, in Langer, the man. There was no better example of that, tenderness than in Langer's influence on Joe Wicks, who was destined to be one of the "king's men." Langer had seen the frailties in the young, wild orphan, but he had also seen the potential strength. Those who stood beside Langer at Joe Wicks' funeral saw the tenderness expressed in Langer's grief.

Math Dahl said of Langer, the man, "He had a heart as big as a wagon wheel." Langer had his faults, but lack of compassion was not one of them. It had to be compassion that motivated the 262 senate bills he introduced for labor, the 115 health and welfare bills, the 164 bills for the welfare of veterans, and, giving Langer the benefit of the doubt as to his motives, the 400 bills for the relief of alien immigrants. Senator Everett Dirksen recognized Langer's compassion when he said, "Langer had a great passion and enthusiasm for humanity."

Langer, the man, could be forgiving. P. W. Lanier, Harry Lashkowitz and Donald Murtha led the prosecution of Langer in the conspiracy cases, but Lanier and Lashkowitz remained Langer's personal friends. Donald Murtha said his relations with Langer before and after the trial were always friendly. Langer and A. J. Palda faced each other at gun point, but it never affected their friendship.

Langer, the man, could be generous and rewarding. After the third trial, Langer wrote to Beatrice McMichael, the deputy clerk of court, to get names and addresses of the jurors so he could write to them to express his gratitude for being found innocent. Mrs. Dewey Grieve of Buffalo, widow of one of the jurors, recalled that Langer had contacted her husband not only to express his gratitude, but to tell him if there ever was any time Langer could be of assistance, to get in touch.

Langer was generous and rewarding to Ernie Reich, one of the jurors who held out for acquittal in the second trial, but Reich suffered for that generosity. The Privileges and Elections committee, while admitting there was no evidence to indicate any attempt to bribe Reich before the trial,

left the incriminating question in its report, "Was Ernie Reich, a juror in respondent's conspiracy case #2, fixed?"

Reich, in business at Casselton, had not met Langer before the trial. After the trial, with a highway project nearby, the Reich and Ritchie garage submitted a bid and sold the highway department \$1,036.28 worth of oil and grease. After the trial, Fred Ingstad came to Reich and asked him to join in bids to sell machinery to the highway department. Reich was paid \$950 commission. Reich learned, after Ingstad had testified against Reich, Langer and Vogel in the senate hearings, that Ingstad had not been in good standing with the Langer administration and needed Reich's cooperation to get the bids accepted.

Senator Lucas called these contracts, and loans to Reich of \$10 from Governor Langer and \$150 from Vogel, "generous rewards." The Illinois senator apparently didn't know of another "reward." In 1938, three years after the second conspiracy trial, Reich got a job with the state insurance department, a job he held until 1945, when there was a change of administration.

Ernie Reich came to Bismarck with very little money in 1938, and when he needed \$10, he asked Governor Langer for a loan. When Frank Vogel heard of Reich's financial condition, he gave Reich \$150; neither Langer nor Vogel would accept re-payment.

These were Ernie Reich's rewards for having had the courage of his convictions in refusing to vote for a second conviction, a second conviction which would surely have sent Langer, Vogel and Erickson to the federal penitentiary, and may have brought an end to their political careers.

No one contributed more to Langer's first election as a United States senator than Thomas Whelan, and Langer must have decided early that he wanted to reward Whelan with an ambassadorship. Ambassadorships don't come easily, and Langer planned a careful campaign. In 1943 he introduced Senate Bill 438 which provided that a minister plenipotentiary or an ambassador should be named from each state. In 1945 Langer introduced Senate Bill 238 which would restrict each state to one executive appointment. In 1946, when the senate was asked to confirm an ambassador, Langer reminded the senate that North Dakota had never received such an appointment.

Almost without exception, when major appointments were announced, Langer complained that North Dakota was being bypassed, and insisted there were people of sufficiently high caliber in North Dakota.

When Langer received a letter from a constituent saying that he had tried to get an answer from the legal staff of a federal department, Langer read the letter and said that any lawyer practicing in North Dakota could have done better. He asked for and received permission to have the names of all the North Dakota lawyers included in the Congressional Record.

Langer's careful and persistent efforts in behalf of Thomas Whelan

finally paid off. On July 25, 1951, President Truman announced the appointment of Thomas Whelan to be ambassador to Nicaragua. Langer's efforts had not gone unnoticed. Senator Wherry rose to congratulate the senator from North Dakota "on the successful outcome of his strenuous efforts to secure the appointment of an ambassador from North Dakota and hoped the diplomatic corps would continue to go to North Dakota for good men."

In 1952 Langer had help in the primary campaign from another potent source, this time from a Democrat. Bill Lanier took to the radio in support of Langer's candidacy. Langer knew he was getting help from more than one of North Dakota's most gifted speakers. Lanier was one of the state's leading Democrats who left his own party primary to support Langer. It would only be a question of how and when Langer would try to reward Lanier.

Senators Langer, Kefauver and Kilgore were sponsors of a bill that would be devastating to one of Lanier's clients, a food broker. The client asked Lanier to join him and the leading food brokers in the country in opposition to this bill. Lanier notified Langer that he would be coming to oppose his bill. The subcommittee to hear the bill was chaired by Langer. The top legal talent of the brokers prepared to testify; Lanier was there for friendly window dressing. When Langer came into the committee room, he looked around and asked, "Where is my good friend, Bill Lanier?" He called Lanier to the desk and for all of them to hear asked about Mary Lanier, their lovely home, etc., and then announced to the startled group, "I shall expect Lanier to testify for all of you."

When Lanier had finished, Langer said, "We only want one written brief, and we shall expect Lanier to prepare it. If the rest of you have anything to add, you can see him."

After the hearing Langer contacted Lanier. "You charge them plenty; \$50,000 isn't a bit too much," he advised. Langer then voted against his own bill, and it was killed. Never once did Langer ask Lanier how much of a fee he had charged.

Ruthless, tender, compassionate, forgiving, generous, Wild Bill Langer. Senator Alexander Wiley said, "We will never see his like again."

## PEOPLE AROUND THE INVINCIBLE CANDIDATE

Bill Langer, like all successful politicians, had his circle of advisors, the king's men. Langer once called them "my right hand men of the Nonpartisan League."

In 1911, twenty-three-year-old Frank Vogel came to Underwood, North Dakota, from Minnesota as a teacher. In 1917 he took over the bank at nearby Coleharbor. As a banker he did something unusual; he joined the Nonpartisan League. Most bankers had very little regard for the League. Vogel gave the League more than his \$16 dues. He became a vocal supporter, and helped make McLean county one of the early strongholds of the Nonpartisan League.

In 1921 Vogel was elected state representative and served in the legislature for three terms. During that time Langer was busy with his law practice in Bismarck and making his plans for a return to politics. He learned to know Frank Vogel and to appreciate Vogel's liberal political philosophy, his administrative ability, and his good judgment.

When Langer was elected Governor in 1932 and began his political housecleaning of the state departments, he needed an able administrator to staff the departments with loyal, but equally important, capable personnel. He asked Frank Vogel to first take over the tax department, then the highway department, and finally Vogel was named manager of the Bank of North Dakota and served in that capacity from 1937 to 1945.

Frank Vogel was a liberal, but he believed in moderation. "If you want to accomplish something as a liberal, you can't be too far ahead of the people," he said. On more than one occasion, he preached moderation to Langer.

Through Langer's four years as governor and for the first ten years as United States senator, Frank Vogel was his most trusted and astute advisor.

A story about one of Langer's actions was told so many times and with so many variations, that most people believed it was just another Langer legend. Judge Ralph Maxwell verified that it was indeed factual. "I was taking Senator Langer to Bismarck from Fargo on a dark, rather foggy night. We were on old highway 10, and I was conscious of having passed a



small town, and a cemetery was barely visible through the fog. I noticed that the senator had removed his hat and placed it over his heart. After a few seconds of silence, Langer said, "That was Tappen we just passed, and that was the Tappen cemetery. Oscar Erickson, one of the finest men I ever knew, is buried there." The relationship between Langer and Erickson was one of deep, personal friendship. Oscar Erickson, three years older than Bill Langer, was a native of Wisconsin. He came to North Dakota in 1907, homesteaded a farm and later combined farming with the operation of a grain elevator in Tappen. Erickson and his wife were early Leaguers, while Erickson organized the League in Kidder and nearby counties, Mrs. Erickson organized the Nonpartisan League women. In 1922 Oscar Erickson was elected state representative, and served in the lower house until he was elected a state senator in 1933.

It was Erickson who helped achieve control of the League convention in 1932, the control which insured Langer's endorsement for governor. When Langer reestablished the *Leader*, Erickson took over as publisher, and it was in that capacity he was made one of the defendants in the conspiracy trials.

In 1937 Erickson was elected state insurance commissioner. No state department was subjected to as many investigations and received as much criticism as the insurance department. In 1945, when the legislature was controlled by the Republican Organizing Committee, or ROC as it was generally known, the house brought impeachment charges against Erickson. The senate met in a special impeachment proceeding for a trial that lasted from May 22 to June 15. There were two general charges. One was that Erickson had negotiated for re-insurance, contrary to law. The second charge was that he had taken kickbacks in the re-insurance dealings.

The special attorney general assigned to the insurance department testified that he had advised Erickson that he had the legal authority to contract for reinsurance. The evidence in regard to kickbacks was based largely on the testimony of Otto Vold, a former employee of the department whose employment had been terminated.

The vote was on strictly partisan lines, the ROC's voting for impeachment, and the Nonpartisan League legislators voting against. Since a two-thirds vote was necessary for impeachment, Erickson was cleared.

Langer felt a special closeness to Erickson because he believed Erickson had been politically persecuted, as he himself had been, and that while he had his Jim Mulloy, Erickson had his Otto Vold.

Both the prosecution and the defense expressed dissatisfaction over impeachment as a government procedure. Francis Murphy, one of Erickson's attorneys, said at the close of the trial, "Impeachment had its origin in the dim, medieval past in England. It has degenerated with the political lynching bee. It fell into disuse, and the English finally abandoned it."

ROC Senator Walter Bond, who voted for impeachment, said after the

hearing, "I was a member of the house in 1911 when North Dakota had its other impeachment trial. The vote was strictly along political lines. I do not like these proceedings in any way."

Erickson, who had been in poor health, passed away shortly after the trial.

Not many people ever succeeded in getting the better of Bill Langer, but he met his match in Mrs. Erickson. In 1932 Langer had gone to the Erickson farm and wanted Erickson to go campaigning. Mrs. Erickson put her foot down. "Oscar has promised to fix up my turkey coop today," she protested. Langer asked for a hammer and a saw, and the future governor of North Dakota and the future insurance commissioner "fixed up" the turkey coop before they went out on the campaign trail.

During the winter of 1933, with a blizzard raging in sub-zero temperature, the Ericksons were awakened by a pounding on the door. Opening the door, they found Governor Langer in a light topcoat, a hat, and no overshoes. After telling them his car was stalled and that he had walked the mile to the farm, he collapsed. They put Langer to bed, and when he regained consciousness, Mrs. Erickson was at the bedside with a vial of Watkins Liniment. She ordered Langer to swallow the dose. Anyone who has had Watkins Liniment applied externally can appreciate Langer's reluctance to take it internally, but he took it straight.

When Langer was able to leave the farm, Mrs. Erickson brought out a pair of Erickson's well-indoctrinated farm overshoes. Langer was somewhat fastidious, and objected to putting on the footwear, but he left the farm wearing the fragrant, three-buckle overshoes.

Years later when Senator Langer was speaker at a Nonpartisan League banquet and was waxing eloquent on the subject of farming, he spotted Mrs. Erickson. "There is only one woman in North Dakota who doesn't love farming and that is Ella Erickson," he ad-libbed, to which Mrs. Erickson retorted, "If you had stayed out there with the hired man as many times as I did when you and Oscar were out campaigning, you wouldn't like it either."

For his enforcement of the prohibition laws, Reverend R. E. Strutz of Jamestown had learned to know and admire Governor Langer. The relationship developed into family friendship and the minister's boy, Alvin Strutz, became the "son" Bill Langer always wanted and never had. When Langer was elected Governor, Alvin Strutz was only two years out of law school, but Langer turned over his private law practice to young Strutz. It was a successful and lucrative practice, but once Langer had turned it over, Strutz said Langer never interfered with the practice. In 1937, when Langer appointed Attorney General P. O. Sathre to the state supreme court, Langer named Alvin Strutz attorney general, an office Strutz held until 1944.

Alvin Strutz became an active member of the Nonpartisan League. In 1944 he was defeated in a bid to be the League endorsed candidate for

governor. He was elected a justice of North Dakota supreme court in 1959.

Frank Vogel, Oscar Erickson and Alvin Strutz occupied important positions in the Langer administration, but Roy Frazier served Langer in another capacity. When Langer wanted to get back into the League in 1927, Roy Frazier, as chairman of the league executive committee, made it possible. Roy Frazier, three years older than Bill Langer, came to North Dakota in 1905 when he was eighteen years of age. He took a homestead in Divide county in the township later named for him.

Aggressive and capable, he became a leader in the community, and when Townley came to Divide county, Frazier became active in the Non-partisan League. He was named chairman of the county NPL, and although some called him a veritable dictator, he kept Divide county solidly Nonpartisan.

Frazier was elected clerk of court and was serving in that office when enemies accused him of embezzlement. Frazier asked Langer to defend him. Upon investigation, Langer discovered that all clerk of court fees had been turned over to the county treasurer's office every month except for a two-dollar item. Langer made a spectacular case around the two dollars, and in less than an hour the jury returned with a verdict of not guilty. That brought about the friendship between Langer and Roy Frazier. Frazier became convinced that Langer had been justified in his break with leaders of the organization and set about making Langer's re-entry into the League possible. Frazier was by that time state chairman of the League, having taken over when the Liederbach faction was forced to resign, and he made Bill Langer's cause his main objective. He supported endorsement of Langer for attorney general in 1928 and for governor in 1932.

During these years Frazier had been named postmaster of Crosby through the efforts of Senator Lynn Frazier, but the job was of short duration. The postoffice department objected to Roy Frazier's open and unrestrained political activity. He apparently thought nothing of writing strictly political letters on postoffice stationery. Frazier admitted, "I like to eat, but I'll be damned if I will give up my political activity for any job."

Frazier served one term as state representative from the Divide-Burke legislative district during Langer's second term as governor, and one of the promises Langer had made in the campaign was the development of rural electrification. Roy Frazier was largely responsible for passage of the first rural electrification measure in the state. The bill was drafted by his son, Elmer Frazier, serving at that time as an attorney for the federal Public Works Administration. When Langer signed the bill, he told Elmer Frazier and his staff, "We will remember this bill with pride when we see the development of rural electrification in North Dakota and remember that it was started in the very depths of the depression."

Roy Frazier often sat in on the meetings of Langer's brain trust in Bismarck.

Few people started out in life under a greater handicap than Joe Wicks. An orphan, he was shunted about from one family to another and seemed headed for a life of crime. He was finally accused of being involved in a bank robbery. Langer, who had tried to do things for Joe from time to time, succeeded in having him acquitted, and it was the turning point in the life of Joe Wicks.

The transformation from a wild, irresponsible young man to the owner of a large ranch, a successful auctioneer, election as a county commissioner and chairman of the county board, and election to the state legislature proved that Wicks had the qualities Langer had seen in the youngster. Joe Wicks paid his debt to Langer by unsurpassed loyalty. He became the political boss of Sioux county, and while he was a benevolent boss, the Indians and everyone else knew they hadn't better forget to vote for Bill Langer. Wicks was elected chairman of the powerful Nonpartisan League advisory committee, the organization of county chairmen. As one of the League leaders put it, "If you want an endorsement from the NPL, you better see Joe Wicks." Wicks was "close to the throne," and when Joe's voice boomed across the convention floor, the delegates knew it was the master's voice.

Joe Wicks paid his debt to society, a society that hadn't been too good to him in his early days, through his service as juvenile commissioner. Robert Fiedler, states attorney of Sioux county, said of Joe's work, "He was an outstanding juvenile commissioner. Joe knew firsthand the problems and frustrations of young people, Indian or white, and he dealt with these boys with patience and understanding, and when necessary, firmness."

When United States Senator William Langer and political leaders from all parts of North Dakota came to Joe Wicks' funeral, after his accidental death it was a testimonial to a loud, scrappy, loyal champion of the cause of Langer and the Nonpartisan League.

George Schonberger served Langer as "Mr. Nonpartisan League," as Schonberger was known for many years. A native of Minnesota, Schonberger settled on a farm in Cass county in 1909. When Langer set out to campaign for governor in 1932, he asked Schonberger to organize the county. Schonberger remained Cass county chairman until 1955, when he became one of the few staunch Langer supporters to follow the League into the Democratic party.

In 1934 Schonberger was named chairman of the state executive committee and served in that capacity until 1952. Practical politician, having learned his politics from the precinct up, Schonberger was willing to do the nitty-gritty work necessary to keep the League functioning and under control. Diplomatic and friendly, he was able to dispense patronage, settle grievances and keep confidences. While breaking with Langer over the Democratic-NPL merger, Schonberger nevertheless remained one of Langer's good friends.

These six men, Vogel, Erickson, Strutz, Frazier, Wicks and

Schonberger, were the senior advisors during the years Langer served as governor. They had more in common than loyalty to Langer. None was a "yes" man. They were never afraid to criticize Langer, but once a decision was made, they followed through loyally. Vogel had advised against the Leader assessment plan but uttered no complaint when he was named as a defendant in the conspiracy trials.

When Senator Langer voted against lend-lease in 1941, Joe Wicks wrote to Langer telling him how wrong he was to oppose that form of foreign aid.

After the senate had voted to seat Langer, Alvin Strutz included in his letter of congratulations, "I hope you will take some advice from a kid. Forget all about a spirit of revenge, and spend your time and energy being a good senator."

No one would speak more frankly to Langer than Vogel. While the senate was still debating Langer's fate, Vogel wrote to him, "Your booklet to the senate was rotten. Like a red flag to those staid easterners. Don't try to grandstand. Make a calm, deliberate analysis of the charges. I am worried about your speech. You talked too damn much in the committee. Don't try to tell them. You have four and a half years to do that."

There were, of course, scores of others who served as advisors to Langer. Three men, all close to Langer and all holding appointive positions in his administration, formed a special strategy group. They were Steve Terhorst, Fred Argast, and Red Myers. They met almost every noon in Alvin Strutz's office and often were joined by Lou Stearns, a wizard at fund raising.

George and Thelma Olson and Oscar Buttedahl ran the *Leader* and handled personnel problems for Langer. Henry Linden, Langer's state field man, was often called "Langer's eyes and ears in North Dakota." Hank Kiehn, mayor of Minot, was Langer's liaison for Ward county. Henry and Owen T. Owen, two Grand Forks attorneys, were long-time supporters of Langer. Owen served as tax commissioner and chairman of the Workmen's Compensation bureau for many years. Orris Nordhaugen and the Martin Stenehjems became Langer supporters in the early 1930's and campaigned with and for Langer during the rest of his career.

In 1936 Martin Stenehjem became associated with Frank Vogel in the Bank of North Dakota and helped establish the student loan program, which was close to Langer's heart. It was a modest program, handling a few thousand dollars with loans limited to \$250 or \$350. In 1967 the program became part of the federally insured fund and now deals in millions of dollars. It is administered and partially funded by the Bank of North Dakota and was administered by Martin Stenehjem, Jr.

One of Langer's administrative assistants, the Rev. Clarence Van Horne, made Ripley's "Believe It Or Not" column. Rev. Van Horne, a Methodist minister in Mandan, had watched Langer's prohibition enforcement with admiration. When Governor Langer needed a motor vehicle registrar in 1933, he asked the Rev. Van Horne to take the post,

which he had held before but had been replaced during the administration of Governor Welford. Mr. Van Horne went with Langer to Washington, and Ripley made an item of "A Catholic senator with a Methodist minister as his administrative assistant." Illness forced retirement in 1958, the year before Langer died.

When Langer became United States senator, he developed a new, second generation corps of advisors. There were first his four lawyer nephews, James McGurren of Bismarck, Frank and Joseph Woell of Casselton, and Morgan Ford of Fargo. These nephews were to Langer what the Kennedy brothers were to each other in a later political force.

Congress did not provide money for home state offices of senators until 1954, and since Langer had no state headquarters, he used the offices of his nephews when he came back to North Dakota. Since he came most often to Bismarck, Jim McGurren's office there became Langer's frequent place of business. If Jim were not present, Langer would leave notes, scrawled on used envelopes. McGurren has a whole collection of these messages:

"Dear Jim. I called 75 long distance calls. You charge it to profit on your books. Bill Langer."

"Dear Jim. Looked all through your mail . . . no checks . . . no bills . . . no business. Come to Washington to take a door keeper's job. No bills . . . no responsibility . . . no work. Bill Langer."

On those visits Langer didn't forget his hero-worshipping grand nephew. His first words to Charles McGurren were, "Chuck, you know what's in my suitcase. But, remember, only take one." The "one" was always a bright new silver dollar.

When Langer was engaged in a campaign, Morgan Ford usually handled legal matters while Jim McGurren, Frank and Joseph Woell collected funds. Bill Langer was a stern taskmaster. The nephews had to account for every dollar they collected, and they could accept no contributions in excess of \$500.

The other lawyers in the state who became Langer's second generation brain trust included Frank Kosanda and Robert Fiedler of Grand Forks, George Duis, Ralph Maxwell and Herschel Lashkowitz of Fargo, Robert Vogel, William Mills and William Murray of Bismarck-Mandan.

Bill Langer had a unique characteristic, a special, individual relationship with each close associate, personal friend and even with members of his family. Each was relationship enjoyed by no one else, and each person who was close to Langer knew he had that special, individual, personal relationship. Each one knew he supplied a special need and knew Langer depended on him for special advice and assistance. Knowing that engendered a deeper, personal loyalty.

Frank Vogel may have expressed the sentiments of all the king's men when he wrote in one of his last hand-written messages to Langer, "As I look back, I would not have missed it for all the honor, glory and money in the world. It has been a splendid fight."

They called Bill Langer a maverick, an errand boy and an isolationist. They wouldn't let the people forget the felony charges in the conspiracy trial, the bond racket, the AC purge or the moral turpitude charges in the senate. No candidate went into senatorial campaigns more vulnerable than Bill Langer, but they couldn't defeat him.

In 1920 the IVA gave Langer a half-hearted endorsement for governor, and spent the next twenty years trying to keep him out of office. In 1940 the Republicans helped elect Bill Langer a United States senator, and spent the better part of the next twenty years trying to defeat him.

The Independent Voters Association rose to its greatest strength through a working coalition with the Democratic party. Through the repeated national victories of President Franklin Roosevelt, the Democrats gained strength in North Dakota so that Thomas Moodie and John Moses no longer had to come to the coalition as suppliants. As the Democratic party became stronger in the state, the IVA declined. By 1940 the time was ripe for a new Republican faction to develop.

The IVA had copied the strategy of the NPL. The League called itself "Nonpartisan," the Voters Association called itself "Independent," but for both groups the names were facades. The IVA's were Republican; the Leaguers using the Republican column began to consider themselves Republicans. At one League convention when Art Ford, a prominent Leaguer, called himself "a Nonpartisan League Democrat," Ben Wolf, public service commissioner, angrily retorted, "There is no such thing as a Nonpartisan League Democrat."

A new Republican faction was formalized in 1942, and it abandoned the name and the strategy of the IVA. This new group announced "its purpose was to unify all Republicans under the banner of Republicanism." In 1943 they accepted the name said to have been given them by a reporter, Republican Organization Committee, or ROC.

Included in the group of ROC organizers were State Senators Milton Young, Joseph Bridston, Rilie Morgan, Norman Brunsdale and Fred Aandahl. Clyde Duffy joined the group when he was later elected to the state senate. These six dominated the Republican party and North Dakota politics for almost twenty years. Young went to the United States senate. Aandahl and Brunsdale were elected governors, and Aandahl went to congress after three terms as governor. Clyde Duffy was elected lieutenant governor. From the small group of senate giants, the Republican party selected the three candidates who would make three futile attempts to defeat the invincible maverick candidate.

The first to be endorsed was Joseph Bridston in 1946. Bridston felt certain he could defeat Langer. After the endorsing convention, Bridston wrote Norman Brunsale, "I have a feeling I can defeat Bill. I am going to conduct an aggressive and constructive campaign." Bridston had plenty of reasons for his optimism. The Nonpartisan League had revealed its declining strength among Republicans in the gubernatorial elections of 1942 and 1944, while the new ROC became a smoothly functioning

organization. The rumpers were still nursing grievances against Langer. The people would still remember the senate ouster charges, charges that had been well publicized in 1941 and 1942 by newspapers in the state. Langer's record as a senator was vulnerable. These were the years when many people believed the United Nations was the hope of a peaceful world, and Bill Langer had shocked the state and country when he voted against the United Nations. It was no time to be an isolationist.

Joseph Bridston did campaign aggressively and polled a respectable 53,607 votes; Langer, however, received 67,449 votes.

The ROC spent the next six years grooming Fred Aandahl. While Bridston had been optimistic about his own chances in 1946, in 1952 he declared, "I have always felt the No. 1 objective of the ROC is to remove from the body politic that cancerous growth known as Langerism. The man we have groomed for this is Fred Aandahl, and he can easily defeat that boss of machine politics in North Dakota, William Langer."

Fred Aandahl, the second ROC-endorsed candidate to oppose Bill Langer, brought an impressive record to the 1952 campaign. Voters of Barnes county had first sent Aandahl to the state senate in 1930. He was removed in a 1932 recall election instituted by the Nonpartisan League against two state senators. Then the voters of Barnes county did what independent-thinking North Dakotans have a habit of doing — changing their minds after a recall election — and they sent Aandahl back to the state senate in 1938. After serving in the 1939 and 1941 sessions, he declined to run for re-election in 1942 because of his wife's health. But in 1944 Aandahl was a candidate again, this time for governor. He was elected and had three quietly conservative terms. In 1950 Aandahl was elected United States representative. Thus Aandahl's name had been on the ballot in 1944, 1946, 1948 and 1950. Langer's name had been only on the ballot of 1946. On paper, Bridston's prediction should have been correct. Aandahl had everything going for him but the issues.

Aandahl called Langer "the biggest bluffer I have every known. He spends his time in Washington running errands."

Langer threw out his chest and called himself "your \$10,000 errand boy," referring to his salary. It would be surprising if there weren't a good many people in every audience who had asked Langer to run errands for them, and they all sat a little straighter knowing they could afford a \$10,000 errand boy in Washington.

Aandahl called Langer a tool of big labor. Langer countered calling Aandahl a tool of big business, and reminded people that it was the big business grain combines that had kept the price of wheat down, while he, as governor, had forced the price up with the embargo. Langer reminded farmers that the big business utilities had kept them from getting rural electrification and rural telephones, and then criticized Aandahl's REA voting record as a congressman.

Aandahl may have spent too much time talking about the tidelands oil issue. He had a carefully worked out, logical and legal explanation of why



the states were entitled to the off-shore oil. Langer, knowing there were few states righters in North Dakota, had an argument with more appeal. He told the people that if the off-shore oil rights were given to the national government, North Dakota would receive three million dollars annually for schools. He reminded them that he had introduced an amendment to the tidelands oil bill that would have forced states to pay 87-1/2 percent of any revenue from off-shore oil to reduce the national debt, and told them his amendment had had considerable support though it was defeated 56 to 34.

One editor wrote, "The audiences came to Aandahl's meetings for information and to Langer's for sensationalism."

Langer did not take victory over Aandahl for granted. He campaigned as if he feared losing, and he called on every supporter, every labor union, every Farmers Union local and every rural electrical cooperative he could corral to get out and work for him.

On June 24, 1952, the second state senate giant went down to defeat. Aandahl carried three counties with a total of 78,359 votes. The other counties helped give Langer 107,905 votes.

Then came 1958. In the six years since 1952, a political revolution had taken place in North Dakota. The Nonpartisan League had merged with the Democratic party in 1956. In the merger struggles, the ROC's had ardently wooed the "old guard" Leaguers, who had strenuously but unsuccessfully tried to prevent the merger. In the 1954 election, the ROC didn't nominate candidates to oppose three old guard Leaguers, Math Dahl, commissioner of agriculture and labor, A. J. Jensen, insurance commissioner, and Berta Baker, state auditor. In 1956, when the state had finally arrived at a two-party system, the first Democratic-NPL ticket went down to defeat in the general election and the victorious Republican ticket was liberally sprinkled with five old guard Leaguers, Usher Burdick, Ben Meier, Albert Jacobson, A. J. Jensen and Math Dahl. Berta Baker had declined to run for re-election.

At the 1958 Republican endorsing convention, the old guard Leaguers were present in numbers. Ray Schnell, who wanted the senatorial endorsement for himself, was there with his bloc of supporters. Bill Davidson and the Martin Stenehjems headed a bloc of old guard Leaguers determined to get the endorsement for Langer.

There were a number of prominent Republicans who had never been affiliated with the League and believed the convention should endorse Langer. This group included Milt and Sybil Kelly, Governor John Davis and George Longmire, state chairman of the Republican party.

Bill Davidson worked off the floor, while Emma Stenehjem held the floor for Langer, but, as so often happens in political conventions, youth and emotionalism triumphed over maturity and hard-nosed politics. Clyde Duffy was endorsed as the third candidate to make the race against Langer.

The Republican party gave away two United States senatorships at that

convention. Congressman Usher Burdick was present, but the party didn't endorse him for re-election and didn't even recognize him. Usher Burdick left the convention and the Republican party in disgust and gave political blessing to his son. Quentin Burdick, who was elected congressman on the Democratic-NPL ticket. Two years later Quentin Burdick narrowly defeated John Davis for the senate seat left vacant by the death of William Langer. Most politicians are convinced that Burdick was able to defeat Davis only because he had the advantage of two years experience as a congressman.

After the Republican convention in 1958, Langer sent word through Bill Davidson to George Longmire asking Longmire to file as a candidate for Congress. The Republican convention had endorsed Don Short and Orris Nordhaugen for the congressional seats. Longmire was assured there would be plenty of money for his campaign. Some politicians believe Langer was trying to eliminate Nordhaugen, but since Nordhaugen was a Langer supporter, it seems more logical to believe that Langer, knowing his poor health would keep him from campaigning with his old vigor, wanted Longmire's help in the campaign. But Longmire refused to oppose the Republican party endorsees.

Clyde Duffy, endorsed candidate for the United States senate, looked like a United States Senator should look . . . tall, dignified and handsome. Duffy campaigned with the style one could expect from a state senator who was known to be a conservative Republican, and also known for his quiet dignity. He called attention to Langer's liberalism and his ties with labor. Duffy promised that if he were elected, he would vote along the lines of Senator William Knowland, Republican leader in the United States at that time.

Bill Langer, his wife dying from cancer, his own health deteriorating rapidly, his eyesight gone, made one appearance in North Dakota the evening before the primary voting. It was a television performance, and fearful that Langer might not survive the half-hour program, a standby film was kept ready.

The *Grand Forks Herald's* report of the primary election carried this paragraph:

"With the devastating fury of a tornado, a one-man political whirlwind swept through the ballot boxes of North Dakota . . . in the greatest lone-wolf victory in the state's turbulent political history."

The invincible candidate carried every county in the state.

## THE MAVERICK YIELDS TO DEATH

For Bill Langer 1959 should have been a triumphant year, and a fitting climax to his career. Without endorsement from any faction or party, with only one half-hour television campaign appearance, he had won an unparalleled victory. For both Bill and Lydia Langer, however, 1959 was a year of illness and death.

Bill Langer's love for his wife was deep and enduring. After his reelection in 1946, on the opening day of the 80th congress in January 1947, Langer asked for a point of personal privilege to pay a moving tribute to Lydia Langer. He spoke of her constant helpfulness and support during the stirring days of his political career. He spoke of his great love and affection for her. Langer knew how right Frank Vogel was when he wrote, "Don't forget that through it all you had a wife who, had she been different, the road would have been a lot rougher."

In August Bill Langer brought Lydia Langer to Casselton to lie in death beside the father who had taught him the nobility of service, beside the mother who had taught him the consolation of going to his knees in prayer.

The *Rural Electric Minuteman* described Langer after Lydia's death: "Langer was lonely and lost after the death of his gentle Miss Lydia, the lady who stood quietly beside him through his moving and troubled political career. Bill Langer was never the same after that. He went through the motions, but the fire and brimstone was gone. The maverick didn't come back to the herd. His wanderings were quieter. It was like the wind dying on the plains of the Dakotas."

After Senator Langer's death on November 9 of that year, the same magazine wrote:

"They said Bill Langer died of a heart attack, weakened by a three-week siege of pneumonia. He also died of a broken heart."

In November they brought Bill Langer back to Casselton. They carried his body along Langer Avenue to the Catholic Parish which Frank and Mary Langer helped establish in 1879. The great, the near great, and the humble were there to hear The Reverend Leo Dworshak say the great

lesson to be learned from Langer's life was his unshakeable adherence to his convictions.

On January 6, 1960, the United States senate paused in its deliberations to honor the memory of Senator William Langer. Thirty-seven senators paid him tribute. One sentence each from twelve of the tributes is an indication of the regard in which Bill Langer was held by his colleagues.

Senator Milton Young, North Dakota: "His liberal thinking and his natural desire to help the poor and the under-privileged had a great influence on all of his long career as a public servant."

Senator Norman Brunsdale, North Dakota: "He was a champion of the underdog."

Senator Lyndon Johnson, Texas: "There are some men who have the rare capacity of shaking the earth; such a man was William Langer."

Senator Mike Mansfield, Montana: "He was neither a Republican nor a Democrat, but at all times he acted as he thought an American should act."

Senator Warren Magnuson, Washington: "If I were to write his epitaph it would be 'Here lies a man whose great concern was for the oppressed.'"

Senator Alexander Wiley, Wisconsin: "We will never see his like again."

Senator Paul Douglas, Illinois: "Langer was the most misunderstood, the most improperly attacked, and one who suffered more from the hands of his opponents than any other member of this body."

Senator Everett Dirksen, Illinois: "He had a great passion and enthusiasm for humanity."

Senator Estes Kefauver, Tennessee: "If a maverick is a non-conformist, a person who works alone in defense of his principles, Senator Langer was a maverick."

Senator Ralph Yarborough, Texas: "He would vote against all political parties combined if he thought he was advancing the welfare of the average American family."

Senator Alan Bible, Nevada: "Langer was a maverick because he wore no man's brand."

Senator Wayne Morse, Oregon: "He believed it is the duty of a public official to protect the economically weak from the exploitation of the economically strong."

Senator Morse in 1973 added the following tribute to his friend and fellow maverick: "Bill Langer believed that our constitutional system was designed to promote the general welfare of all the people. He recognized the general welfare clause in the Preamble of our Constitution as the keystone of our constitutional system."

Those are the plaudits of the great and the famous. Someone should speak for the thousands of humble, unknown people of North Dakota who twice sent Bill Langer to the governor's chair and four times elected him United States senator.

The person who speaks for these thousands, the thousands in every

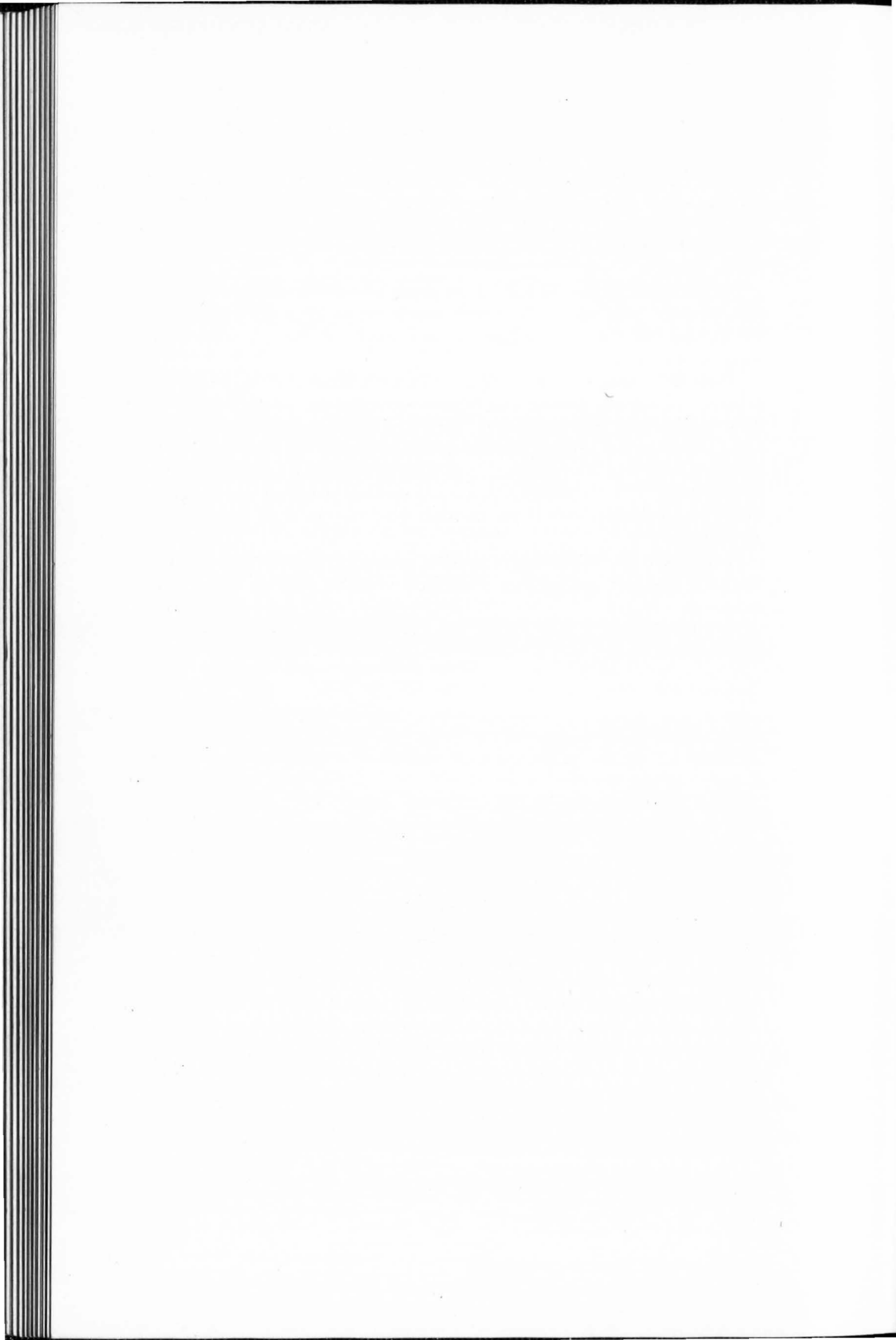
political party who make election victories possible, should be one who never aspired to high public office. It should be one who never asked for political patronage. It should be one who asked only for the reward of seeing Bill Langer elected to office. Such a man is Pius Reis of Napoleon, North Dakota.

The person who speaks for the unnamed and unknown thousands of Nonpartisan Leaguers should be one who never wavered in his loyalty to Bill Langer. Bill Langer lost League supporters with every controversial thing he did or said.

When Bill Langer broke with the League leaders in 1920, Pius Reis believed, "Townley, Lemke and Frazier were getting too radical." Pius Reis considered "the conspiracy trials and the attempts to keep Bill Langer out of the senate political persecutions." Pius Reis said, "Bill Langer couldn't go into the Democratic party. He had to break the pledge he had made. The Republican party was the only party for Bill Langer." There's an elephant carved on the sign marking the Reis residence in Napoleon.

Speaking for the thousands of humble, unnamed, loyal members of Bill Langer's Nonpartisan League, Pius Reis voiced a tribute, simple and sincere:

"Bill Langer was a man for the people."



## APPENDIX

### SECTION A: Grand Jury, trial juries, and petitioners against seating of William Langer in United States Senate.

GRAND JURY CALLED APRIL 8, 1934, TO CONSIDER CHARGES AGAINST WILLIAM LANGER, ET AL.

Occupations and political affiliations as identified by the defendants. Asterisk (\*) denotes foreman of each jury.

NAME	RESIDENCE		
F. D. Beatlien*	Flasher	William Krekow	Streeter
Cattle buyer		Mgr. Lumber yard	
H. K. Harrington	Fargo	Olaf Hildre	Dahlen
Hardware dealer		IVA, Storekeeper.	
B. M. Abrahamson	Grand Forks	Calvin Deigle	Sawyer
Merchant		IVA	
Ole Kragness	Douglas	John Woodcock	Valley City
Storekeeper		IVA, Storekeeper	
Robert Maslowski	Grand Forks	Garvin Olson	Hatton
Mgr. Cities Service		IVA, Undertaker	
J. W. Orchard	Warwick	Layton George	Oakdale
J. Harvester dealer		IVA, Storekeeper	
Jacob Fisher	Streeter	Edwin Hoff	Rugby
none listed		Hardware man	
T. E. Goulding	Edmore	John Fisher	Glen Ullin
Elevator Operator		Banker	
Henry Martin	Emmett	Ed Borene	Minot
IVA, Farmer		IVA	
Anton Skedvold	Alexander	E. J. Corvis	Lansford
IVA, Farmer		IVA	
C. J. Flatt	Stanley	George Martinson	Derrick
IVA, Farmer		Farmer	
		E. O. Bonderud	Grace City
		IVA, Farmer	

## JURY IN FIRST

## CONSPIRACY TRIAL

J. T. Brady	Fargo
Chas. Lueck	Gardena
Edward Arnegard	Hillsboro
John Jones	Garske
Lester J. Crist*	Grassy Butte
L. C. Hulet	Mandan
Albert Anderson	Hillsboro
A. G. Scott	Fargo
Nick Ectes	Wahpeton
Otto Roder	Easby
R. D. Smith	Oriska
O. S. Hjelle	Mercer

## JURY IN PERJURY TRIAL

H. J. Evenson	Plaza
Walter Maerchein	Oakes
Thomas Hughes	McKenzie
Geo. Allen	Pleasant Lake
B. E. Ketchum	Linton
J. G. McClintock	Rugby
Albert Bjork	Montpelier
Robert Paxton	Nече
Olaf Wick	Valley City
C. A. Johnson*	Valley City
John Keenan	Minot
Chas. Walloch	Forman

## JURY IN SECOND

## CONSPIRACY TRIAL

Herman Charboneau	Bottineau
C. B. Olson	Devils Lake
Alvin Janke	Turtle Lake
B. F. Lawyer	Bismarck
Ernie Reich	Casselton
W. C. Henning	Hillsboro
C. J. Crary	Fargo
Thomas Hughes	
Carl Grady	
P. P. Lyste	Devils Lake
Anton Olson	
Ed Ferderer	Mandan

## JURY IN THIRD

## CONSPIRACY TRIAL

Clifford Peterson	Reynolds
Bernard Glaspell	Jamestown
Dewey Grieve	Buffalo
Alfred Larson	Calvin
Russell Cooper	Fordville
Grand Cunningham	Devils Lake
George Ottis*	Wyndmere
Gust Edlund	Powers Lake
A. M. Cornwall	Fargo
A. M. Bonhus	Valley City
Willard Schwable	Hillsboro
Thomas C. Brown	Valley City

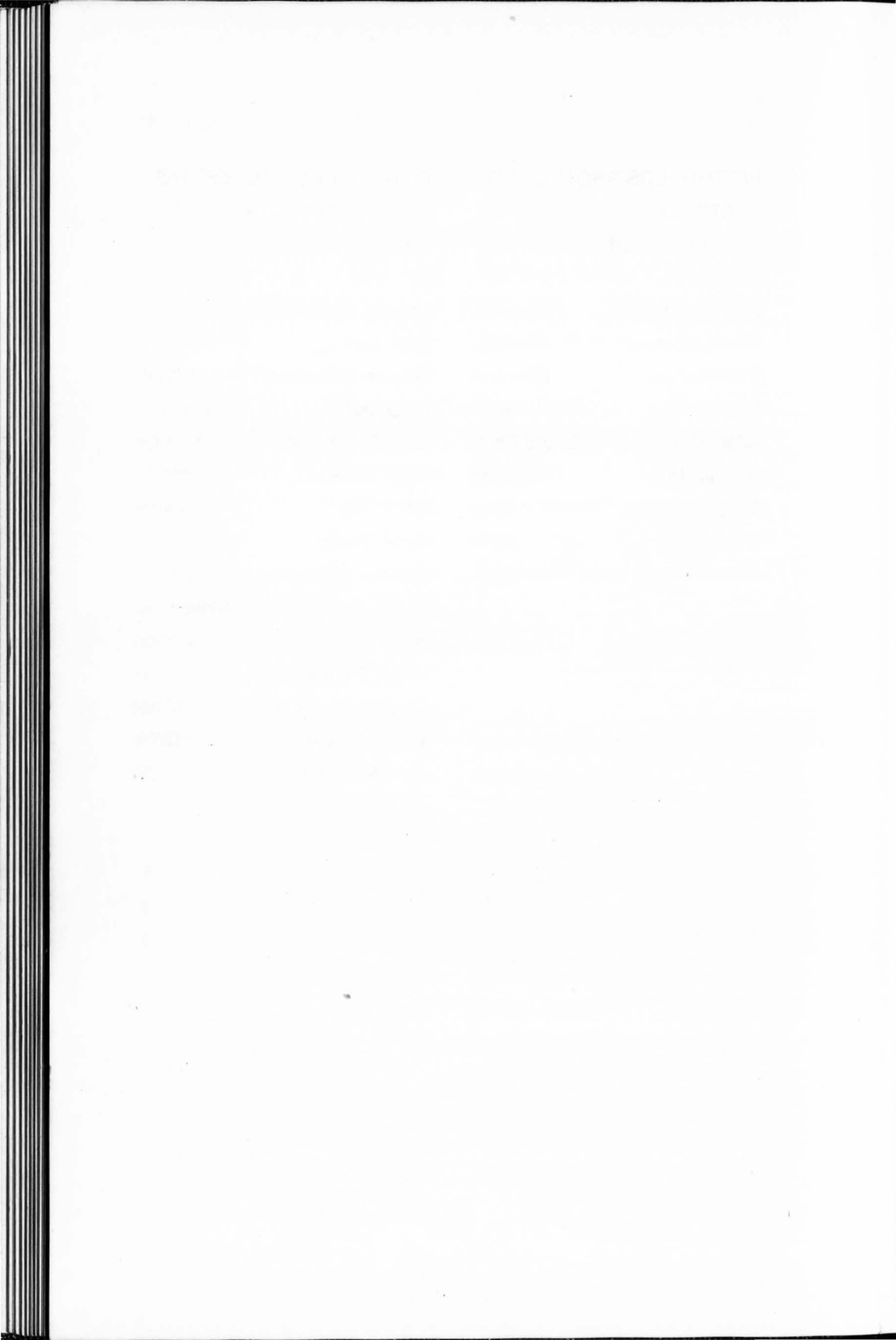


PETITIONERS PROTESTING  
SEATING OF SENATOR  
WILLIAM LANGER, 1941

John Micklethun	Valley City
Oswald Braaten	Reynolds
J. H. McCay	Bismarck
I. N. Amick	Minot
Allan McManus	Grand Forks
Kristian Holl	Wildrose
T. O. Crawford	Minot
D. D. Riley	Minot
C. R. Verry, Minot, Secretary	

PETITIONERS PROTESTING  
SEATING OF SENATOR  
WILLIAM LANGER, 1953

Joseph Bridston	Grand Forks
Emil Strand	Fryburg
Joseph R. Reinke	Hankinson
C. O. Johnson	Hannaford
John E. Faruolo	Fargo
B. W. Taylor	Stanley
Glenn Dill	Minot
G. R. Thelin	Devils Lake
Charles E. Lester	Forest River
Martin R. Erickson	Starkweather
S. J. Atkins	Cando
Grant Trenbeath	Neché
Charles R. Verry	Minot
Wm. A. Stewart	Gilby
Paul M. Gallagher	Fargo



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## INTERVIEWS AND CORRESPONDENCE

### Bismarck

William Mills  
 Mrs. Oscar Erickson  
 Mrs. Frank Vogel  
 Ben Meier  
 Ben Wolf  
 Allen Olson  
 Jay Bryant  
 Herman Leonard  
 C. J. McGurren  
 Mrs. Emma Stenehjem  
 Math Dahl  
 W. W. Murray  
 Arnold Holden  
 Clarence Haggard  
 Clifford Jansonius  
 Charlotte Logan  
 Mrs. Ethel Mills  
 Howard Snortland  
 Gerald Vande Walle  
 Cletus Schmidt  
 St. Alexis Hospital  
 Martin Stenejem, Jr.  
 Elmer Olson  
 Quentin Retterath  
 Esky Solberg  
 O. T. Forde  
 Mrs. Dewey Grieve, Buffalo  
 Widow of Juror, Last Langer  
 Conspiracy trial

### Casselton

Frank Woell  
 Joseph Woell  
 Mrs. Clara Woell  
 Mrs. L. E. Correll  
 Mrs. Rose Spooner

Frank Weber  
 William Guy  
 Elmo Christianson, Cavalier  
 Mrs. Ray Kummer, Colfax  
 Cal Andrist, Crosby  
 Mrs. George Jackson, Dawson  
 Mr. & Mrs. Milt Kelly, Devils  
 Lake  
 Irvin Schumacher, Drayton  
 S. F. Hoffner, Esmond  
 Walter Radloff, Everest

### Fargo

Abner Larson  
 William Lanier  
 Senator Quentin Burdick  
 C. J. "Red" Myers  
 Ralph Maxwell  
 John Garaas  
 Ole Gundvaldson  
 Don Holand  
 John Kelly  
 Herschel Lashkowitz  
 Shelley Lashkowitz  
 Henry Martinson  
 Leo McDonald  
 Charles Vogel  
 Senator Milton Young  
 Betty Good  
 Dr. Robert Ulmer  
 Sam Dolve  
 Rilie Morgan, Grafton

### Grand Forks

Owen T. Owen  
 Harold Shaft  
 Robert Fiedler  
 Jack Hagerty  
 Henry Kennedy

Frank Kosanda  
James Lamb  
E. J. Lander  
George Longmire

Jamestown

Stanley Moore  
Ed Smith  
Mrs. Mildred Johnson  
Mrs. Daphna Nygaard  
Mrs. Robert Gehring, Kenmare  
Leon Johnson, Lansford  
Mrs. Fran Froeshle, Lisbon  
Robert Chesrown, Linton

Mandan

Robert Vogel  
Marian Means  
L. C. Hulet, Juror, First Langer  
Conspiracy Trial  
Rev. John Kuhn  
Charles Conrad  
John Hautzman  
Mrs. Frank McGillic  
Mrs. Lillian Gallagher

Minot

Elmer Cart  
Palmer Levin  
Robert Palda  
Pius Reis, Napoleon  
Mr. & Mrs. Orris Nordhaugen,  
Leeds  
Mrs. Pearl Hove, Parshall  
Donnell Haugen, Roseglen

William Langer records  
William Lemke records  
Joseph Bridston records

Valley City

Gorman King  
C. A. Johnson, Foreman Jury,  
Langer Perjury Trial

Wahpeton

Wallace Warner  
George Ista

California

John Fisher, Penn Valley,  
Member of Grand Jury in-  
dicting Langer, *et al.*  
Melvin Frazier, Alamo  
George Olson, San Jose  
Clyde Duffy, Santa Clara

Minnesota

George Schonberger, Ogema  
Florence Williams, Detroit  
Lakes  
C. J. Crary, Detroit Lakes,  
Member of jury second  
Langer Conspiracy Trial  
Ernie Reich, Detroit Lakes,  
Member of jury, second  
Langer Conspiracy Trial

Washington, D.C.

National Archives and Record  
Service  
Wayne Morse

New York City

Morgan Ford

University of North Dakota,  
Chester Fritz Library

## **AGNES GEELAN**

Native of Hatton, North Dakota.

Parents: Harold and Jane Kjorlie, Wisconsin natives, came to Dakota Territory, 1879.

Married to Elric Geelan of Enderlin, North Dakota.



Education: Hatton High School, Mayville Normal, Concordia College, University of North Dakota, North Dakota State University.

Teacher in North Dakota schools, 1915-1935.

State President, American Legion Auxiliary, 1935-1936.

State Chairman, Women's Division War Bond Sales, World War II, 1942-1944.

Member, Enderlin School Board, 1945-1948.

Mayor of Enderlin, 1946-1954.

State Senator, 1950-1954.

National Legislative Representative, Ladies Auxiliary to Brotherhood of Railroad Trainmen, 1952-1961.

State C.O.P.E. Director, North Dakota AFL-CIO, 1960-1961.

Commissioner, North Dakota Workmen's Compensation Bureau, 1961-1971.

Chairman, 1966-1971.

Vice-Chairman, National Compensation Insurance Administrators, 1968-1970.

Chairman, North Dakota Status of Women Commission, 1963-1964.

Delegate, North Dakota Constitution Revision Convention, 1971-1972.

Chairman, Rules Committee.

Member, Bill of Rights Committee.

Political Affiliations:

Democratic Party

Endorsed for state legislature, 1942.

Nonpartisan League

Endorsed for Congress, 1948.

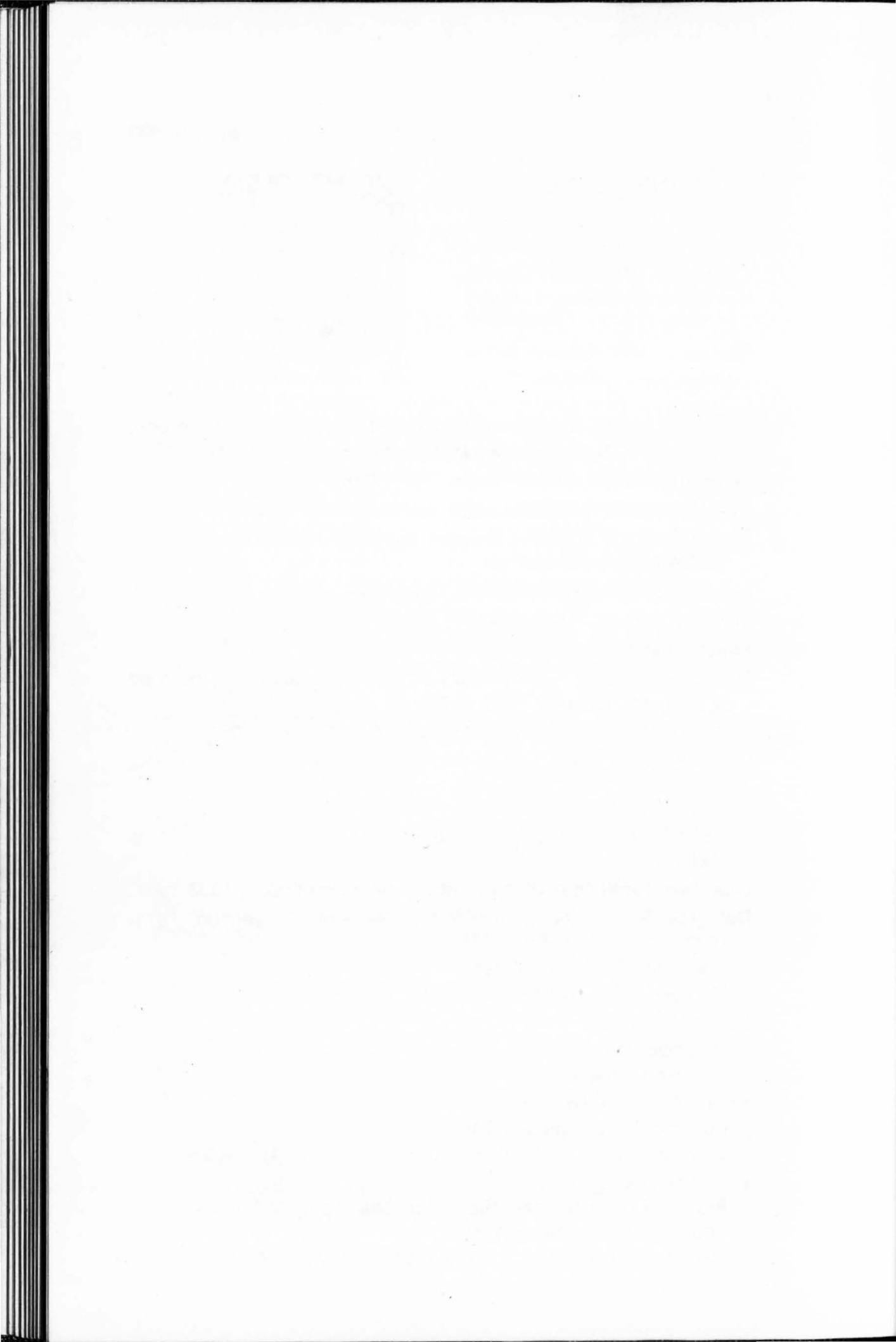
Secretary-Treasurer State Executive Committee, 1952-1956.

Democratic-NPL

Precinct Committeeman, State Vice-Chairman, 1956-1961.

Endorsed for Congress, 1956.

Managed campaign in ten largest cities in state, 1958.





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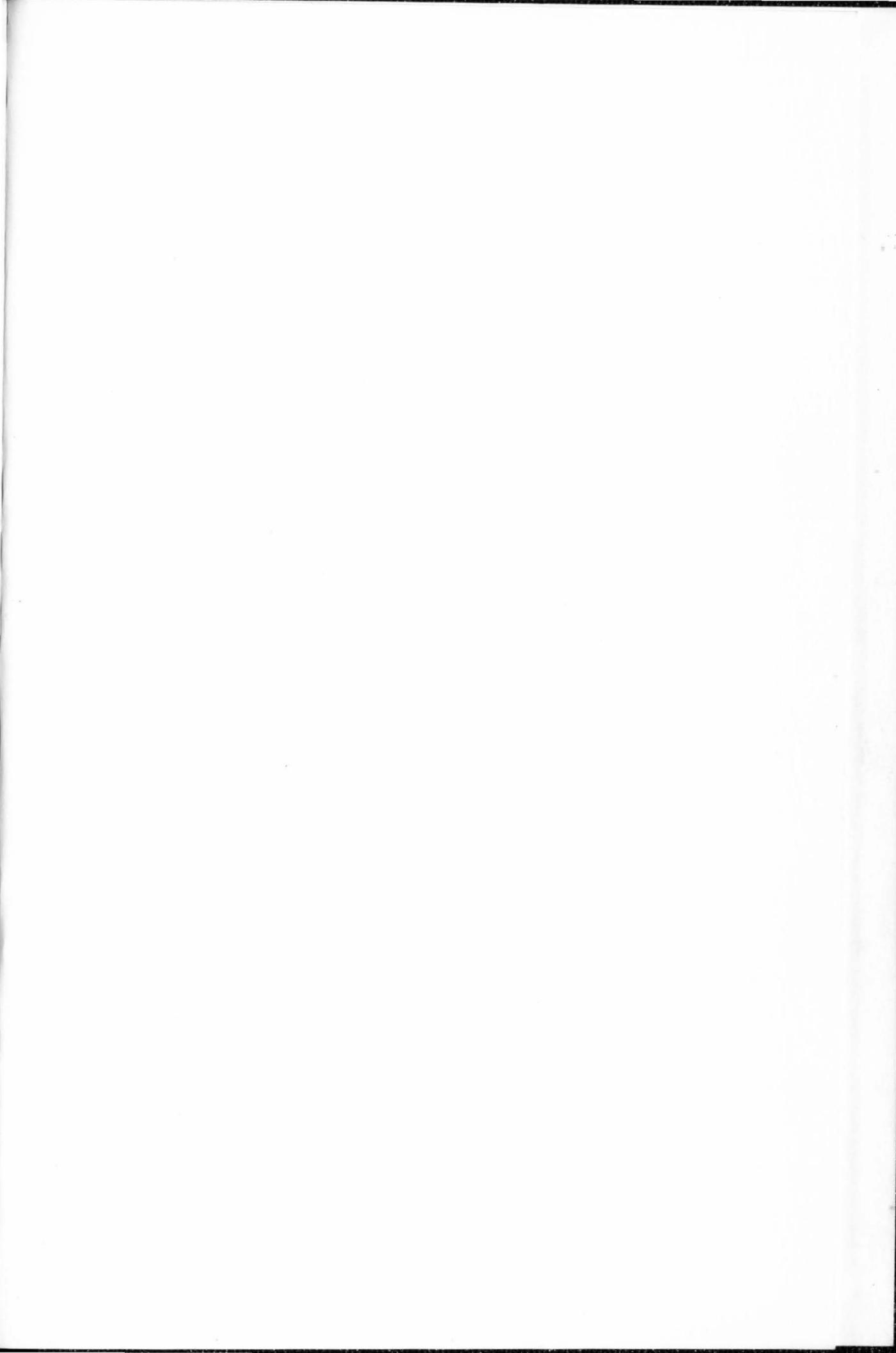
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## About the Author



Agnes Kjorlie Geelan is more than a biographer of William Langer and more than a historian for North Dakota's progressive movement because she has been a living part of the political events of which she writes.

A North Dakotan by birth, education, and experience, Agnes Kjorlie was the daughter of pioneer parents who had come to Dakota Territory in 1879. She married Elric Geelan, a railroad employee. After graduation from Hatton high school, she attended Mayville Teachers College, the University of North Dakota, Concordia College, and North Dakota State University; and she taught school for 18 years. Following her marriage Mrs. Geelan became active in the Ladies Auxiliary to the Brotherhood of Railroad Trainmen, served as National Vice President and for 15 years as Chairman of the organization's Board of Trustees and Legislative Representative.

Mrs. Geelan's political activities began in the Democratic Party. She joined the insurgent movement in North Dakota's Nonpartisan League; and when the League merged with the Democratic Party, Mrs. Geelan was elected State Vice Chairman. She was a delegate to Democratic national conventions in 1956 and 1960 and on the Platform Committee of the latter session. Her contact with William Langer and the progressive movement came through the Nonpartisan League.

Mrs. Geelan was twice a candidate for Congress, in 1948 with Nonpartisan League endorsement and in 1956 with backing of the Democratic NPL.

She has served in both elective and appointive public office, including membership on the school board and the mayoralty of Enderlin, N.D. and as State senator. She chaired the women's division of the state's World War II war bond program, the Status of Women Commission, and the Workmen's Compensation Bureau. Mrs. Geelan's last public assignment was as a delegate and Rules Committee Chairman of the North Dakota Constitution Revision Convention in 1971-1972.

## WHAT OTHERS SAY

Mrs. Geelan has captured the flavor of a colorful period in North Dakota history.

Quentin Burdick  
U. S. Senator, North Dakota  
1960-

Agnes Geelan, who has made considerable North Dakota history herself, turns her hand to the writing of history. Her study and portrayal of the life of Senator Langer is superb.

Arthur A. Link  
Governor of North Dakota  
1973-

An unpretentious but politically astute study of a personality played out in the life of one of the most colorful United States senators of the "dust bowl" days.

Sister Anne Burns O.S.B.  
President, Mary College  
1959-1965

Agnes Geelan's deep involvement in the politics of North Dakota makes her a most logical person to document the William Langer era.

William L. Guy  
Former Governor of North Dakota  
1961-1972

The story of Bill Langer is gripping and important, to be read with excitement and pleasure, and written in a style suited to the subject.

Dr. Nathan Sumner  
National Endowment for the Humanities  
Washington, D.C.

Senator Langer enjoyed one of the biggest and most loyal followings of anyone with whom I was ever associated in public life.

Milton R. Young  
U. S. Senator, North Dakota  
1945-