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Morality Legislation in Early North Dakota

Mariellen MacDonald Neudeck

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MORALITY LEGISLATION IN EARLY NORTH DAKOTA

(1889-1914)

by

Mariellen MacDonald Neudeck

B.A. in Journalism, University of Minnesota, 1962

A Thesis

Submitted to the Faculty

of the

University of North Dakota

in partial fulfillment of the requirements

for the Degree of

Master of Arts

Grand Forks, North Dakota

August
1964

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N39

This abstract of a thesis submitted by Mariellen MacDonald Neudeck
in partial fulfillment of the requirements for the Degree of Master of Arts
at the University of North Dakota is hereby approved by the committee
under whom the work of the thesis has been done.

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MORALITY LEGISLATION IN EARLY NORTH DAKOTA (1889-1914)

Mariellen MacDonald Neudeck, Master of Arts

The thesis here abstracted was written under the direction of Glenn H. Smith and approved by Elwyn B. Robinson and Joseph F. Smeall as members of the examining committee, of which Dr. Robinson was Chairman.

In 1890 North Dakota ranked first among all the states in the percentage of foreign-born in its population, no fewer than 79.45 per cent of its people being of foreign birth or extraction. In 1889 these people approved a prohibition clause for the state constitution. Such morality legislation as prohibition has been traditionally viewed as supported by the native-born and opposed by the foreign-born, yet in North Dakota there was great concern with such issues. Of all the states adopting prohibition before 1905, North Dakota became one of just three to maintain the law in its full force until national repeal.

To examine the nature of the support for prohibition and other morality legislation (including laws against cigarettes, gambling, Sabbath-breaking, and profanity, and laws making divorce more difficult), a case study was made of two groups of counties. It was found that much of the impetus as well as most of the support for morality legislation came from the Norwegian Lutheran element of the population. The German-speaking, Catholic and frontier regions were most strongly opposed. The attitudes of each group were determined by examining the bills introduced by legislators from each group, the votes of legislators, and newspapers from each area.

The conclusion is that foreign-born Northern Europeans should be included with the native American middle class when recognizing supporters of such legislation.

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

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CHAPTER I

INTRODUCTION

On February 22, 1889, the Congress of the United States passed an enabling act providing for the statehood of North Dakota, South Dakota, Montana, and Washington. Residents of what was to become the state of North Dakota immediately turned their attention to establishing a state government, to erecting a legal and political structure for the future. In charting their course for the future, the residents of the state, as represented at the First Constitutional Convention and in the early legislatures, exhibited an acute concern with moral issues. Drinking, smoking, gambling, divorce, profanity, Sabbath-breaking, and even dancing--they considered all of these legitimate concerns of law, as their subsequent actions make clear. In the first twenty-five years of statehood, 147 bills concerned with moral issues were introduced into the legislature--an average of over twelve per legislative session.¹

There is other evidence that North Dakotans were seriously concerned with the moral well-being of their state. In 1890, for

¹The number of bills was computed by the author after examining the following sources: North Dakota, Journal of the Senate, First through Thirteenth Legislative Assemblies, 1889 to 1913; North Dakota, Journal of the House of Representatives, First through Thirteenth Legislative Assemblies, 1889 to 1913. The number and content of these bills were cross-checked by examining the copies of the bills on file in the North Dakota State Historical Library. Finally, all mentions of pertinent bills in the newspapers examined were checked for extra assurance that none had been missed.

example, the prospect of a state lottery was so abhorrent to some of the citizens that a committee formed privately and financed an investigation by the Pinkerton National Detective Agency to defeat it. The idea was to get enough information about suspected bribetaking in connection with the lottery bill to put the supporters in a compromising position.² It evidently worked, for although there was no evidence that money had actually changed hands, the discovery that a Pinkerton man was in their midst alarmed enough legislators to get the bill indefinitely postponed in the House--after it had passed the Senate. Apparently the attitude of the citizens of the state also contributed to the bill's ultimate defeat. "Because of the disclosures by the Pinkerton detectives and a state wide waive [sic] of indignation, it was killed in the House," is the comment in the detective agency's report.³ Among the group which brought in the Pinkerton men, incidentally, were Governor John Miller, Attorney General George F. Goodwin, Railroad Commissioner George S. Montgomery, and George B. Winship, senator from Grand Forks County and publisher of the Grand Forks Herald.⁴

Part of this concern with the moral climate of the state were the attempts to make North Dakota a morally safe place in which

²The charter of the Louisiana Lottery Co. was about to run out, and the state of Louisiana had served notice to the company that it would not be renewed. The owners of the extremely profitable company tried to get North Dakota to grant it a charter. Lobbyists for the bill, including the former United States senator from Alabama, George E. Spencer, were suspected of paying legislators for a favorable vote. For more detailed accounts see: Pinkerton National Detective Agency, "Report on the Louisiana Lottery Investigation, 1890," (in the files of the North Dakota State Historical Library, Bismarck); George B. Winship, "Political History of the Red River Valley," History of the Red River Valley (2 vols; Grand Forks, N.D.: Herald Printing Co., 1909), I, 455-56; and Lewis F. Crawford, History of North Dakota (3 vols; Chicago: The American Historical Society, Inc., 1931), I, 370.

³Pinkerton Report, 1. ⁴Ibid., pp. 14, 17, 43.

to raise children. The first school law, passed by the 1889-90 legislature provided for "special instruction concerning the nature of alcoholic drinks, stimulants and narcotics and their effect upon the human system" as part of the minimum curriculum. Further, it decreed that "moral instruction tending to impress upon the minds of our pupils the importance of truthfulness, temperance, purity, public spirit, patriotism, and respect for honest labor, obedience to parents and due deference for old age, shall be given by every teacher in the public schools."⁵ Still another indication of the concern with morals in the early years of statehood was the high feelings engendered by the prohibition campaign. For example, in the midst of the campaign against demon rum, the Grand Forks Herald was reporting on the developments in the case of a Pembina Presbyterian minister who was in danger of losing his position because he had said that God--and not the devil--made liquor. He had further horrified his congregation by publicly declaring that "he didn't believe anyone was going to hell simply for drinking a glass of grog."⁶

And in Hatton in Traill County a prohibitionist was tried for ~~murder~~ ~~in~~ ~~the~~ ~~year~~ ~~of~~ ~~1888~~. Under local opinion, Hatton was already dry when prohibition was approved, but there were still some blind pigs in existence. Outraged at the presence of a saloon in Hatton, eleven prohibitionists took it upon themselves to make a raid on the place. The nine women and two men involved (one of whom was a minister) destroyed the saloon's stock of liquors. Unfortunately, according to the Mayville Tribune, "during the melee

⁵Crawford, I, 363.

⁶Grand Forks Herald, May 8, 1889.

old Mr. Lomen received a blow on the head from a hatchet and afterwards died from its effects." A Mrs. Aasen, who was arrested for the killing, was subsequently acquitted.⁷

Incidents revealing such intense feelings were rare, but it is important to remember that of the many states that passed prohibition laws between 1850 and 1900, North Dakota was one of just three that maintained the law in its full force until prohibition was nationally repealed.⁸ (Maine and Kansas were the other two.)

North Dakota was not alone in its concern with such issues as prohibition, of course. The very existence of such a phrase as "blue laws," commonly used by Americans to refer to such laws in whatever guise they may take from Sunday closing laws to anti-birth-control legislation, indicates that such laws are known throughout the country. Precisely because Americans as a whole have been concerned with these issues a closer study of them is relevant. An intensive study of these laws in North Dakota, and their supporters and opponents, is especially interesting for several reasons. For one thing, they were of vital concern to North Dakotans at least a decade before the nation as a whole became seriously concerned with morality legislation.

In 1889, the year with which this study begins, the Populists were approaching the peak of their power. The people of rural America had strong grievances, and they were becoming deeply involved in political action to obtain the measures which they believed

⁷Mayville Tribune, June 25, 1890.

⁸Charles Merz, The Dry Decade (Garden City, N.Y.: Doubleday, Doran, and Co., 1932), p. 4; D. Leigh Colvin, Prohibition in the United States (New York: George H. Doran Co., 1926), p. 216.

would alleviate their problems.⁹ The problems of greatest concern to rural Americans and rural North Dakotans were economic: transportation, money, credit, and tariffs.¹⁰ The solutions the farmers advocated for these problems were very specific. They wanted government ownership of railroads and telegraphs, free coinage of silver, abandonment of national banks, and the end of high protective tariffs.¹¹ In North Dakota the Farmers' Alliance also advocated woman suffrage and prohibition--planks which the Southern Alliance (the group with which the North Dakota Farmers' Alliance had affiliated) would not support because it was feared these two issues would hurt, rather than help, the cause.¹² The North Dakota Farmers' Alliance had included prohibition in their program in 1888, on the grounds that it was in their interest to prevent the annoyance and expense of drunk farm workers.¹³ Already committed to prohibition, their subsequent affiliation with the Prohibitionists was not surprising.

The union of the Farmers' Alliance and the Prohibitionists in North Dakota occurred at a two-day meeting in Grand Forks, September 25 and 26, 1890. The two groups met separately at first, but at a joint meeting on the evening of September 25 they united to form the Independent party.¹⁴ They appointed a state central committee, nominated a slate of candidates for state offices, and drew up a platform.

⁹General information on agrarian protest movements in this period is from: Russel B. Nye, Midwestern Progressive Politics (East Lansing, Mich.: Michigan State College Press, 1951), pp. 1-127; and Fred A. Shannon, American Farmers' Movements (Princeton, N.J.: D. Van Nostrand Co., 1957), pp. 48-73. Information on the movement in North Dakota can be found in Glenn Lowell Brudvig, "The Farmers' Alliance and Populist Movement in North Dakota (1884-1896)" (unpublished Master's thesis, Department of History, University of North Dakota, 1956).

¹⁰Nye, p. 7.

¹¹Shannon, p. 67.

¹²Brudvig, p. 151.

¹³Ibid., p. 116.

¹⁴Ibid., p. 140.

Although the party in North Dakota never officially used the title of People's party, the term Populist was always applied to them, and they used it themselves.¹⁵ The platform of these North Dakota Populists is especially interesting in establishing their relationship to the Populist party elsewhere in the nation. The platform called for free silver; sub-treasuries; repeal of the war tariff and a graduated income tax; government loans direct to the people "at a slow [sic] rate of interest;" the continuation of prohibition and national abolition of the liquor traffic; government ownership of railroads and telegraph lines; equal suffrage; the Australian ballot; and direct election of senators and the president and vice president.¹⁶

How close these demands were in spirit to those of the Populist party when it formed at St. Louis in 1892 may be seen in the fact that they disagreed with the national platform in just two important respects. The North Dakota Independents did not agree with the Populist plank calling for prohibition of alien ownership of land, although they accepted it once it had been adopted. The second area of disagreement related to prohibition and woman suffrage. The delegates from North Dakota and some other northwest states wanted the party to endorse these two measures, but were not successful in persuading the rest of the delegates to support them.¹⁷

The rapport between the Alliance and the Prohibitionists in North Dakota did not last long, as the two groups had a falling out in March, 1892, over the question of sending delegates to the National

¹⁵Brudvig, 141.

¹⁶Grand Forks Herald, September 26, 1890.

¹⁷Brudvig, 151.

Prohibition Convention.¹⁸ The Prohibitionists subsequently endorsed a separate set of presidential electors, but they endorsed the Independent party slate of state officers except for the positions of secretary of state and congressman.¹⁹ For these offices they endorsed the Republican candidates. Their votes obviously were important in the fall elections when the Independent party's candidates were elected to every state office except secretary of state, which was the only office taken by the Republicans.²⁰

In 1894 and again in 1896 the Republicans took control of the state government, but this was no loss to the Prohibitionists, for the Republicans had been pledged to enforce prohibition since 1889.

Obviously there was strong support for prohibition in North Dakota some years before it became a national concern. The measure had been approved by the people in 1889, when they voted separately on the section of the constitution which established it. It must be kept in mind that this was eleven years before prohibition, as an integral part of the Progressive movement, began to absorb the attention of the nation.²¹ It was a full seventeen years before Progressivism got a foothold in North Dakota with the election of John Burke as governor in 1906.²²

¹⁸Brudvig, p. 152. ¹⁹Brudvig, p. 162.

²⁰Brudvig, p. 165. The Independent party's slate of state officers was endorsed by the Democrats, although the Independent party had not encouraged the fusion.

²¹For an excellent discussion of the prohibition movement and its relationship to the Progressive movement see: James H. Timberlake, Prohibition and the Progressive Movement, 1900-1920 (Cambridge, Mass.: Harvard University Press, 1963.)

²²Charles N. Glaab, "John Burke and the North Dakota Progressive Movement (1906-1912)" (unpublished Master's thesis, Department of History, University of North Dakota, 1952).

It was in the Progressive era in American history that Americans turned seriously and successfully to the promulgation of a great many idealistic measures. There was a faith in the people, in their collective wisdom, which led reformers to believe that evils could be corrected by bringing government closer to the people. Thus such measures as the initiative, referendum, and recall were fought for and won in many states. The same idealism that sparked the political reform movements of the period is credited with playing a crucial role in persuading people that society could be improved by legislating against social and moral evils. North Dakota is unusual in that belief in the efficacy of morality legislation noticeably antedates the era credited with giving such legislation much of its impetus.

This unusually early concern with morality legislation is not the only thing making a case study of the support for, and opposition to, such legislation valuable. In the first quarter-century of statehood (1889-1914) North Dakota was being settled by very diverse groups, ethnically and religiously. The factor of varying ethnic backgrounds, and therefore the effect these may have had upon attitudes toward morality legislation, can be studied better in North Dakota in this period than in any other state. This is because, as the United States Census for 1890 notes, "North Dakota stands at the head of all the states in this regard, not less than 79.45 per cent of its white inhabitants being of foreign birth or extraction, leaving but 20.55 per cent as its native white element."²³ The traditional assumption that support for such morality legislation as prohibition laws

²³U.S., Bureau of the Census, Eleventh Census of the United States; 1890. Compendium, I, xcii.

came from the "old-stock, middle-class section of the American community" also comes into question in the light of the support for morality legislation in the state which had the smallest percentage of native whites in its population. Finally, the fact that North Dakota was still being settled makes it possible to study the attitudes of the frontier as opposed to the more settled areas. Few other states provide an opportunity for such study in these years.

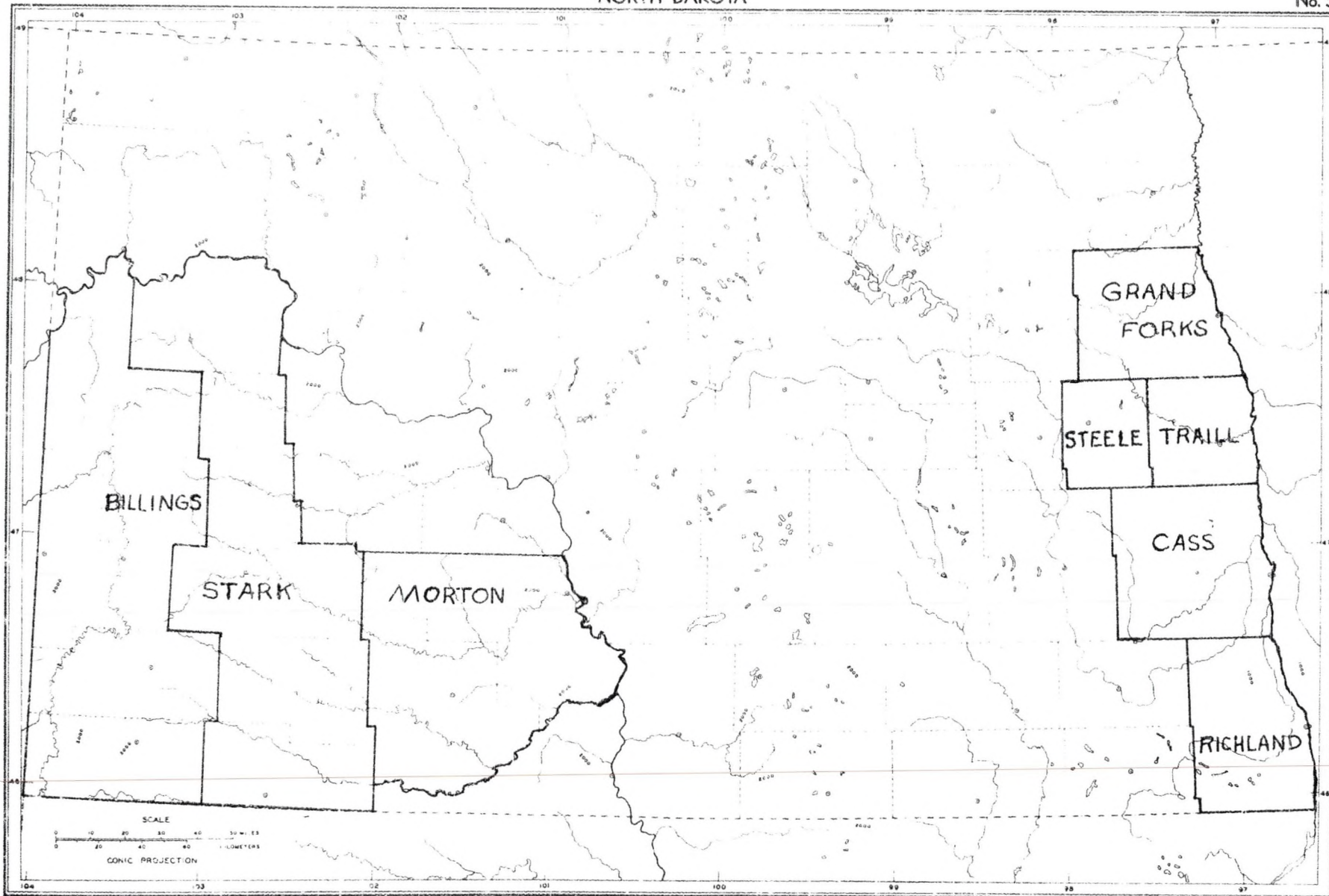
A better understanding of the type of morality legislation usually identified with the Progressive era may be gained by examining the traditional assumptions about such laws in a state where the traditional assumptions do not seem to fit. The attitudes of the old-stock, native born Americans can be compared with the attitudes of the foreign born. Where a man's ethnic background tended to influence his thinking on such issues, the question of which ethnic groups were generally in favor and which generally opposed is relevant. The possibility that people living in the older, settled areas took different positions toward morality legislation than those in frontier areas must be considered. The possibility that a rural-urban split is significant must also be considered.

North Dakota provides an excellent case study for considering these variables. In the east Scandinavian Protestants, mainly Norwegian Lutherans, predominated. In the west there was a predominance of Catholics, largely German and German-Russian. Did representatives of these two areas take different positions on morality issues? The evidence suggests that, on the whole, they did, thus raising the question of whether the opposing positions on morality

legislation could be traced to one or several of the differences already noted.

In order to make a case study of the nature of the support for and opposition to the many moral issues that North Dakota citizens and lawmakers were concerned with, two groups of counties, representative of the two different areas of the state, were selected. In the eastern part of North Dakota a tier of counties along the Red River, Grand Forks, Steele, Cass, and Richland, along with Traill County was selected. In all of these counties the Norwegian element predominated, although there were substantial numbers of Germans in Richland County and Canadians in Cass and Grand Forks counties. These counties were settled some years before North Dakota became a state, in contrast to the portion of the state west of the Missouri River. From that area, Morton, Stark, and Billings counties were selected as most representative. In these counties, as in the western part of the state in general, the predominant ethnic groups were German and German-Russian. The Norwegian Lutheran churches predominant in the eastern pilot counties predominated in the eastern part of the state as a whole, while Roman Catholics outnumbered Protestants in the western part of the state and in the pilot counties.

To ascertain the general feeling about morality legislation in each group of counties, the positions of the men they sent to the first thirteen state legislatures was examined. The bills these legislators introduced and their votes on the morality issues that were brought up most frequently are a good indicator of where they stood. The only measure on which the citizens of the state were individually polled, prohibition, was the most common area of concern. On this, because the article of the constitution establishing



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MAP 1

COUNTY BOUNDARIES 1889-1914

it was voted on separately when the citizens of the state voted on their constitution on October 1, 1889, an excellent gauge of sentiment is available. On the other issues which were most commonly subjects of bills introduced into the legislature--anti-cigarette laws, Sabbath-breaking, and anti-profanity measures--the positions of the legislators and the local newspapers is used as a guide to the sentiments of area residents.

CHAPTER II

GROWTH OF NORTH DAKOTA, 1889-1914

The state of North Dakota changed a great deal in its first twenty-five years of statehood. Counties were organized and merged, their boundaries changed, and the pattern of settlement altered significantly.¹ The period was, above all, one of growth, particularly for the portion of the state west of the Missouri River.

Map 1, showing the territory included in each block of counties used for this study, plainly shows the fact that county boundaries changed drastically. More precisely, it shows that it was in the western part of the state, rather than in the earlier-settled east, that the changes were made. In 1890 Billings, Stark, and Morton counties covered the entire area. As homesteaders poured into the state, and the population of this area increased, it became necessary to carve the area into smaller counties, better able to serve the residents of the area. That there was a necessity to establish increasingly smaller civil divisions in the western part of the state suggests that the area was only then being

¹Map 1 shows the boundaries of the pilot counties in 1889 and in 1914. The boundaries of the eastern counties have remained the same since statehood. The boundaries of the western counties were larger in 1889 than subsequently and reached their present size by 1914. Luella J. Hall, "History of the Formation of Counties in North Dakota," Collections of the State Historical Society, ed. O.G. Libby (Grand Forks, N.D.: Normanden Publishing Co., 1923), Vol. V, pp. 228 and 246.

settled. This suggestion is confirmed by the statistics.² The percentage of increase between 1890 and 1910 for the counties in the western part of the state is phenomenal--over 400 per cent for Morton and Stark counties, and nearly 6000 per cent for Billings County.

Grand Forks, Steele, Traill, and Richland counties had, by comparison, slight increases. Between 1900 and 1910, the percentage of increase in population for the eastern counties ranged from a decrease of 4.3 per cent in Traill County to a 29.3 per cent increase in Steele County. It is interesting to note that Steele County, which had the highest percentage of population increase for the eastern counties between 1900 and 1910, is the only one of the eastern counties not bordering on the Red River. It is further west, in other words, and apparently the process of initial settlement was just ending there, having already ended in the tier of counties along the Red River. Traill County was not the only North Dakota county to show a decrease in population in the first ten years of this century.³ Both Walsh and Pembina counties, also in the easternmost tier, also lost population. In the United States as a whole, between 1900 and 1910, the population rose 21 per cent.⁴ Only Steele County of the eastern counties in this study had an increase above that.

North Dakota as a whole increased in population by 80 per cent in the years between 1900 and 1910. This increase was obviously due

²See Appendix I.

³Ibid.

⁴Thirteenth Census of the United States: 1910. Population, III,

in part to the growth of the western part of the state. There was still land available for homesteading in North Dakota after 1890, and much of it was in the western part of the state. The tremendous increases in the population of the western part of North Dakota can only be explained by recognizing the western counties as a frontier area. The growth of North Dakota in this twenty-year period (a population increase of 202.2 per cent) was such that the growth of the United States as a whole (46.1 per cent) seems small by comparison.⁵ The United States Census for 1910 points out that two-thirds of North Dakota's increase occurred in the ten years immediately preceding. Since these were the years in which the rate of growth had significantly decreased in every eastern pilot county as compared with the first ten years of the period, this is another indication that these counties may be considered a settled region.

Thus, the population figures for the years from 1890 to 1910 make it clear that the western group of counties for this study may be considered a frontier area, while the eastern group was, for the most part, already settled.

The next relevant consideration in examining the state in the period of this study is whether there will be a possibility of a rural-urban split in considering attitudes toward morality legislation.

Bismarck, Devils Lake, Dickinson, Fargo, Grand Forks, Jamestown, Mandan, Minot, Valley City, and Williston were the ten largest

⁵Ibid.

cities⁶ in the state in 1910, all having over 3,000 inhabitants. Fargo and Grand Forks, with 14,331 and 12,478 inhabitants respectively, were by far the largest of these. Minot, with 6,188 was the only other town coming close to the size of the first two. Of all these, Fargo and Grand Forks were the only two which could be classified as urban for the entire period, and these two cities will be used for comparing urban and rural attitudes for this study. Table 2 in Appendix I shows the growth of these two cities in the period.

It is interesting to note that from 1890 to 1900 and from 1900 to 1910 both Fargo and Grand Forks were growing in population faster than were their respective counties in the same period.⁷ This may be taken as added evidence that the eastern counties were no longer a frontier area, since much of the growth of the eastern counties was taking place in the city rather than because of new settling on the land.

A closer examination of the growth of North Dakota, and of the sample counties shows that the two areas, east and west, were growing at different rates because the western area was a frontier area. Whether different attitudes toward morality legislation were affected by this, or by rural-urban differences, must therefore be considered.

⁶The United States Census definition of "city," meaning a town with a population over 2,500 is used here.

⁷See Table 1, Appendix I.

CHAPTER III

NATIVE AND FOREIGN-BORN NORTH DAKOTANS

Throughout the period an unusually large percentage of North Dakota's population was foreign-born. In 1890 when 33.02 per cent of the population of the United States was foreign-born, 44.58 per cent of the population of the state was foreign-born.¹ Of the 182,719 people in North Dakota in 1890, 144,305 or 79 per cent were either foreign-born or of foreign parentage.² Twenty years later, in 1910, this had fallen slightly so that 28 per cent of the people were foreign-born, and with their children made up 72 per cent of the population.³ Table 3 shows the percentage of foreign-born in the pilot counties for each census year in the period.⁴

In every one of the representative counties, as in the state as a whole, the percentage of foreign-born decreased after 1900. Table 3 also shows that in Billings County, the furthest west and last to be settled of the group, the foreign-born population is

¹Eleventh Census of the United States: 1890. Compendium, III
68.

²Ibid.

³These figures have been computed from Thirteenth Census of the United States: 1910. Abstract, p. 598.

⁴See Appendix II.

lower than in the other counties. Its neighbor Stark County in 1900 had the highest percentage of foreign-born for all the representative counties. Thus, a significant difference in attitudes toward morality legislation between eastern and the western counties could not be attributed to simply differences in the percentage of foreign and native-born citizens. Rather, such a split would be suggested by, for example, different attitudes in Stark and Billings counties. This is because Billings County had the lowest percentage of foreign-born residents of any pilot county throughout the period while its neighbor Stark County had the highest percentage of foreign-born for most of the period (after 1900). Another important point to be gleaned from the figures in Table 3 is that there was no significant increase in the percentage of foreign-born in any of the counties except Stark between 1889 and 1913. Thus, except for Stark County, any changes in attitudes toward morality legislation could not be contributed to simply an increase in foreign-born residents.

Who were the dominant nationality groups in North Dakota in this period? The question is an important one, since such large proportions of the population were either foreign-born or of foreign parentage. It will be recalled that throughout the period over 70 per cent of the population was either foreign-born or of foreign parentage, so it must be assumed that differences in attitude toward morality legislation could be attributed to differences in ethnic backgrounds. Here there is a clear difference between the eastern and western groups of pilot counties.

Table 4, giving the top three foreign-born groups in each of the eastern pilot counties for 1890 and 1910 shows that in every case the Norwegians were the largest foreign-born group in the population.⁵ The influence of the Norwegians was larger than the numbers indicate, for with their children they made up a greater share of the population than is shown. (More will be said about this later.) Canadians were the second largest foreign-born group in 1890 in every eastern pilot county except Richland, where there were a large number of Germans. Norwegians were still the largest foreign-born group in all the eastern counties in 1910, although the number of Germans had increased to make them the second largest foreign-born group in Trell and Cass, as well as Richland, counties.

In two of the western counties the Germans and German-Russians formed the largest foreign-born groups in 1890. Billings County, where settlement had not really begun, differed from the other two. By 1910 German-speaking peoples were the largest foreign-born element in all three western counties. The Russians listed as the largest foreign-born group in Stark and Morton counties in 1910 are assumed to be German-Russians for two reasons. First of all, both counties are in what Joseph B. Voeller delineated as the German-Russian triangle in North Dakota.⁶ Also, Voeller estimated that as high as 90 per cent of those North Dakotans listed as Russian in the

⁵See Appendix II.

⁶Joseph B. Voeller, "The Origin of the German-Russian People and Their Role in North Dakota" (unpublished Master's thesis, University of North Dakota, 1940), p. 2.

United States Census were in reality German-Russian--people who had kept their German language and loyalty throughout their migration first to the east and Russia and finally to the United States.⁷ The largest number of foreign-born in Billings County in 1910 were Austrians, also a German-speaking people. The changes in the ethnic make-up of the western counties, especially Billings County, can be explained by the growth of the area. The settlers who poured in after 1890 were from different backgrounds than those people who had early been in these counties.

The influence of the foreign-born in the state was larger than their numbers indicate when their children are included as members of their ethnic group. North Dakota had 45,937 foreign-born Norwegians and 31,910 foreign-born Russians in its total population of 577,056 in 1910.⁸ But when their American-born children are added, the number in these nationality groups is much larger. There were roughly 125,000 Norwegians and about 60,000 German-Russians when their children were counted.⁹ In 1894 33.22 per cent of the people of North Dakota had one or both of their parents born in Norway and 13.76 per cent had parents born in Germany.

In brief, a look at the ethnic make-ups of the eastern and western pilot counties shows that they were ethnically different in that the eastern counties, with the exception of Richland County were predominantly Norwegian and Scandinavian. Richland County had a

⁷Ibid.

⁸Thirteenth Census of the United States; 1910. Population, III, 348.

⁹Elwyn B. Robinson, "North Dakota" (unpublished manuscript in 4 parts, Department of History, University of North Dakota), III, 5-6.

larger number of Germans than the other eastern pilot counties and was thus more similar to the western counties which were predominately German-speaking German-Russians and Austrians.

CHAPTER IV

RELIGION

Still another important consideration in studying attitudes toward morality legislation in the eastern and western groups of counties is the dominant religion, and here there is a pronounced difference between the two groups of counties.

In North Dakota as a whole, between 1890 and 1916, the largest religious groups were the Catholics and the Lutherans. Table 6 shows the number of members and the percentage of total church members for the major religious groups in the state.¹

Table 6 shows that the largest variation in the proportion of the total church members in the state held by one group was in the percentage held by the Roman Catholics. They dropped from having 48.5 per cent of the total church members in the state in 1890 to 42.4 per cent in 1906 and 1916. Since the largest change was only 6.1 per cent, less than 10 per cent, it will be assumed that for purposes of this study the relative proportions of the various groups stayed approximately the same throughout the period.

Before turning to an examination of the leading denominations in the pilot counties, it will be necessary to discuss the differences between the leading Lutheran synods. As was indicated in

¹See Appendix III.

Table 6, the Lutherans in North Dakota were divided into two major groups by virtue of different nationalities, German Lutherans and Norwegian Lutherans.

The largest single German Lutheran group in North Dakota was the Evangelical Lutheran Synodical Conference of America (hereafter Synodical Conference). This was "the most conservative Lutheran organization," according to one Lutheran pastor.² The Missouri Synod was the largest church in the Synodical Conference,³ and in North Dakota, for all practical purposes, reference to the Missouri Synod will suffice for reference to the group as a whole. This is because nearly all Lutherans in the Synodical Conference in North Dakota belonged to the Missouri Synod.⁴ The Norwegian Synod of the American Evangelical Lutheran church which was a member of the conference was a very small group of churches which joined the Synodical Conference in 1912. The dominant ethnic background of the Synodical Conference, especially in North Dakota, remained German.⁵

The other major German Lutheran groups in the state in this period were the Evangelical Lutheran Synod of Iowa and Other States

²Lambert J. Mehl, "Missouri Grows to Maturity in North Dakota: A Regional History of the Lutheran Church-Missouri Synod" (unpublished Master's thesis, Department of History, University of North Dakota, 1953), p. 6.

³The Evangelical Lutheran Synodical Conference of America was composed of the Evangelical Lutheran Synod of Missouri, Ohio and Other States (better known simply as the Missouri Synod), the Evangelical Lutheran Joint Synod of Wisconsin and Other States, the Norwegian Synod of the American Evangelical Lutheran Church, and the Slovak Evangelical Lutheran Church. Ibid.

⁴See Mehl, pp. 182-83; U.S., Bureau of the Census, Religious Bodies; 1916, I, 110.

⁵Information furnished by Rev. Elmer B. Yohr, Pastor, Lutheran Students' Missouri Synod, May 2, 1964.

and the Joint Synod of Ohio and Other States. These two denominations were quite similar in doctrine, and they were able to unite in 1930, along with the Buffalo Synod, to form the American Lutheran Church. They were of minor importance in the state in the period studied, since by 1916 only 4.3 per cent of the church members in the state belonged to either of the two groups. The Missouri Synod accounted for the rest of the German Lutherans in North Dakota, with 4.0 per cent of the church members in the state belonging to the Synodical Conference.⁶

The first Missouri Synod missions in North Dakota were established in rural areas as a matter of policy. The Rev. Lambert J. Mehl, himself a Missouri Synod pastor, explains this by the fact that most German immigrants settled on farms and remained there.⁷ For that reason the church, which did not concern itself with non-Lutherans or non-Germans did not enter the larger towns until more than thirty years after mission work was begun in the state. (Grace Lutheran Church at Fargo, established in 1898, and St. Peter's at Devil's Lake, established in 1893, were the exceptions to this policy.) Missouri Synod activity in the state began in the early 1870's. The first German Lutherans in the state settled at Town Berlin (now Great Bend) in Richland County in 1872. In 1876, eighteen families there installed the first resident Missouri Synod pastor in the state.⁸ Richland County had the most Missouri Synod activity in the state in the period being studied. In fact there were eight Missouri

⁶See Appendix III

⁷Mehl, pp. 77, 80.

⁸Ibid., pp. 28-29.

Synod congregations in Richland County, located near Barney, Fairmount, Great Bend, Hankinson, Belford, Wahpeton and two near Lidgerwood, by 1903.⁹ Traill County had one "zealously alert" colony of Missouri Synod Lutherans near Hillsboro by 1881.¹⁰ Other Missouri Synod congregations in the pilot counties, and the dates they were established were: in Beach, 1906 (Billings); Belfield, 1902 (Stark); New Salem, 1910 (Morton); Fargo, 1898 (Cass); Hope, 1902 (Steele); and Grand Forks, 1900, and Thompson, 1909 (Grand Forks).¹¹

The Missouri Synod churches in North Dakota may not have had much influence on their areas, for Mehl reports that "at first it was very busy gathering people of one faith and one language together. It set up its own barriers, and, if the original policies would have been continued, it would have remained a foreign, isolated and insignificant group." It was not until the 1920's that the church in North Dakota consciously turned to Americanization.¹² Before that time it concerned itself with its own problems, among which the most difficult was the language problem. "To some, the German language seemed more important than the Christian religion," Mehl reported of the period before World War I. "There have been those conscientious individuals who have felt that the loss of the German language in the service would mean the loss of Christianity."¹³

The German Lutherans were small and uninfluential by comparison with the Norwegian Lutherans. A discussion of this much larger group is essential to the understanding of attitudes taken toward morality

⁹Ibid., pp. 157-181. ¹⁰Ibid., p. 32. ¹¹Ibid., pp. 157-181.

¹²Ibid., p. 153 ¹³Ibid., p. 177.

legislation in the state. The problem of understanding the Norwegian Lutherans is compounded by the fact that they had differences among themselves. A student of Norwegian immigrants, Theodore C. Blegen, notes that "secession is a familiar phenomenon among the Scandinavian Lutherans in America."¹⁴ He might more accurately have said the phenomenon was familiar among the Norwegian Lutherans in America, for, as he says elsewhere, "the Norwegians have had, from first to last, no fewer than fourteen separate Lutheran synods, whereas the Swedes, following the experimental stage of the Synod of Northern Illinois have had only one--the Augustana Synod."¹⁵

If the fact that the Norwegians formed fourteen different synods in their relatively short stay in America is not enough evidence of their acute concern with and commitment to religion, Blegen provides even more proof. The great interest in religion of Norwegian Lutherans is evidenced, Blegen believed, by the fact that, though there are more Swedes than Norwegians in America, "approximately twice as many Norwegians as Swedes are members of the Lutheran Church in America."¹⁶

Before briefly describing the differences of opinion which led to the formation of so many synods, it must be emphasized that all Norwegian Lutherans probably felt alike about morality legislation. "Both sides were Puritan," Blegen wrote.¹⁷ The split which Blegen means in his reference to "both sides" is basically one of high church conservatives versus low church advocates. Members of the Norwegian Evangelical Lutheran Church in America, formed in 1853 and

¹⁴Theodore C. Blegen, Norwegian Migration to America: The American Transition (Northfield, Minn.: The Norwegian-American Historical Association, 1940), p. 159.

¹⁵Ibid., p. 173.

¹⁶Ibid.

¹⁷Ibid., p. 171.

better known simply as the Norwegian Synod, were in sympathy with the State Church in Norway. Their basic tenets reflected "faithfully the position of the high-church Lutheran orthodoxy" in Norway.¹⁸ Those Norwegian Lutherans generally classified as "low church" had been influenced by the Pietist Hans Nilsen Hauge, who had had great influence in western Norway. His supporters, called Haugeans, stressed pure living while the supporters of the State Church of Norway stressed pure doctrine.¹⁹ The churches in America which sprang from the Haugean revival in Norway were Elielsen's Synod and Hauge's Synod. The basic tenets of both these synods were that conversion was necessary for membership, lay preaching, and no high church. In addition to this high church-low church split, a number of synods were organized in America which represented a middle way between the other two.²¹ The founders of all three of these groups were active in the temperance cause.²² Just at the beginning of the period being studied in 1890, several of the 'middle-of-the-road' groups united to form the United Norwegian Lutheran Church.²³

¹⁸Ibid., p. 163.

¹⁹Anton Hillesland, "The Norwegian Lutheran Church in the Red River Valley," Collections of the State Historical Society, ed. O.G. Libby, (Grand Forks, N.D.: Normanden Publishing Co., 1925), VII, p. 196.

²⁰Blegen, p. 149.

²¹The Synod of Northern Illinois and the Augustana Synod (both with large proportions of Swedes in their membership), the Norwegian-Danish Conference and the Anti-Missourian Brotherhood (which had split off from the conservative Norwegian Synod in 1887) could all be classified as 'middle-of-the-road' with reference to the other two. Ibid. pp. 150, 170, 171, 172.

²²Ibid., pp. 147, 150.

²³Hauge's Synod had participated in the discussions which led to the unification, but it did not join the other three groups in the

Thus, the three main groups of Norwegian Lutherans, representing the high church, the middle way, and the low church sentiments of their members were the Norwegian Synod, the United Norwegian Lutheran Church, and Eielsen's and Hauge's synods. The three groups moved closer to each other in the years after 1890, and in 1917 the United Norwegian Lutheran Church, Hauge's Synod and the Norwegian Synod merged to form the Norwegian Lutheran Church of America.²⁴

At the beginning of the period of this study, four bodies of the Norwegian Lutheran Church were represented in the Red River Valley, with nearly an equal membership. They were the Norwegian Synod, the Norwegian-Danish Conference, the Anti-Missourian Brotherhood, and Hauge's Synod. By the end of the period the United Norwegian Lutheran Church (formed, it will be recalled, by the unification of the Anti-Missourian Brotherhood, the Norwegian-Danish Conference and some other synods) was the largest Norwegian Lutheran group in the Valley. The Norwegian Synod was the second largest group, and Hauge's Synod was third in size.²⁵ The United Norwegian Lutheran Church had 148 churches in the Valley, the Norwegian Synod had 57, and Hauge's Synod had 31.²⁶

formation of the new synod. Those forming the new synod were the Anti-Missourian Brotherhood, the Norwegian Augustana Synod, and the Norwegian-Danish Conference. Hillesland, p. 207.

²⁴Ibid., p. 208

²⁵Ibid., p. 207 and pp. 211-212.

²⁶Ibid., pp. 223 and 222.

As the religious composition of the state did not change significantly between 1889 and 1914, the next consideration is the strength of these denominations in the pilot counties. Since the relative strength of the churches did not change much, figures from 1906 and 1916 will serve as indicators for the entire period in Tables 7 and 8.²⁷

In the eastern pilot counties the Roman Catholics were vastly outnumbered by the Protestants by better than two to one in every county except Richland in 1916. In three of the eastern pilot counties the Norwegian Lutherans were far and away the dominant group, with their members forming over one-half the Protestants in Grand Forks, Steele, and Traill counties. Norwegian Lutherans were 80 per cent of all church members in Traill County in 1906 and 63 per cent in 1916. They were 78 per cent of all denominations in Steele County in 1906 and 72 per cent in 1916. Nearly half (48 per cent) of the total church members in Grand Forks County were Norwegian Lutherans in 1906 while 35 per cent were Norwegian Lutherans in 1916. Cass and Richland counties have a much smaller percentage of Norwegian Lutherans among their church members, with 27 per cent of all church members in Cass County in 1906 and 22 per cent in 1916. In Richland County, 29 per cent of all church members were Norwegian Lutheran in 1906 and 21 per cent were in 1916. There was really no dominant Protestant religious group in Richland and Cass counties, and the Roman Catholics were proportionately larger in Richland than in the other eastern pilot counties. The Catholics were 33 and 40 per

²⁷See Appendix III.

cent of all church members in Richland County in 1906 and 1916; they were 23 and 32 per cent of all church members in Cass County. The other church members in the two counties were divided among various Protestant bodies, with the Norwegian Lutherans the largest single group of Protestants in both counties.²⁸

The western group of pilot counties had a religious make-up that clearly contrasts with the eastern counties. In both 1906 and 1916 they were predominantly Roman Catholic. Billings County was 70 per cent Catholic in 1906 and 61 per cent Catholic in 1916. Stark County, 87 per cent Catholic in 1906, was 83 per cent Catholic in 1916. Morton County was 68 per cent Catholic in 1906 and 58 per cent Catholic in 1916.²⁹

By 1916 the next largest religious groups in Morton County were the German Evangelical Synod with slightly over 10 per cent of the church members and the German Lutherans with slightly less than 10 per cent. In Stark County the German Lutherans, with 6 per cent of the church members were the second largest religious group. In Billings County the rest of the church members were split about equally among the various Protestant bodies. In 1906 there were scarcely enough German Lutherans to be mentioned in the western counties, since most of these people came with the influx of settlers to that area just in those years. The only German Lutherans reported are 210 in Morton County, an insignificant number when compared with the 5,786 Catholics then in the county.

²⁸These percentages were computed by the author from the figures given in: Religious Bodies; 1906, I, 344; Religious Bodies; 1916, I, 238. See Tables 7 and 8, Appendix 3.

²⁹Ibid.

In summary, this was the religious make-up of the pilot counties:

Grand Forks: Grand Forks County was nearly one-half Norwegian Lutheran in 1906 (48 per cent). The number of Roman Catholics increased between 1906 and 1916 so that 32 per cent were Catholic by 1916, and the percentage of Norwegian Lutherans dropped to 35 per cent. Most of the Norwegian Lutherans in Grand Forks County were members of the middle-of-the-road United Norwegian Lutheran Church.

Steele: Nearly the entire number of church members were Norwegian Lutherans in Steele County, that group accounting for 78 per cent by 1906 and 72 per cent by 1916. Most of these Norwegian Lutherans were members of the United Norwegian Lutheran Church.

Traill: An extremely high percentage of all church members in Traill County were Norwegian Lutheran, that group accounting for 80 per cent in 1906 and 63 per cent in 1916. Apparently some of the population Traill County lost between 1900 and 1910 was Norwegian Lutheran. Also, the number of Catholics rose during the period, while the number of church members decreased. The majority of the Norwegian Lutherans in Traill County, it is important to note, were members of the conservative, high-church Norwegian Synod.

Cass: Cass County was 77 per cent Protestant and 23 per cent Roman Catholic in 1906. The percentage of Roman Catholics rose so that in 1916, 68 per cent of the church members in the county were Protestant and 32 per cent were Roman Catholic. The Norwegian Lutherans made up 22 per cent of all denominations, and were split between all groups. The conservative Norwegian Synod had the most members with the Norwegian Lutheran Church close behind.

Richland: The percentage of Catholics in Richland County rose during the period from 33 per cent in 1906 to 40 per cent in 1916. Of the Protestants who made up the remaining two-thirds of the church members in Richland County, the German Lutherans (Synodical Conference) composed 14 per cent of the total church members. There were more German Lutherans in this county than in any other eastern pilot county. The Norwegian Lutherans decreased from 29 per cent to 21 per cent between 1906 and 1916.

Billings: This smallest and furthest west of the western counties, was, like the entire group, largely Catholic. Roman Catholics composed 70 per cent of its denominational population in 1906 and 58 per cent in 1916. Most of the Protestants in the county were either Norwegian Lutheran or members of one of the older American churches, especially the Congregational church.

Stark: Stark County was 87 per cent Catholic in 1906 and 83 per cent Catholic in 1916.

Morton: Also largely Catholic, 68 per cent of its church members in 1906 and 61 per cent of its church members in 1916 were Catholic. Members of the German Evangelical Synod were the second largest denominational group, and German Lutherans were the third largest denominational group in the county.

CHAPTER V

LITERACY

It is a truism that America represented equal opportunity for all to the immigrants who flocked here by the millions. The fact that gave "equal opportunity" its real meaning was that education, the surest means of bettering oneself, was available to all. And yet, surprisingly enough, there were immigrants who scorned education, and thus, apparently unwittingly, they missed much of what America had to offer.

The German-Russian people who settled in North Dakota were such a group. These people were German peasants who had been lured by the promise of land to Catherine the Great's Russia. They were people whose lot in Germany was a poor one, or they would not have been attracted by "greener pastures." Voeller repeatedly emphasized that it was characteristic of all the German-Russians to value the material and tangible over the intangible. As evidence of the extremes to which they carried this outlook he reported that the germ theory of disease was rejected by a German-Russian as nonsense. They did not believe in what they could not see. Since education was not tangible--like dowries, good horses, and land--the German-Russians rejected it as of little value.¹ Voeller said that "free public schools and

¹Voeller, p. 52.

compulsory attendance laws were new to the German-Russians and were regarded as nuisances and impositions." "To this day," Voeller wrote in 1940, "the shortest terms, the poorest schools, the lowest teachers' salaries, the most inadequate equipment and the most irregular attendance are found in the German-Russian communities."² This attitude toward education had been strengthened by the isolation of the German-Russian people in Russia. As Robinson noted, "they were cut off from all the progress that took place in the 19th century."³ The fact that the German peasants who moved to Russia had been illiterate, and were unable to secure educated teachers and clergy during their stay in Russia, also contributed to the feelings of these people toward education.

Given such a negative attitude toward education, it was not surprising that the western pilot counties in this study, which counted large numbers of German-Russians among their inhabitants, showed higher rates of illiteracy than the eastern counties. In 1910 the illiteracy rates for the western counties were: Morton, 6.1 per cent; Stark, 4.1 per cent; and Billings, 7.2 per cent. In the eastern counties the rates were: Grand Forks, 2.3 per cent; Steele, 2.3 per cent; Traill, 1.9 per cent; Cass, 1.2 per cent; and Richland, 1.4 per cent.⁴

Since the highest illiteracy rate in any of these counties was only 7.2 per cent, and since the variation between Cass, the lowest,

²Ibid., p. 66.

³Robinson, III, pp. 8-9.

⁴U.S., Bureau of the Census, Fourteenth Census of the United States: 1920. Population, III, 758-761.

and Billings, the highest, was only slightly over 5 per cent, literacy may be discounted as a factor affecting attitudes toward morality legislation.

As has already been pointed out, native Americans versus immigrants must also be discounted as a factor affecting morality legislation, for the foreign-born population of the state as well as the pilot counties was universally high. Only a split between Stark County, which had the highest percentage of foreign-born and Billings County, which had the lowest percentage, would indicate that this factor affected attitudes toward morality legislation.

The variables that remain as possible factors affecting morality legislation are religion, ethnic group, rural-urban patterns, and frontier areas versus settled areas. Which, if any, of these variables may have affected attitudes toward morality legislation can only be considered after closer study of the actual positions taken on morality issues by the state's citizens and their legislative representatives.

CHAPTER VI

PROHIBITION

On October 1, 1889, the citizens of North Dakota approved a provision in the state constitution establishing prohibition by a vote of 18,552 to 17,393. The task of putting teeth into the measure was left to the first state legislature, which apparently took full advantage of the fact that penalties had not yet been established for breaking that law. The report of the Pinkerton detective who was nosing around to get information with which to defeat the Louisiana Lottery bill is full of descriptions of free-flowing liquor in Bismarck bars.¹ Much legislative business was apparently transacted in the bars of the hotels in which the legislators stayed, and the Pinkerton man reported with obvious satisfaction the information he gleaned from drunk legislators.

Yet this was the legislature which passed a law against all "spirituous, malt, vinous, fermented or other intoxicating liquors or mixtures thereof, by whatever name called, that will produce intoxication" and provided for a penalty of from ninety days to one year for the manufacture or sale of such liquors.² Obviously, enforcing

¹Pinkerton Report.

²North Dakota, Laws Passed at the First Session of the Legislative Assembly, c. 110.

the law was going to prove a problem, since many lawmakers were themselves breaking it with impunity. This problem of enforcement was one which plagued North Dakota lawmakers in session after session, if the number of bills concerned with prohibition is any indication. Of the 147 bills concerned with morality legislation introduced in the first thirteen state legislatures, 95, or nearly 65 per cent, were concerned with some aspect of prohibition. Druggist's permits were plainly a problem, and bills were continually devised with an eye to controlling the misuse of liquor that pharmacists, of necessity, had in their stock. In nearly every session of the legislature someone introduced a bill aimed at repeal--either by resubmission of Article XX of the Constitution, the prohibition article, or by authorizing county option. There were bills concerned with liquor on the trains which ran through North Dakota and bills concerned with punishing those from outside the state who came in and solicited orders for liquor. There were bills concerned with establishing a state temperance commissioner and bills concerned with providing rewards for information leading to the arrest and conviction of prohibition violators.³ Closing the door on liquor had created a whole host of problems, and the legislators were having a difficult time sealing off the cracks through which liquor still seeped into the state.

An unusually large proportion of the bills aimed at shutting off the illegal flow of liquor into North Dakota was introduced by representatives from the five eastern pilot counties in this study.

³Specific examples of bills on these subjects are discussed below. For the sources from which this information was obtained see Footnote 1, Above, p. 1.

In the first seven legislative sessions, from 1889 through 1901, representatives from the five eastern counties, plus Griggs County comprised 33 per cent of the legislature. (Griggs and Steele counties formed one legislative district throughout the study.) After redistricting in 1901, representatives from these counties comprised 29 per cent of the legislature for the years from 1903 through 1907. Further redistricting affected the last three legislative sessions in this study so that representatives from the eastern counties comprised 23 per cent of the legislature in 1909, 22 per cent in 1911, and 18 per cent in 1913.⁴ Representatives of the eastern pilot counties introduced thirty-eight of the ninety-five bills concerned with prohibition in these years, that is, more than 40 per cent. Of those thirty-eight bills, only five were for looser enforcement. The delegates from the western area in this study comprised 5 per cent of the members of the legislature from 1889 to 1901, 6 per cent from 1903 to 1907, 9 per cent in 1909, 8 per cent in 1911, and 10 per cent in 1913.⁵ Yet representatives from these counties introduced only seven bills concerned with prohibition, and all seven were intended to repeal or weaken the law.

On the whole, the unusual concern over prohibition exhibited by the legislators from the eastern pilot counties might be expected,

⁴These percentages were computed by the author from information given in: North Dakota, Legislative Manual, 1897, pp. 87-93; Legislative Manual, 1901, pp. 117-119; Legislative Manual, 1903, pp. 140-43; Legislative Manual, 1913, pp. 171-182.

⁵Ibid.

for all but one of these counties had approved the prohibition section of the constitution. (Cass County voted against it.) This section, Article XX, was voted on separately by the citizens of the state when they voted to approve the state constitution as a preliminary to statehood. The votes on Article XX for every pilot county are given in Table 9.⁶

Not only did all of the eastern pilot counties but one approve prohibition, but the prime movers in the First Constitutional Convention in getting a prohibition clause submitted with the constitution were from the eastern counties. Crawford gave R.M. Pollock, a delegate from Cass County, the chief credit for getting the prohibition clause adopted by the constitutional convention.⁷ The chairman of the temperance committee at the constitutional convention was also from an eastern county, Arne P. Haugen of Reynolds in Grand Forks County. The state temperance movements, whose efforts turned to enforcement after the passage of the prohibition provision of the constitution, were also directed by residents of the eastern counties. One of the most important of these agencies was the State Enforcement League which was founded with the intention of using its own members to aid public officials in enforcing the laws on prohibition, gambling, prostitution, cigarettes, and snuff.⁸ The State Enforcement League continued

⁶See Appendix IV.

⁷Crawford, I, 324. For the official account of Pollock's work on the prohibition section of the constitution see: North Dakota, Official Report of the Proceedings and Debates of the First Constitutional Convention of North Dakota, p. 145.

⁸Fargo Forum, November 24, 1919.

this policy until 1919 when it decided to leave the enforcement of such laws to regular police officials.⁹ The early leaders of this group were from the eastern pilot counties. Frank Lynch of Fargo was the first president of the League, and he was succeeded by R.B. Griffith of Grand Forks. The president of the Women's Christian Temperance Union during much of the period was also from Fargo, Mrs. Elizabeth Preston Anderson.¹⁰

One reason for the strong support for prohibition in the eastern counties may be that in the eastern part of the state there was some press support for the measure. The press serving the large Norwegian element of the population was in favor of the reform. Skandinaven, the most influential Norwegian-language newspaper in America, avidly supported prohibition in its editorial columns in these years. It warned that anarchy, insanity, and suicide were the consequences to be expected from drinking and bemoaned the fact that in one year more than one billion dollars were spent on liquor in the United States while only \$174,964,625 was spent on books. Skandinaven went so far as to advocate instructing school children about the danger of drinking.¹¹ The leading Norwegian-language newspaper in the area, the Grand Forks Normanden was started as a temperance paper.

Another pro-temperance paper in the Red River Valley was George B. Winship's Grand Forks Herald. The Herald's editor was a practical

⁹Fargo Forum, November 22, 1919.

¹⁰Crawford, I, 370.

¹¹Agnes M. Larson, "The Editorial Policy of Skandinaven, 1900-1903," Norwegian-American Studies and Records (Northfield, Minn.: Norwegian-American Historical Association, 1934), Vol. VIII, pp. 112-135.

man, however, and he refrained from urging his readers to vote for prohibition on the grounds that prohibition was no good unless the people really wanted it. The day before the prohibition clause was submitted to the people the Herald had an editorial on the subject:

The Herald believes the question of state prohibition should be settled wholly upon its merits and the decision left to a fair, free and unprejudiced choice of the people of the state; that its successful enforcement, if adopted, must depend entirely on a de-seated public sentiment in its favor; that the interests of temperance will not be advanced by any artificial furore or excitement wrought up for the time being to secure the adoption of prohibition. . . .¹²

The Fargo Daily Argus, the leading paper in the only eastern county which voted against prohibition was firmly against the measure. Several days before the election it quoted a report by a Professor Goldwin Smith in Macmillan's Magazine to the effect that prohibition was a wild theory.¹³ After it became clear that prohibition had passed, the Argus ran a lengthy, angry, editorial about "a million dollars worth of brewery property to be made valueless because some fellow, unable to control himself, votes to enact a law to protect him, regardless of the rights of others."¹⁴

Several weeks before North Dakotans voted in prohibition the Argus had written scornfully that "it is astonishing how the county newspapers are being used by the WCTU and other organizations to push prohibition."¹⁵ The Women's Christian Temperance Union was indeed active in promoting the cause of prohibition,

¹²Grand Forks Herald, September 30, 1889.

¹³Fargo Argus, September 27, 1889.

¹⁴Ibid., October 12, 1889. ¹⁵Ibid., September 16, 1889.

and it is especially interesting to note that many of their arguments reflect the moral idealism so characteristic of the Progressives ten and more years later. The WCTU temperance column in the Grand Forks Herald on September 30, 1889, declared, "What we are going to do is save our people from perdition." The next day the Herald quoted Mrs. M.E. Slater, president of the WCTU: "The liquor power controls the government, the politicians, the press, the courts, and even the churches. Our police, our aldermen, our judges, are chosen by the whiskey power."¹⁶ Mrs. Slater's comment has the ring of the Progressive pronouncements of later years.

The rise of Progressivism in America after the turn of the century was the result of a growing awareness to a threat to the middle class from above and below. Quoting a Progressive, George Mowry wrote: "'From above come the problems of predatory wealth. . . . From below come the problems of poverty and pigheaded and brutish criminality.'"¹⁷ The means used by the Progressives to ward off this double threat were political: they sought first to bring government closer to the people and thus control it themselves. Second, once the people had control of the government, the Progressives aimed to use it to control the growing power of big business and to relieve the distress of the lower classes, whose unrest was a threat to the middle class. Timberlake's view of the integral relationship between prohibition and Progressivism was based on the idea that prohibition,

¹⁶Grand Forks Herald, October 1, 1889.

¹⁷George E. Mowry, The Era of Theodore Roosevelt and the Birth of Modern America 1900-1912 (New York: Harper and Row, 1958), p. 103.

too, was a reaction to this double threat.¹⁸ To succeed in "democratizing the machinery of government in order to take politics out of the hands of the special interests and restore it to the people," the Progressives needed to thwart "one of the most predatory and dangerous of all big businesses--the liquor industry."¹⁹ For one thing, the liquor interests were increasingly concentrating and forming trusts,²⁰ and like other big businesses needed to be controlled. On the other hand, it was the hordes of immigrants pouring into America and increasing the ranks of the impoverished who constituted the most alarming threat from below. The new immigrants found the saloon and liquor familiar from the old country and were strongly opposed to losing them. To "the native Protestant middle classes," however, "the saloon was a demoralizing, disruptive, and reactionary force that kept the foreign stock from becoming Americanized."²¹

To thwart the liquor power above and to uplift the masses below, the Progressives saw prohibition as an ideal solution. But if the problem came to be recognized in these terms only in the Progressive era, Mrs. Slater's description of the vast power of the liquor interests in 1889 cannot easily be explained. Her assertion that the liquor power controlled not just the government and its officials but even the churches indicates the kind of active opposition to the liquor industry and its power which has been traditionally identified with the Progressive era which began at least a decade later. More surprisingly, one does not need to look far to find evidence of North Dakota prohibitionists urging the reform as a means of protecting the

¹⁸Timberlake, pp. 1-2, 101-102. ¹⁹Ibid., p. 102.

²⁰Ibid., p. 106. ²¹Ibid., p. 119.

lower classes, especially the immigrants, from themselves. For example, the attachment of these immigrants to drink was inimical to their welfare to say the least, according to a WCTU column in the Mayville Tribune in 1889. Warning of the consequences of having liquor available for such people, the anonymous contributor to the column quoted a report from Massachusetts: "It is noteworthy . . . that eighty per cent of the pauper inmates of the lunatic hospitals were of foreign parentage and the representatives and champions of personal liberty."²² In referring to "champions of personal liberty," of course, the author meant those who opposed prohibition on the grounds that it was an unwarranted curtailment of the individual's personal freedom.

These arguments used by the WCTU do not fit the traditional assumptions about the period in which they were made. The leadership of the WCTU in North Dakota, however, does fit the traditional assumptions. The appeal of prohibition is generally believed to have lain with the "old-stock middle-class section of the American community."²³ Moreover, "a fundamental connection between evangelicalism and temperance" has also been noted.²⁴ This was because evangelical Protestantism opposed anything that interfered with "the central fact of religious experience." Roman Catholics and "for the most part the Protestant Episcopal and Lutheran churches with their greater emphasis on liturgy, confession, creed, and sacraments rather than traumatic conversion . . . tended to frown upon revivalism and were far more lenient and forgiving in matters of private morality such

²²Mayville Tribune, July 25, 1889.

²³Timberlake, p. 2. ²⁴Ibid., p. 6.

as drinking."²⁵ The division of the American religious community over the question of prohibition has been seen as one of Catholics and Jews versus most Protestants, especially the Presbyterians, Methodists, Baptists and Congregationalists.²⁶

The background of the most prominent WCTU leader in North Dakota, Mrs. Elizabeth Preston Anderson, certainly fits this pattern. Mrs. Anderson, who served as president of the North Dakota WCTU for forty years (1893-1933), was the daughter of an Indiana minister, and the wife of a Methodist pastor.²⁷ The background of another temperance leader in eastern North Dakota, R.M. Pollock, also fits the pattern. Pollock, who did so much of the work on the prohibition clause at the 1889 constitutional convention, was a native American and a member of the Presbyterian church.²⁸

Such temperance leaders as Pollock and Mrs. Anderson were working in an area predominately populated by immigrants and Lutherans --two groups which have traditionally had little interest in prohibition.

The traditional assumptions certainly fit the Catholics in North Dakota, for on the whole the Church had little concern with temperance. Bishop John Shanley himself, however, was a temperance advocate. It must be noted that Shanley did not come to North Dakota until January,

²⁵Ibid., p. 5.

²⁶Ibid., p. 32.

²⁷Grand Forks Herald, "North Dakota Diamond Jubilee Edition," June 30, 1964, p. 3.

²⁸Crawford, II, 211.

1890, after the state had approved prohibition.²⁹ Shanley's advocacy of temperance seems to fit very well what has been said about other Catholic temperance advocates. They were aware that to win converts in America the Church must have the respect of non-Catholics. As hordes of their co-religionists poured in from Europe, Catholic reformers were anxious to Americanize them as speedily as possible, and they believed that drink prevented these immigrants from absorbing the American virtues of "industry, honesty, sobriety, and patriotism."³⁰ Shanley's biographer reported that his first ten years as bishop was "the period during which he uprooted the bigotry and prejudices of the non-Catholics, turning their hostility to the Church into admiration and respect through his frequent lectures and firm opposition to the prevalent vices of intemperance and divorce."³¹ In regard to Shanley's support of temperance societies in the Church, it is interesting to note that the temperance societies in the Church of his time "were the most powerful parish organization."³² Moreover, when Shanley was pastor of the Cathedral parish in St. Paul, Minn., the activities of the Catholic Total Abstinence Union "seemed to constitute the social life of the times."³³

The opposition to prohibition exhibited in the western part of the state by the decisive defeat of the prohibition clause of the constitution is not surprising. For one thing, the growing German-

²⁹Gerald Michael Weber, "John Shanley, First Bishop of Fargo" (unpublished Master's dissertation, Saint Paul Seminary, St. Paul, Minnesota, 1951), p. 48.

³⁰Timberlake, pp. 30-31.

³¹Weber, p. 102.

³²Weber, p. 42.

³³Ibid.

Russian element was opposed. In Russia a good percentage of these people were heavy drinkers "who ruined their health, well-being, and social standing through their drinking habit," Voeller wrote. "They not only drank heavily but believed in drinking. For sickness, sorrow or celebration, whiskey was the prescription. . . . To this day 1940 the German Russians are anti-prohibitionists and good customers of saloons."³⁴ The newspapers in the western pilot counties, like most of the voters, were not anxious for prohibition. The Dickinson Press joked about the matter at first. "Did the long dry spell of the past few months affect the people of North Dakota last Tuesday or was it the recent irrigation agitation and future prospects of more water that caused them to go dry?" it asked.³⁵ In another week, it had assumed a different attitude. It called for a fair trial of the measure but warned that unless the promises of prosperity and rapid settlement made by the prohibitionists were fulfilled the people would demand repeal.³⁶

The Dickinson Press may not have had the best interests of prohibition at heart in urging a fair trial of the measure, as may be seen from their comments about the law introduced in the legislature to implement prohibition. "The law seems to be drawn in such a shape that the old blue laws of Connecticut are as nothing compared to it, however, as prohibition is in the constitution it should be supported by a stringent law. . . ." said the Press on December 7, 1889. A week later they added that the liquor men, too, favored the bill on

³⁴Voeller, pp. 54-55. ³⁵Dickinson Press, October 5, 1889.

³⁶Dickinson Press, October 12, 1889.

the ground that the harsher the bill, and the more strictly enforced, the sooner people would get disgusted and unite for repeal.³⁷

The bill to which the Press was referring had been introduced in the House on November 27, 1889, by Arne P. Haugen of Reynolds, Grand Forks County, and in the Senate on December 7, 1889, by Hezekiah J. Rowe of Casselton, Cass County.³⁸ (The same bill was introduced in both houses to speed action on the matter.) The bill was drawn up by Haugen, R.M. Pollock, and Judge Charles A. Pollock of Fargo.³⁹ All of these men, it will be noted, were from the eastern pilot counties. Three other bills related to prohibition were introduced at this first session of the legislature, two in support of prohibition, and one proposing resubmission. The two bills which supported prohibition both came from the most Norwegian Lutheran counties in the east. H.H. Strom of Traill County introduced House Bill 331 which would have outlawed gaming and liquor at fairs, but his bill never got out of the House. W.H.H. Roney of Steele County introduced House Bill 1, aimed at enforcing prohibition which was lost since the act finally passed to enforce prohibition was the Haugen-Rowe measure. All three of these bills in the spirit of strict enforcement of prohibition in North Dakota were from representatives of the eastern pilot counties. It is interesting to note that two of the introducers of these bills

³⁷Dickinson Press, October 12, 1889.

³⁸House Bill 6, First Legislative Session, 1889-1890. (All bills mentioned are on file in the North Dakota State Historical Library, Bismarck).

³⁹J. Ruth Stenerson, "Opponents of the Foaming Cup in North Dakota" (unpublished seminar paper, Department of History, University of North Dakota, 1956), p. 15.

were, like so many of their constituents, Norwegian Lutherans. Arne Haugen was born in Norway, came to North Dakota, and began farming near Reynolds in Grand Forks County in 1882.⁴⁰ Herbjorn H. Strom, too, was born in Norway and was a Lutheran. He had come to North Dakota in 1878, at the age of thirty-two, and farmed near Hillsboro.⁴¹

The attack upon prohibition began in this first session of the legislature with Senate Bill 80, introduced by a representative from outside the pilot counties. This bill, providing for resubmission, passed the Senate to the horror of the Grand Forks Herald. "Obviously the prohibition law cannot have a fair trial if steps are taken for its repeal five months before the law goes into effect," it declared.⁴² The Dickinson Press, on the other hand, approved of the measure. "Adopting prohibition required a constitutional amendment, and amending the constitution involved passage of the proposed change by two successive legislatures before submission of the question to the people."⁴³ Thus, said the Press, it would be three years before the measure could reach the people, and that was adequate time for a thorough test.⁴⁴ Of the nine Senate delegates from the eastern pilot counties, three voted for resubmission. These were, from Cass County, John E. Haggart of Fargo and Henry R. Hartman of Page; and from Grand Forks County,

⁴⁰North Dakota, Journal of the House of the Third Legislative Assembly, 1893, p. 3. (Hereafter referred to as House Journal.)

⁴¹Compendium of History and Biography of North Dakota (Chicago: George A. Ogle and Co., 1900), p. 666.

⁴²Grand Forks Herald, January 25, 1890.

⁴³North Dakota, Constitution, Art. XV, Sec. 202.

⁴⁴Dickinson Press, January 22, 1890.

Jerry E. Stevens of Northwood.⁴⁵ Of the two Senate delegates from the western pilot counties both George W. Harmon of Mandan, Morton County, and Nelson C. Lawrence of Dickinson, Stark County, voted for resubmission. In the House of Representatives, just three of the twenty-two delegates from the eastern pilot counties voted for it. They were F.J. Thompson and E.S. Tyler of Fargo, and George H. Walsh of Grand Forks. Both Morton County representatives voted for resubmission, A. W. Hoyt and P.B. Wickham of Mandan.⁴⁶ There was no representative from either Stark or Billings counties in the House as their district, the thirty-first, was represented by a man from Mercer County.

The attack upon prohibition continued with the next session of the legislature. George Osgood of Fargo introduced a bill aimed at repealing the enforcement law passed in the first legislative session.⁴⁷ Crawford referred to this bill when he reported that it was "fought over by every resource known to parliamentary practice, and again and again motions failed by a tie vote."⁴⁸ It finally died by referral for consideration to a day after adjournment. The vote on postponement of this bill split those who

⁴⁵Grand Forks Herald, January, 25, 1890.

⁴⁶Dickinson Press, February 1, 1890.

⁴⁷House Bill 235, Second Legislative Session, 1891.

⁴⁸Crawford, I, 369.

supported prohibition and those who opposed it.⁴⁹ All the representatives of Traill and Steele, counties, the most Norwegian Lutheran counties in this study, voted for postponement. The Cass County representatives voted four to two for postponement (two Cass delegates were absent). The two Cass representatives against postponement were the two from the city of Fargo, while the rural delegates all voted for postponement. The Grand Forks delegates voted four to two against postponement. All of the representatives from the western pilot counties opposed postponement, as did all of the representatives of Richland County. Richland County, it will be recalled, had a far larger proportion of Germans in its electorate than did any other eastern pilot county.

Two other bills aimed at reducing the punishment for prohibition violators to a fine only--not imprisonment--were introduced by a representative from outside the pilot counties.⁵⁰ These bills never reached a final vote. The resubmission bill considered this session died a quiet death. "The Slope holds the capital and lets the resubmission resolution go as a compromise," lamented the

⁴⁹The votes of pilot county representatives on House Bill 235 were:

| <u>For Postponement</u> | <u>Against Postponement</u> |
|-------------------------|-----------------------------|
| 4--Cass | 2--Cass |
| 2--Grand Forks | 4--Grand Forks |
| 1--Steele | |
| 4--Traill | |
| | 3--Richland |
| | 1--Stark |
| | 2--Morton |

House Journal 1891, Second Legislature, p. 618.

⁵⁰House Bills 205 and 206, Second Legislative Session, 1891.

Dickinson Press.⁵¹ The remark is illuminating in two respects. It is further confirmation of what the votes noted so far have recorded: the western North Dakota counties, strongly Roman Catholic and German, were generally opposed to prohibition, and anxious to have a chance to defeat it. It also is a reminder of the possibility that political maneuvering rather than a real interest in prohibition affected votes on the issue.

Glaab's lengthy discussion of the Republican machine run by Alexander McKenzie until the Progressive movement swept the state in 1906 also mentions such a possibility. "It was often charged," Glaab wrote, "that the McKenzie machine used resubmission to defeat railroad legislation. A machine leader would have the measure introduced and in return for killing it would demand a vote from prohibitionists against unfavorable railroad legislation."⁵² Glaab did not document this statement. Whether prohibition was used as a lever against the western part of the state or to thwart anti-railroad legislation, it was an issue on which the people of the state had strong feelings. The Fargo Argus, which under Major Edwards supported the machine, was opposed to prohibition. Yet both the Argus and the pro-temperance Grand Forks Herald argued prohibition on the merits of the case, rather than strictly for political purposes. Likewise, the popular vote on prohibition, which indicated the feelings of the people, was not managed by the machine. And it is reasonable to assume that even if the machine did sponsor some

⁵¹Dickinson Press, February 21, 1891.

⁵²Glaab, p. 25.

of the resubmission bills, the strong opposition to such bills from the eastern counties, especially the Norwegian Lutheran dominated counties, sprang from their convictions in the matter. Likewise, the sentiment against prohibition which the Dickinson Press indicated was general in the western part of the state is significant. Two other points must be kept in mind in this regard. As will be seen, where prohibition was generally favored, in the eastern part of the state, enforcement of the law was reasonably effective. In the western part of the state, however, the law was broken with impunity. Finally, it will be noticed that even after the McKenzie machine was thwarted, the positions taken by eastern and western legislators on prohibition were contradictory.

In the third legislative session in 1893 the attack upon prohibition continued. Joseph L. Miller of Morton County introduced Senate Bill 74, which provided for the repeal of Article XX of the constitution and called for a special election so the people could vote on repeal. Miller, like so many of his constituents in Morton County had been born in Germany.⁵³ The House of Representatives approved the resolution.⁵⁴ Of the eastern pilot county representatives

⁵³House Journal 1893, Third Legislative Session, p. 2.

⁵⁴The votes on resubmission by pilot county representatives:

| <u>For</u> | <u>Against</u> |
|----------------|----------------|
| 1--Cass | 4--Cass |
| 3--Grand Forks | 3--Grand Forks |
| | 1--Steele |
| | 4--Traill |
| 2--Richland | |
| 2--Morton | |
| 1--Stark | |

House Journal 1893, Third Legislative Session, p. 678.

voting (four were absent), the vote was twelve to six against resubmission. All of the Richland County representatives voted for resubmission, as did all the representatives of the western pilot counties. All of the votes against resubmission from Cass County were cast by rural legislators, and the only Cass County representative voting for resubmission was from the city of Fargo. All of the Steele and Traill County representatives were opposed. Stron, Larson, and Wallen from Traill County were all born in Norway, as were Representatives Halvorson and Haugen from Grand Forks County. Hallum of Richland was the only Norway-born representative voting for resubmission. Burkhardt of Morton was the only other foreign-born legislator recorded, having been born in Germany.

In the Senate, Miller's bill was killed by indefinite postponement. The Cass County senators did not vote, but all other representatives from the eastern pilot counties supported indefinite postponement. Both senators from the western pilot counties voted against postponement.⁵⁵

When Miller's resubmission bill failed he introduced another bill which had the same aims, but was worded so as to avoid arousing immediate suspicion. His Senate Bill 87 was "an act to suppress intemperance and the illegal selling of intoxicating liquors and to provide for local county option in the sale and manufacture of spiritous, malt, fermented and vinous liquors, and the granting of permits therefor."⁵⁶ The wording did not fool the Temperance

⁵⁵Senate Journal 1893, Third Legislative Session, pp. 468-69.

⁵⁶Senate Bill 87, Third Legislative Session, 1893.

Committee, however, and that committee killed it. Three of the seven members of the Senate Temperance Committee, incidentally, were from eastern pilot counties. They were Fingal Enger of Steele County, the chairman, N.B. Pinkham of Cass, and J.A. Sorley of Grand Forks County.⁵⁷

In 1895 the concern with the failings of prohibition was obviously growing, and six bills on the subject were introduced, three of which came from the eastern pilot counties. One of these three called for repeal, and it was introduced by John E. Haggart of Fargo, a native American Protestant who had grown up in New York state. (He represented Cass County which, it will be recalled, was the one eastern county which voted against prohibition in 1889). This bill passed the Senate, but it was indefinitely postponed in the House. In favor of the bill in the Senate were both the senators from the western pilot counties, both senators from the city of Grand Forks, the senator from the city of Fargo and the senator from Richland County. Opposed were the two senators from rural Cass County, the rural senator from Grand Forks County and the senators from Traill and Steele counties.⁵⁸

In the House, seven of the eight Cass County representatives voted for postponement as did two of the five Grand Forks representatives. Voting against postponement were one Cass County representative,

⁵⁷Legislative Manual, 1893, p. 184.

⁵⁸Senate Journal 1895, Fourth Legislative Session, p. 184.

three Grand Forks representatives, and all the western pilot county representatives.⁵⁹

Representative Leslie Simpson of Stark County introduced House Bill 139 which also provided for repeal, but it was defeated. The defeat of resubmission in this session was lamented by the Dickinson Press: "It goes without saying that the voters as a whole of the thirty-first district are strongly in favor of resubmission, and they can have the satisfaction of knowing that our senator and representative made a strong fight to the end."⁶⁰

The other two bills regarding prohibition introduced by representatives of the eastern pilot counties were aimed at stricter enforcement. These were introduced by Frank Viets of Grand Forks and Rollin C. Cooper of Cooperstown (who was the representative from Steele, as well as Griggs, County).

Of the eight bills concerned with prohibition introduced in the 1897 legislature, six were from the pilot counties. Sven N. Heskin⁶¹ of Traill County, attempting to stop one hole through which

⁵⁹The votes cast by pilot county representatives were:

For Postponement

6--Cass
2--Grand Forks
1--Steele
4--Traill
3--Richland

Against Postponement

1--Cass
3--Grand Forks

2--Morton
1--Stark and Billings

House Journal 1895, Fourth Legislative Session, pp. 305-311.

⁶⁰Dickinson Press, February 16, 1895.

⁶¹Of all the Norwegian Lutherans in the legislature in this period, Heskin was among the most active in church work. His biographer states of this Norway-born North Dakotan: "He is a Republican in

liquor entered the state, introduced House Bill 187 which called for a fine of \$100 and/or thirty days for selling "liquid or soft drinks" and forbidding licensing of such sales by county, village, or city officials.⁶² Peter N. Korsmo of Grand Forks County introduced a similar bill when this failed, which would have made it unlawful for any county, city or village to license the selling of "liquid or soft" drinks "or resort to any device under cover of which intoxicating liquors may be given away or sold."⁶³ In essence, the bill made it a misdemeanor to vote for passage of an ordinance licensing blind pigs.⁶⁴ Neither Korsmo nor Heskin were able to get their bills passed, however, and soft drink joints apparently continued to flourish.

The vote on Korsmo's bill is especially enlightening when compared with the vote on House Bill 209, sponsored by Alfred White of Medora, Billings County. White's bill would have changed the prohibition enforcement law to read "fine or imprisonment" instead of "fine and imprisonment,"⁶⁵ and many regarded the amendment as equivalent to local option. The Dickinson Press remarked hopefully that the bill might have a tendency to bring resubmission.⁶⁶ White's

politics, but takes little part in political affairs, and devotes much time to church work. He is a member of the Lutheran church, of which denomination he is a deacon, and during the past few years has done efficient work in conducting revivals and in the organization of churches." Compendium, p. 1248.

⁶²House Bill 187, Fifth Legislative Session, 1897.

⁶³House Bill 208, Fifth Legislative Session, 1897.

⁶⁴Dickinson Press, March 6, 1897. ⁶⁵Ibid., March 3, 1897.

⁶⁶Ibid.

bill caused considerable excitement in the state and passed the legislature, but it was vetoed by Governor Frank A. Briggs.⁶⁷ Of the seventeen eastern pilot county representatives who had voted for Korsmo's bill,⁶⁸ four joined the anti-prohibitionists and approved of White's resolution.⁶⁹ They were Hawk of Cass County and Wood, Gaulke, and Offerdahl of Grand Forks County. Only one of the pilot county representatives who had voted against Korsmo's bill Twichell of Cass, changed sides and voted against White's bill. On both these bills, the Traill and Steele representatives were solidly on the side of prohibition, and the Morton, Stark, and Billings representatives were casting votes opposed to the spirit of prohibition.

Of the three other prohibition-related bills from eastern pilot county representatives, two were aimed at strengthening and enforcing the measure. They were sponsored by N.A. Colby of Grandin, Cass County, and John McCommachie of Inkster, Grand Forks County.⁷⁰

⁶⁷George B. Winship, "Political History of the Red River Valley," History of the Red River Valley, Past and Present (2 vols; Grand Forks, N.D.: Herald Printing Co., 1909), p. 458.

⁶⁸The votes of pilot county representatives on Korsmo's bill:

| <u>For</u> | <u>Against</u> |
|----------------|-----------------------|
| 6--Cass | 2--Cass |
| 4--Grand Forks | |
| 4--Traill | |
| 1--Steele | |
| 1--Richland | 1--Richland |
| | 2--Morton |
| | 1--Stark and Billings |

Two representatives were absent. House Journal 1897, Fifth Legislative Session, p. 728.

⁶⁹For the vote on White's bill see: House Journal 1897, p. 768.

⁷⁰House Bills 128 and 195, Fifth Legislative Session, 1897.

The fourth bill, introduced late in the session by James Ryan of Grand Forks proposed resubmission. It was defeated.

This 1897 session was the last in which a determined assault was made on the prohibition law in the North Dakota legislature.⁷¹ The anti-prohibitionists had learned to live with the law: they ignored it. Governor John Burke, who was personally in favor of resubmission nevertheless believed that all laws must be enforced, including the prohibition law. When he assumed office in 1907 he turned his efforts to enforcement, pointing out to the attorney general that "the prohibition law was being violated in Morton, Stark, Billings, McIntosh, and Emmons counties."⁷²

There is no doubt that the prohibition law was violated with impunity in the western pilot counties. "Judge Crawford adjourned the Billings County term of court on Monday," the Dickinson Press reported in 1911, and it proceeded to review the cases. The conclusion to the article was instructive: "Two blind piggers in jail, one acquitted and fifteen reported flown to Montana for their health. These can return now and resume business until next June, when they can again visit the springs."⁷³

⁷¹Winship, "Political History of the Red River Valley," p. 458.

⁷²Glaab, 100.

⁷³Dickinson Press, January 28, 1911.

CHAPTER VII

PROHIBITION IN THE PROGRESSIVE ERA

It is reasonable to assume that there was another reason why 1897 marked the last year in which there was a dedicated assault on the prohibition law: by 1899 the sentiment against liquor which was to culminate in the prohibition amendment to the United States Constitution was beginning to crystallize. Said Timberlake, "it was the prudential reasons--scientific, social, economic, and political that aroused churchgoers and non-churchgoers alike to a renewed interest."¹ The scientific argument against alcohol centered on the physiological harm alcohol could do,² while the social argument emphasized the contribution of alcohol to social problems.³ The scientific and social arguments did not begin accumulating until after 1890, however, and it was only about 1900 that they began to permeate the American social conscience.

Although the anti-prohibitionists in North Dakota were not as determined as they had been previously, they continued to attempt to have prohibition resubmitted. At the 1899 session of the legislature the measure was sponsored by Frank Lish of Dickinson, representative from Stark and Billings counties. Lish, a German-

¹Timberlake, 39. ²Ibid., p. 50 ³Ibid., p. 57.

-born Catholic⁴ like so many of his constituents, wanted to replace state-wide prohibition with local county option. To make the bill more palatable to the temperance advocates, he included a provision that in wet counties liquor dealers must pay for a license "not to exceed \$1,500, one-third of which shall go into the state treasury and the other two-thirds into the town or county treasury."⁵

Meanwhile, representatives from Grand Forks and Cass counties were continuing their efforts to strengthen the prohibition act. G. W. Wolbert of Casselton and H.F. Arnold of Larimore proposed such bills in the same session in which Lish was proposing county option. Arnold's bill would have amended Chapter Sixty-Three of the Penal Code to provide for a state temperance commissioner.⁶ The recurring problem of controlling the drugstore outlet of liquor was reflected in Arnold's bill. He would have required the druggist to fill out an affidavit for each liquor sale, and one of the duties of the temperance commissioner would be to check on missing affidavit blanks. The Dickinson Press termed Arnold's bill "a piece of foolishness,"⁷ and like Lish's bill it failed to pass. Wolbert's bill, which was not strictly related to prohibition, passed. This bill provided for a "conservator for drunkards"--evidence that prohibition was not a universal success in North Dakota.⁸

⁴W.B. Hennessy, compiler, History of North Dakota (Bismarck, N.D.: Bismarck Tribune Co., 1910), p. lll.

⁵House Bill 215, Sixth Legislative Session, 1899.

⁶Senate Bill 60, Sixth Legislative Session, 1899.

⁷Dickinson Press, February 18, 1899.

⁸House Bill 214, Sixth Legislative Session, 1899.

In the seventh legislative session in 1901 there were two bills related to prohibition proposed. One was from Grand Forks County, and the other (proposing resubmission) was from outside the pilot counties.⁹ Press comment on these bills was practically nonexistent. The Dickinson Press, which had formerly paid more attention to prohibition resolutions than other papers, was much more concerned with passing and keeping a wolf bounty.¹⁰

With the eighth legislative session in 1903 the bills regarding prohibition began to come more frequently than previously from counties not included in the pilot counties for this study. In that session thirteen bills concerned with various aspects of prohibition were introduced, five of which came from representatives of the eastern pilot counties. Three of the eight bills from representatives of other counties than those included in this study were for weakening the prohibition law. Only one of the five bills introduced by representatives of the eastern pilot counties can be classified as against prohibition. This was introduced by the Germany-born Protestant Emil A. Movius of Richland County.¹¹ His bill called for resubmission and for an amendment to the constitution which would provide for local option or county option.¹² Richland County, it will be recalled, had a larger proportion of Germans than the other eastern

⁹Senate Bill 191 and House Bill 204, Seventh Legislative Session, 1901.

¹⁰For examples see: Dickinson Press: February 23, 1901, and January 17, 1903.

¹¹Compendium, p. 531; Hennessy, p. 173.

¹²House Bill 85, Eighth Legislative Session, 1903.

counties in this study. Another representative from Richland County introduced a bill concerned with prohibition in this session, George Van Arnum. His bill, which was not passed, provided for "the arrest and conviction of each person who violates any of the provisions" of the prohibition laws.¹³ Van Arnum may have been speaking for the large numbers of Norwegian Lutherans among his constituents, but he was not himself one of them. As far back as he could trace his family, he said, it was native American. He himself was born in Illinois, and belonged to one of the older American churches, the Congregationalist church.¹⁴ Two of the three remaining bills introduced by representatives from the eastern pilot counties in this session reflected the continuing concern with druggists' permits. These were introduced by M.B. Cassell of Clifford (Steele County) and by H.E. Lavayea¹⁵ of Larimore (Grand Forks County). Lavayea also introduced a bill "making it unlawful for taking or soliciting orders for intoxicating liquors in the state of North Dakota" and providing punishment for such actions.¹⁶

Frank H. Sowle of Reynolds, Grand Forks County, introduced a similar bill making it illegal to solicit orders for liquor in the next session of the legislature (1905) which, unlike Lavayea's bill the previous session, was passed. The ninth session of the legislature

¹³House Bill 217, Eighth Legislative Session, 1903.

¹⁴Hennessy, p. 75.

¹⁵Like Van Arnum, Lavayea's background fits that traditionally ascribed to American prohibitionists. A native American Protestant born in Ohio, his biographer described him as "a believer in legal prohibition." Compendium, p. 1109.

¹⁶Senate Bill 41, Eighth Legislative Session, 1903.

also considered and defeated another bill aimed at weakening the prohibition act from a Richland County legislator. George Blake of Richland introduced "by request" an act which would have repealed the section of the prohibition law establishing a reward for the arrest and conviction of persons violating the prohibition law.¹⁷ Resubmission in this session was introduced by a representative from outside the pilot counties.¹⁸ As usual, the western pilot county representatives voted for it, and as usual, it was defeated.¹⁹

In the 1907 legislature the same Arne P. Haugen of Reynolds who had been chairman of the Temperance Committee at the First Constitutional Convention introduced a bill providing for punishment of persons convicted of soliciting orders for intoxicating liquor. This bill, which was not passed, would have added stronger enforcement provisions to Sowle's bill which was passed the previous session.²⁰

Seven of the fourteen bills concerned with prohibition introduced this session came from the eastern pilot counties. Six came from other counties in the state, and one came from a representative of Stark and Billings, of the western pilot counties. In addition to the bill against soliciting orders for liquor mentioned above, Haugen introduced a bill providing for the seizure and confiscation of intoxicating liquor,²¹ a bill against letting a building for

¹⁷House Bill 64, Ninth Legislative Session, 1905.

¹⁸House Bill 2, Ninth Legislative Session, 1905.

¹⁹Dickinson Press, January 28, 1905.

²⁰House Bill 25, Tenth Legislative Session, 1907.

²¹House Bill 190, Tenth Legislative Session, 1907.

dealing in liquor.²² and a bill concerned with the definition of liquor.²³ All three of these bills were passed, although one excited more attention than the others. Haugen's bill providing for seizure and confiscation of intoxicating liquor also gave peace officers the power to seize, without a warrant, liquor brought to North Dakota for sale purposes. Its passage was headlined by the Dickinson Press.²⁴

EXCITING AT BISMARCK
Prohibition Enforcement Commission Authorized
Governor Will Approve
MAY MAKE THINGS LIVELY IN DICKINSON.

This bill did not make things as lively in Dickinson as had been expected, for the North Dakota Supreme Court declared the law unconstitutional barely three months later.²⁵

Another Grand Forks County legislator of Norwegian background, T.E. Tuft of Northwood also introduced a bill concerned with extending the definition of "liquor" in this session.²⁶ His bill was not passed. O.G. Nelson of Hatton, Traill County, introduced a similar bill during this session²⁷ and Clark Moore of Gardner, Cass County, introduced a bill concerning stricter enforcement of the prohibition law.²⁸ Both of these bills passed.

²²House Bill 63, Tenth Legislative Session, 1907.

²³House Bill 195, Tenth Legislative Session, 1907.

²⁴Dickinson Press, March 9, 1907.

²⁵Glaab, 100.

²⁶House Bill 3, Tenth Legislative Session, 1907.

²⁷House Bill 199, Tenth Legislative Session, 1907.

²⁸House Bill 120, Tenth Legislative Session, 1907.

This 1907 session of the legislature also considered a bill regarding prohibition from one of the western counties. A.L. Martin of Sentinel Butte, Billings County, introduced a measure which, if it had passed, would have considerably lessened the penalties for manufacturing or selling liquor. Instead of the \$200 to \$1,000 and ninety days to one year in jail originally provided as punishment for breaking the prohibition law, Martin's bill would have made the penalty \$50 to \$200 for the first offense and \$300 to \$500 for subsequent offenses.²⁹ Martin himself was a native American and belonged to the Episcopalian church. He was not German-speaking and Catholic like so many of his constituents, for whom he spoke by virtue of his election. Resubmission in this session was sponsored by a Ramsey County senator.³⁰

This tenth session of the legislature, 1907, was the last session in which the number of bills concerning prohibition introduced by representatives from the eastern counties outnumbered those introduced by representatives from the other counties in the state. This is significant, for 1907 is the year in which the Progressive movement finally reached North Dakota. The election of John Burke as governor in November, 1906, marked the first time that North Dakota voters repudiated the McKenzie machine and seriously turned their attention to the entire range of reforms related to the Progressive movement. Only in 1907, after Burke's election, did the North Dakota legislature turn seriously to such reforms as the initiative and

²⁹House Bill 335, Tenth Legislative Session, 1907.

³⁰Senate Bill 12, Tenth Legislative Session, 1907.

referendum.³¹ Some important regulatory corporation and railroad laws were enacted,³² and pure food and drug legislation was expanded.³³ A direct primary law with a provision for senatorial preference was also passed without much opposition in this 1907 legislature.³⁴

In 1909, thirteen of the sixteen bills concerned with prohibition came from representatives of counties not included in this study. The three bills from the pilot counties were all from the east and all aimed at stricter enforcement. They were introduced by James Kennedy of Fargo and by H.H. Strom of Hillsboro. Kennedy's bill aimed at better enforcement of the prohibition law by having beverages coming into the state tested at the North Dakota Agricultural Experiment Station. His bill was passed. Both of Strom's bills, one of which would have outlawed drinking on the trains passing through the state, failed.³⁶ In this session a resubmission resolution was sponsored by a representative from outside the pilot counties.³⁷

In this 1909 session the prohibitionists found themselves in the position of opposing a Progressive measure. The initiative and referendum resolutions considered in 1907 had not passed and came up again in this session. When the bill came up for discussion in the Senate, Senator Simpson of Stark County proposed an amendment which would include constitutional amendments in the bill. These had not been included in the original measure because the prohibitionists

³¹Glaab, p. 93. ³²Ibid., pp. 91-92. ³³Ibid., p. 93.

³⁴Ibid.

³⁵Senate Bill 107, Eleventh Legislative Session, 1909.

³⁶Senate Bill 183, Eleventh Legislative Session, 1909.

³⁷Senate Bill 6, Eleventh Legislative Session, 1909.

feared that the prohibition clause of the constitution would be brought to the people by this route. Speaking in behalf of his amendment, Senator Simpson disagreed with the contention of another Senator who said that the people now had the right to vote on constitutional amendments. The people did not really have such a right he said because it was "necessary first that two legislative assemblies grant them the permission."³⁸ Senator Simpson's amendment to the bill was approved by the Senate over the opposition of the prohibitionists, although the prohibitionists in the House kept the initiative from becoming law that session. Thus, in 1911, the problem came up again. The Grand Forks Herald noted in 1911 that the provision for initiated constitutional amendments might pass that session because it expressly exempted a prohibition amendment. The Herald thought that was extreme, but said it would be more extreme not to support the measure for that reason.³⁹

In 1913, the fight for the initiative and referendum continued, and again the opposition was the prohibitionists. Speaking in the House of representatives, a Stark County delegate, noting that "at the beginning of this session a resolution was introduced by the Methodist Episcopal Conference" against the initiative and referendum, accused the church of interfering with the state's sphere of activities. He continued:

Looking at this question from a moral standpoint, the whole affair turns on the hinges of resubmission. That is where the fight comes in, fought by the churches, the WCTU, prohibitionists, and a few others. Now do you

³⁸Dickinson Press, February 20, 1909.

³⁹Grand Forks Herald, January 17, 1911.

really think that if the initiative and referendum is adopted and the people can legislate direct, that it will lower the standard of morals, sobriety, honor and integrity of our whole state? You must certainly realize that in states where prohibition is not ruling, the people are frugal, virtuous and decent, the standard of intelligence on the same level as in our own state. . . . Prohibitionists are imperialists. They would impose government upon people without their consent and in spite of their protest. This is un-American and unchristian.⁴⁰

Only a crippled initiative-referendum bill passed this session.

In the twelfth session of the legislature in 1911, three of the twelve bills concerned with prohibition came from the eastern pilot counties. A bill against giving liquor away at public sales was introduced by A.L. Peart of Chaffee, Cass County, and passed both houses.⁴¹ James Kennedy of Fargo introduced a bill, which was passed, requiring registration of pharmacists.⁴² John S. Kylo of McCanna, Grand Forks County, introduced the third bill from the east. This also aimed at stricter enforcement of the prohibition law, but it failed in the Senate after passing the House.⁴³

In 1913, the last year included in this study, two of the eight bills concerned with prohibition were from the eastern pilot counties. Ed Colton of Hatton introduced a bill which would have outlawed using liquor for hospitality in clubs.⁴⁴ Colton was a Norwegian Lutheran who had emigrated to America from Norway.⁴⁵ His bill

⁴⁰Dickinson Press, February 15, 1913.

⁴¹House Bill 114, Twelfth Legislative Session, 1911.

⁴²Senate Bill 148, Twelfth Legislative Session, 1911.

⁴³House Bill 154, Twelfth Legislative Session, 1911.

⁴⁴House Bill 386, Thirteenth Legislative Session, 1913.

⁴⁵Legislative Manual 1913, p. 523.

failed. E.W. Everson of Walum, Griggs County (residents of Steele County were among his constituents), introduced a bill defining bootlegging and prescribing punishment for the offense. Everson, like many of his constituents in Steele County, was born in Norway.⁴⁶ His bill, aimed at tightening the prohibition law, passed.⁴⁷

In the 1913 session one of the eight bills concerned with prohibition was introduced by a representative from a western pilot county. W.E. Martin of Mandan, Morton County, introduced a bill which would have permitted liquor in hotels. It was indefinitely postponed.⁴⁸

In summary, it will be recalled that in the years from 1889 to 1914, seven bills concerned with prohibition were introduced by representatives from the western pilot counties. All of these seven bills were aimed either at repeal or at weakening of the prohibition law. Three of the bills aimed at repeal were from Germany-born legislators Joseph Miller and Frank Lish. The fourth bill aimed at repeal was sponsored by Simpson of Stark County. Of the others, the bill which would have permitted liquor in hotels was from the native American W.E. Martin, who was elected from a predominately German-Russian, German, and Catholic county. The bill aimed at reducing the penalty for violation of the prohibition law was introduced by A.L. Martin of Billings County, who though he was himself a native American and Episcopalian, also represented a strongly Catholic area.

⁴⁶Ibid., p. 524.

⁴⁷House Bill 78, Thirteenth Legislative Session, 1913.

⁴⁸House Bill 445, Thirteenth Legislative Session, 1913.

Its Catholicism was the most noticeable attribute of Billings County, which was 70 per cent Catholic in the period. The foreign-born element was small, though mainly German-speaking. The foreign-born Austrians and Germans in Billings County, combined, made up 7 per cent of the population.

Alfred White of Medora, Billings County, introduced the bill designed to change the penalty clause in the enforcement law to "fine or imprisonment" instead of "fine and imprisonment."

The newspapers in the western pilot counties reflected the sentiment against prohibition that the western legislators revealed in their bills and in their votes. The Dickinson Press, as has been seen, consistently opposed prohibition. And the Mandan Pioneer apparently felt the same, if its opinions, as quoted in the Dickinson Press, may be taken as an indicator. For example, the Press reported a wishful quote in 1897 from the Pioneer: "Some day North Dakota may get away from the incubus of prohibition that now exists here and follow . . . South Dakota."⁴⁹ (South Dakota had tried prohibition but returned shortly to county local option.) There is a great deal of evidence in the newspapers that the prohibition law was disliked and disobeyed in the western pilot counties. When a special prosecutor arrived in Mandan in 1912, "it was specially hard to get a conviction, for the justices were not inclined to consider evidence and in court the jurors were determined to acquit every person charged with blind pigging."⁵⁰ One Ferdinand Knoll was tried there in May, 1912, and in the face of positive evidence that he had been selling

⁴⁹Dickinson Press, November 6, 1897.

⁵⁰Ibid., January 25, 1913.

liquor the jury returned a verdict of not guilty. The judge was so angry that he told the jurors they had violated their oath of office. Knoll, upon release, bragged loudly that the courts could not get him, whereupon the judge had him jailed for contempt of court.⁵¹

Popular feeling against prohibition was such that even candidates for offices dared not oppose it in the western pilot counties. In the election of 1912 the Press found it necessary to scotch rumors about a candidate they were supporting. "There are those who have been industriously circulating stories over the county the past few weeks that Fred Maser, regular Republican nominee for county judge . . . is a prohibitionist, and thus trying to injure his chances of election with certain classes of people," it said.⁵²

All of this is not to say that everyone in the western pilot counties opposed prohibition. There were WCTU chapters in the major towns, and law-abiding citizens occasionally organized to close down the blind pigs. In 1909 the Dickinson paper reported that a petition was being circulated in Belfield asking the blind-piggers to close their places of business.⁵³ The petition had little effect, so Belfield citizens organized a "Law and Order League"⁵⁴ which apparently was not too active, as there were no further reports of the group's activities.

The situation in the eastern pilot counties was very different. Of the thirty-eight bills concerned with prohibition introduced by

⁵¹Ibid. ⁵²Ibid., October 26, 1912.

⁵³Dickinson Press, January 30, 1909.

⁵⁴Ibid., February 6, 1909.

representatives of the eastern counties, all but five were aimed at strengthening the law. Many of these bills were introduced by the same few individuals--especially Arne P. Haugen of Reynolds and H.H. Strom of Hillsboro. Both of these men were Norway-born Lutherans. The background of a number of other eastern representatives was also Norwegian--T.E. Tufte, Ed Colton, E.W. Everson, to name a few.

More important than the ethnic and religious affiliations of the individual legislators, of course, is the background of the area they represent. Because of the very fact that they were elected officials, they had to be responsive to the sentiments of those people. The acute concern with prohibition and its enforcement by representatives from Grand Forks, Steele, and Traill counties is in itself the strongest indicator of the attitudes of the people of these counties. Only one bill which would have weakened or destroyed prohibition was introduced by a representative from any of these three counties.

Of the five bills introduced by representatives from the eastern counties which would have weakened or repealed prohibition, two were from Richland County, two were from Cass County, and one was from Grand Forks County. It is interesting to note that the Cass County representatives who introduced these bills (George Osgood, 1891, and John Haggart, 1895) were from the city of Fargo itself. Cass County representatives from Grandin, Gardner, Casselton and Chaffee introduced all but two of the bills from Cass County concerned with enforcing prohibition. James Kennedy of Fargo introduced the two remaining bills from Cass County which were in favor of prohibition.

It is not surprising, either, that there were Cass County representatives opposed to prohibition, for, it will be recalled, Cass

County defeated the measure in 1889. The largest of the eastern counties in this study, Cass County was not dominated by one ethnic group or religion as were, for example, Steele and Traill counties.

The single anti-prohibition bill introduced by a Grand Forks County representative was the resubmission resolution introduced by James Ryan of the city of Grand Forks. As was the case in Cass County, the anti-prohibition measure came from the city. A breakdown of the popular vote on prohibition in 1889 in Grand Forks County shows that while the country districts returned a majority of 1,376 for prohibition, the city returned a margin of 354 against prohibition. As the vote in Grand Forks County was close, 1,534 to 1,432 in favor, it is obvious that the rural areas carried the measure. Also in Cass County in 1889 there was a split between the city of Fargo and the rest of the county. Fargo's returns showed a majority of 666 against prohibition. The rural districts cut into this margin so that the measure was defeated by just 417 votes (2,156 to 1,739).⁵⁵

Richland County, like Cass, was not dominated by the Norwegian Lutheran elements of its population. It had a larger percentage of Germans, for one thing, than did any of the rest of the eastern counties. In fact one of the two anti-prohibition bills introduced from Richland County was sponsored by a Protestant legislator who had been born in Germany, Emil A. Movius. The other anti-prohibition bill from Richland County was introduced "by request" by George Blake in the ninth session. The bill was indefinitely postponed, and

⁵⁵Figures computed by the author from the Official Vote published in the Grand Forks Herald, October 5, 1889, and in the Fargo Argus, October 8, 1889.

there is no evidence that Blake himself was interested in resurrecting it.

Of the overwhelming sentiment for prohibition in the strongly Norwegian Lutheran Traill County there can be no doubt. It is significant that a political history of the county should note this fact:

The voters of Traill County have always been strongly opposed to the liquor traffic. At the elections in November, 1887 and 1888, under the Local Option law a majority was given each time against the sale of intoxicating liquors. . . . So strong was the opposition to the sale of intoxicating liquors in this county that in 1886 the third party, Prohibitionists, nominated a county ticket in *opposition* to the Republican ticket, and elected all their nominees with the exception of County Attorney. In 1888 they elected the entire prohibition ticket. In 1889 they elected their candidate for Clerk of the District Court, he being the only county officer voted for at that election. In the year 1890 the Republicans called their county convention for the nomination of county officers early in the season and nominated every county officer elected by the Prohibitionists and then in office except the County Treasurer, who was then serving his second term and was ineligible for reelection, this disrupted the Prohibition party. . . .⁵⁶

It is significant also that Traill and Steele County representatives voted to uphold the prohibition law in its full force in every single sample legislative vote taken.

This study of the prohibition bills introduced between 1889 and 1914 suggests several possible conclusions. It is clear, first of all, that the Norwegian and Norwegian Lutheran elements in the state were in favor of prohibition. Likewise the Germans and the German-Russian Catholics in the western counties and the Germans in Richland County supported bills against prohibition. Obviously,

⁵⁶"Traill County," History of the Red River Valley, II, 691.

North Dakota does not fit the traditional assumptions about prohibition. The native American proponents of prohibition were responding to the double threat, from above and below, which prompted the Progressive movement to materialize much later. This response, traditionally assumed to be unique to the Progressives, was being made in North Dakota in 1889--eleven years before Progressivism materialized on the national scene and seventeen years before Progressivism as a whole gained a foothold in the state. Moreover, the backbone of the support for prohibition in North Dakota was the Norwegian Lutherans. Men of foreign birth and foreign parentage, rather than middle-class native Americans were the strongest supporters of prohibition in North Dakota. And these were Lutherans rather than evangelical Protestants.⁵⁷

The evidence considered thus far suggests that there may have been a rural-urban split on the issue. The fact that prohibition was carried by the rural districts in Cass County while it was lost in Fargo and, more notably, the fact that most of the bills in favor of prohibition from Cass County were introduced by legislators from rural areas makes the possibility of a rural-urban split seem likely. Only two of the prohibition bills from Grand Forks County came from representatives of the city itself: Frank Viets and James Ryan. Ryan's bill proposed resubmission.

It could be that there were enough Norwegian Lutherans in Grand Forks County to overcome the anti-prohibition disposition of the

⁵⁷"Evangelical Protestant" is used to refer to those churches that emphasized personal, traumatic conversion rather than liturgy, creed, and sacraments. See Above, pp. 44-45.

diverse elements in the city in the 1889 vote. While in Cass County, the 1889 vote could be explained by an informal coalition of groups in the city of Fargo which was larger than the Norwegian Lutheran element in the county. There is no doubt that the Norwegian Lutheran elements in Fargo supported prohibition. Several days after prohibition had been approved, the Fargo Argus noted this fact. Quoting a minister who had pointed out that the districts voting most strongly against saloons were the Scandinavian Lutherans, the paper asked, "What do virtuous New Englanders have to say about this action of foreigners?"⁵⁸

The sentiment against prohibition in urban Cass and German Richland counties was strong enough to be noticeable in the statewide vote in 1889 and in the bills introduced in the legislature. It was strong enough, too, to suggest that attitudes toward prohibition were not affected greatly by a split between the frontier and the settled areas. The existence of such a split cannot be discounted, if for no other reason than that the frontier traditionally attracted the kind of individualists who would abhor morality legislation like prohibition. The frontiersman, Billington noted, typically "rebelled against social controls from the East, and he protested all personal limitations on his conduct, insisting they were unnecessary in a land where men did not live elbow to elbow."⁵⁹

Still, there are strong indications that more than frontiersmen's rebellion was at the heart of anti-prohibition sentiment in

⁵⁸Fargo Argus, October 5, 1889.

⁵⁹Ray Allen Billington, Westward Expansion: A History of the American Frontier (2d ed.; New York: The Macmillan Co., 1960), p. 749.

the western pilot counties. The Dickinson Press did not want its candidate called a prohibitionist because it would hurt his chances of election "with certain classes of people."⁶⁰ It was the reactions of the Germans to such a charge that the Press feared. Likewise, when Stark County Republicans were trying to win German votes in 1908, their campaign oratory was full of reminders of how vigorously the Democratic Governor (Burke) prosecuted the prohibition laws.⁶¹ The German-Russian refusal to support prohibition, pointed out by Voeller, is another indication that more than a frontier environment caused the anti-prohibitionist sentiment in the western pilot counties.

Bearing these possible conclusions in mind, a study of other morality legislation from 1889 to 1914 will serve to bring the divisions more sharply into focus.

⁶⁰Dickinson Press, October 26, 1912.

⁶¹Ibid., October 24, 1908.

CHAPTER VIII

ANTI-CIGARETTE BILLS

"The taking of snuff and the smoking of cigarettes are habits. While to some of us these habits may appear undesirable, unhealthful and filthy, yet there is nothing inherently vicious in either which should be inhibited by law; and these statutes are not supported by an enlightened public opinion." So spoke Governor A.G. Sorlie in his inaugural address in 1925 when he called for repeal of North Dakota's anti-cigarette laws.¹ As will be seen, many of these had been passed before 1914, during the period being studied.

The first anti-cigarette bill was introduced in the North Dakota legislature during the first legislative session. Its aim, not so general as later bills, was "to prevent the sale of cigarettes to minor children."² This bill was introduced by a representative from Pembina County, not one of the pilot counties for this study. Yet with cigarettes, as with prohibition, a disproportionate number of the bills against "the vice" were introduced by the members of the legislature who represented the five eastern counties. Of a total of fourteen anti-cigarette bills introduced,

¹House Journal 1925, I, 40.

²House Bill 109, First Legislative Session, 1889-1890

eight came from the representatives of the eastern pilot counties. None of them was introduced by representatives from the western pilot counties in this study.

Before the first session of the North Dakota legislature had convened the Fargo Argus suggested a bill similar to that which was passed: "The legislature would do an act meeting the approval of the people, to prohibit the sale of death-dealing cigarettes. It is killing more 'kids' in North Dakota today than 'spirituous or malt liquors,' and killing a rising generation--that may amount to something."³ There was not the sharp division of sentiment about anti-cigarette laws in North Dakota that there was about prohibition and only three pilot county representatives voted against the bill. They were Heglie of Richland County and Wickham of Morton County in the House,⁴ and Stevens of Grand Forks County in the Senate.⁵ The Mayville Tribune called the law "one of the most wholesome laws passed by the late legislature."⁶

The second anti-cigarette bill to be introduced was sponsored by J.B. Wineman of Grand Forks in the fourth legislative session, 1895. It proposed outlawing, simply, the sale of cigarettes.⁷ This bill became law,⁸ but it was apparently not extensive enough

³As quoted by the Grand Forks Herald, November 7, 1889.

⁴House Journal 1889-90, First Legislative Session, p. 393.

⁵Senate Journal 1889-90, First Legislative Session, p. 413.

⁶Mayville Tribune, July 3, 1890.

⁷House Bill 39, Fourth Legislative Session, 1895.

⁸Session Laws, Fourth Legislative Session, 1895, p. 31.

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⁶Mayville Tribune, July 3, 1890.

⁷House Bill 39, Fourth Legislative Session, 1895.

⁸Session Laws, Fourth Legislative Session, 1895, p. 31.

to satisfy many, for at the next session of the legislature in 1897 R.B. Boyd of Wheatland, Cass County, introduced a measure which would make it unlawful "to sell cigarettes in any form" and providing punishment of from \$10 to \$50 and/or thirty days.⁹ This bill did not pass.

At the next session of the legislature, in 1899, another representative from an eastern pilot county introduced an anti-cigarette bill. This measure was aimed more directly at preventing the use of cigarettes by minors. It called for a heavier penalty for selling cigarettes than had Boyd's bill: from \$50 to \$100 and/or thirty days. In addition, this bill sponsored by Ames of Traill County would have prohibited and punished "the use of cigarettes, cigars or tobacco by persons under 18" with a fine up to \$10 and/or up to five days in jail.¹⁰ This bill passed the Senate, but was defeated in the House.

Three anti-cigarette bills were introduced in the seventh legislative assembly in 1901. One of these three bills came from a representative from Grand Forks County, R. L. Bennett of Inkster. It was concerned with punishment of violation of the anti-cigarette law (\$10 to \$50 and/or thirty days).¹¹ Of the other two measures introduced this session, neither came from a pilot county. One called for punishment by a fine of "not less than \$50."¹² The

⁹House Bill 180, Fifth Legislative Session, 1897.

¹⁰Senate Bill 116, Sixth Legislative Session, 1899.

¹¹House Bill 108, Seventh Legislative Session, 1901.

¹²Senate Bill 109, Seventh Legislative Session, 1901.

other proposed to allow cigarettes to be sold, but under stringent conditions. Every sale of cigarettes or cigarette paper would have to be recorded in a book kept for that purpose, with the number of packages sold, the name of the purchaser(s), place of residence and date, and must be signed by the purchaser. Every package of cigarettes would have to have the dealer's name printed on it and the date of sale, "together with a label containing a skull and cross bones, with the words 'poison' plainly printed or written in red ink." This bill, like the others intended to make North Dakota a safer place in which to raise children, would have made selling or giving cigarettes to anyone under 21 a felony punishable at worst by from one to three years in the state penitentiary.¹³ None of these three bills was passed.

Neither of the bills introduced at the eighth session of the legislature, 1903, was passed. The bill introduced by a representative from Cass County, John A. Hill of Wheatland, proposed to make the sale of cigarettes legal, but it would require a license costing \$200 to do so.¹⁴

No more anti-cigarette bills were introduced until the tenth legislative session in 1907 when a bill introduced by T.E. Tufte of Northwood was defeated. Another Grand Forks County representative, E.K. Spoonheim of Larimore, also proposed an anti-cigarette bill which, though it passed the Senate, was defeated in the House. Tufte's bill was another one of these especially aimed at keeping

¹³House Bill 187, Seventh Legislative Session, 1901.

¹⁴House Bill 228, Eighth Legislative Session, 1903.

cigarettes from persons under eighteen.¹⁵ The two anti-cigarette bills introduced in 1909 were likewise aimed mainly at punishing the giving or selling of cigarettes to minors. Niels Hemmingson of Griggs (and Steele) sponsored one.¹⁶ The other came from outside the pilot counties.¹⁷ Neither of the two anti-cigarette bills introduced in 1911 were sponsored by representatives from the eastern pilot counties.

Obviously the North Dakota legislators were concerned with the moral climate of their state. The attempts to legislate against the use of tobacco is another example of the Progressive faith that legislating against what was believed to be evil would rid the people of that evil. Compared to the number of bills against liquor, however, the number of anti-cigarette bills was small. Yet the legislators were concerned with the subject, and in 1913, the last legislative session included in this study, they passed a measure outlawing snuff and other tobaccos as well as cigarettes. This bill too came from a representative of one of the pilot counties: W.H. Northrup of Luverne, Steele County.¹⁸

While anti-cigarette legislation cannot strictly be considered Progressive legislation, the concern with the subject is related to the spirit which prompted Progressivism. It is interesting to note in this light that only one of these fourteen bills was introduced

¹⁵House Bill 185, Tenth Legislative Session, 1907.

¹⁶House Bill 271, Eleventh Legislative Session, 1909.

¹⁷Senate Bill 144, Eleventh Legislative Session, 1909.

¹⁸House Bill 67, Thirteenth Legislative Session, 1913.

by a representative from an urban area. Except for Wineman's bill in 1895, all of these came from representatives of rural areas. As has already been noted, most of the bills against cigarettes, or for enforcing the ban against cigarettes, came from the eastern pilot counties--none came from the west. Moreover, only two of the eight bills came from outside the counties in which the Norwegian Lutherans predominated. Those two bills came from rural Cass County representatives. None was sponsored by Richland County representatives. Only Grand Forks, Steele, and Traill County representatives felt strongly enough to introduce bills on the subject; though once introduced, the bills received support unrelated to ethnic or religious differences.

CHAPTER IX

SABBATH-BREAKING AND ANTI-PROFANITY LEGISLATION

Another area of concern especially to legislators from the eastern pilot counties was Sabbath-breaking. By Sabbath-breaking was meant any "servile labor," all "public sports," "selling" and "trades, manufacturing and mechanical employments."¹ The territorial penal code, which continued in use after statehood, prohibited such activity and provided for a fine of one dollar as punishment for each offense. Legislators, however, remained concerned with how stiff penalties for violation should be and what exceptions to the law were permissible. Eleven bills on the subject were introduced between 1890 and 1911, and the fact that seven of these were from the eastern pilot counties is further evidence of the acute concern with morality legislation that has already been noted in at least three of these counties.

The bill introduced in 1890 provided for punishment for Sabbath-breakers by a fine of from \$5 to \$10 for each offense.² This bill, which was sponsored by the Norway-born Andrew Hanson³ of Mayville, Traill County, was killed in the House.⁴ The three bills

¹Territory of Dakota, Compiled Laws 1887, secs. 6238-6250.

²House Bill 160, Second Legislative Session, 1891.

³Compendium, p. 202.

⁴Dickinson Press, March 1, 1890.

on the subject introduced at the fifth session of the legislature in 1897 were also defeated. Peter N. Korsmo of Northwood, Grand Forks County, introduced a bill to punish offenders with a \$5 fine for each offense;⁵ H.D. Hurley of Hillsboro introduced a measure which would except "the gathering and taking care of ripened grain in its season" from the ban;⁶ and H.H. Strom, also of Traill County, called for a fine of from \$1 to \$25 for offenders.⁷ Only Hurley's bill could be said to be aimed at making the law weaker, but even this bill approved of the spirit and intent of Sabbath-breaking laws.

The first four bills on the subject of Sabbath-breaking had all come from Traill County, the most predominantly Norwegian Lutheran County in this study, as well as the only county in which the members of the most conservative Norwegian Lutheran synod outnumbered other Norwegian Lutherans.

The next two bills concerned with Sabbath-breaking came from Cass and Grand Forks counties in the sixth session of the legislature. The 1899 legislature passed a bill introduced by W. W. Tousley of Tower City in Cass County, providing for a penalty of from \$1 to \$10 for the offense. A bill introduced by T.E. Tufte of Northwood, calling for the severe penalty of from \$5 to \$10 or imprisonment of from two to five days for each Sabbath-breaking offense was defeated.⁸

⁵House Bill 95, Fifth Legislative Session, 1897.

⁶House Bill 105, Fifth Legislative Session, 1897.

⁷Senate Bill 80, Fifth Legislative Session, 1897.

⁸House Bill 116, Sixth Legislative Session, 1899.

The last bill on the subject introduced in this period was sponsored by R.B. Boyd of Wheatland, Cass County. His measure, banning the operation of theatres on Sunday, was passed. In the previous session, 1909, a similar bill had been defeated. There had been three bills against Sabbath-breaking introduced in 1909, one of which was from a western pilot county, Morton. W.E. Martin of Mandan had introduced a bill to ban Sunday theatres and movies, but his bill was defeated.⁹ The other anti-Sabbath-breaking bills introduced in 1909 were from outside the pilot counties.¹⁰

Four of the seven bills discussed, it must be noted, were from one county, Traill. All of the seven were from representatives from rural areas. And only one of the ten bills introduced in the entire period was from one of the western pilot counties.

None of the bills against profanity of slandering women were from the western counties. The first of these, introduced by H.D. Hurley of Traill County would have made "abusive, violent, profane and indecent language or conduct by a passenger on a railroad train" a misdemeanor punishable by not more than \$100 and/or ninety days in jail. To enforce the act, it invested conductors with the powers of sheriff while in charge of a train.¹¹ The 1897 legislature defeated this bill.

The next bill on the subject came from outside the pilot counties in 1901. The only other one of the four bills against

⁹House Bill 301, Eleventh Legislative Session, 1909.

¹⁰House Bill 30 and House Bill 210, Eleventh Legislative Session, 1909.

¹¹House Bill 201, Fifth Legislative Session, 1897.

profanity from an eastern pilot county also came from a Traill County representative in 1907. O. J. Sorlie of Buxton in that year introduced a bill prohibiting profanity on the telephone which passed the legislature.

With profanity, as with Sabbath-breaking, the majority of bills introduced by representatives from the eastern pilot counties came from Traill County representatives. From this most Norwegian and most conservative-Lutheran county came both the pilot county bills on profanity. Again, both bills were from rural areas.

CHAPTER X

OTHER MORALITY LEGISLATION

Obscene literature, dancing, gambling, pool halls, and divorce were also subjects of morality legislation in the first twenty-five years of statehood, but bills concerned with these issues were relatively few. Of all these issues, divorce was the one over which concern was most frequently expressed in the legislature.

When North Dakota became a state its divorce law required a residency in the state of only ninety days.¹ The first attack on this provision came in a bill introduced by J.B. Wineman of Grand Forks in 1893 which would have lengthened the residency requirement to one year.² Wineman's bill, though supported by the prohibitionists, did not pass; and he reintroduced it in the next legislative session in 1895.³ H.M. Williams of Blanchard, Traill County, introduced a bill the next session, 1897, which would have established a residency requirement of one year before divorce proceedings could be commenced. The final paragraph of Williams' bill is a revealing one: "An emergency exists in this that the state and its judiciary are scandalized and the moral standing of the state degraded

¹Territory of Dakota, Compiled Laws 1887, p. 551.

²House Bill 33, Third Legislative Session, 1893.

³House Bill 10, Fourth Legislative Session, 1895.

by the conduct of those who come to this state for divorce purposes only."⁴ But Williams' bill, like Wineman's, did not pass so the ninety-day divorce law remained in effect until 1899 when the legislature passed a bill introduced by a representative from outside the pilot counties establishing a residency requirement of one year.

The Catholics in the state were more concerned with getting the ninety-day divorce law abolished than with the other morality legislation in this period. Bishop John Shanley of Fargo was especially active in this regard. Shanley's biographer gives the bishop too much credit, but there is no doubt that he actively opposed the existing law. In April, 1897, for example, the bishop rented a public auditorium in Bismarck and gave a two-hour address on the subject. "As a result of this spectacular agitation, a bill modifying the existing statutes was introduced in the legislature, but, after being passed in the House, was defeated by one vote in the Senate."⁵ Since the legislature for 1897 had adjourned in mid-March and another legislature did not meet until January, 1899, it is unlikely that Shanley was as influential as Weber implied.⁶ Bishop Shanley did carry on a campaign of speeches and letters, and no doubt his voice was heard.

A total of seven bills concerned with divorce was introduced between 1889 and 1914, four of which were from representatives from the

⁴House Bill 145, Fifth Legislative Session, 1897.

⁵Weber, pp. 106-109.

⁶Weber's dates are in error. The vote to which he refers occurred in the 1895 legislative session. Weber went on to say that the same bill was reintroduced in January, 1898. But, of course, there was no legislative session that year, and he meant January, 1897. It was the 1899 legislature that changed the residency requirement to one year. Weber, pp. 107-08.

eastern pilot counties. T.E. Tufte of Northwood introduced a bill in the eighth session of the legislature which provided that a divorced person could not remarry in North Dakota within six months from the entry of their divorce decree.⁷ This bill failed, as did a bill he introduced in the tenth legislative session four years later (1907) which would have made such a remarriage illegal within one year from the entry of the divorce decree. Tufte declared his act was an emergency as "no act governing the remarriage of divorced persons exists in the state."⁸

Gambling was of some concern to the early North Dakotans, especially after the Louisiana Lottery was proposed in 1890. The battle over the lottery raged in the state's newspapers for months. The Fargo Argus and the Dickinson Press were in favor of the lottery. The Argus said that "every community having a solvent bank will have from twenty to fifty thousand dollars of money now kept in the South."⁹ The Dickinson Press declared that a majority of the people were in favor of the bill.¹⁰ On the other hand, Winship's Grand Forks Herald was violently opposed, and argued in the kind of terms that became common later with the rise of Progressivism and the belief that government was controlled by corrupt big business. It contended that the people of the state were opposed to the measure and declared that "the success of the scheme means the foisting upon the state of an illegitimate non-producing institution . . .

⁷House Bill 15, Eighth Legislative Session, 1903.

⁸House Bill 22, Tenth Legislative Session, 1907.

⁹Fargo Argus, February 5, 1890.

¹⁰Dickinson Press, February 8, 1890.

that will assume absolute control of the state government, manipulating city, county, and state politics."¹¹ From the first days of February until the end of March and beyond, the Herald editorials attacked the lottery. Suspecting that "boodle" was involved, it declared, "If the legislature of a decayed commonwealth like Nevada had been purchased, or if New Mexico or Arizona had been admitted and threatened to adopt the lottery system, it would seem, though shameful, still less incongruous."¹² Turning to the national government to destroy the outrage, the Herald said that "heroic treatment of the evil at the hands of Congress is needed."¹³

Only two bills against gambling were introduced in this period, however. One was sponsored by H.H. Strom of Hillsboro in 1893 and another by John Hill of Cass County in 1913. Strom's bill, obviously elicited by the commotion over the Louisiana Lottery three years previously, would have prohibited the legislature to authorize lotteries.¹⁴ Hill's bill, against gambling in general, passed.¹⁵

Two bills were introduced by legislators from elsewhere in the state aimed at discouraging the frequenting of pool halls. This subject was apparently not one of concern to legislators from the pilot counties, for they did not mention it in any bills.

The rest of the proposed morality legislation in the period came from the eastern pilot counties. N.A. Colby of Grandin, Cass

¹¹Grand Forks Herald, February 4, 1890. ¹²Ibid., February 8, 1890.

¹³Ibid., March 31, 1890.

¹⁴House Bill 50, Third Legislative Session, 1893.

¹⁵House Bill 112, Fourth Legislative Session, 1895.

County, introduced a bill to suppress obscene literature in 1895 which was vetoed by the governor because the matter was already provided for in the penal code.¹⁶ The Norway-born Peter Herbrandson of Caledonia, Traill County,¹⁷ introduced a bill in 1905 which would have made it a misdemeanor for any member of the township board to permit or vote for allowing "the town hall or place where the business of the township board is transacted to be used for dancing."¹⁸ His bill passed the Senate, but was defeated in the House.

¹⁶House Bill 112, Fourth Legislative Session, 1895.

¹⁷Compendium, p. 421.

¹⁸Senate Bill 127, Ninth Legislative Session, 1905.

CHAPTER XI

CONCLUSION

Whether the issue under consideration was anti-cigarette laws, Sabbath-breaking, profanity, divorce, dancing, gambling or above all, prohibition, there was a clear-cut difference in attitudes in the pilot counties. This difference in attitudes cannot be traced simply to an east-west or a settled-frontier region split, however. As has been pointed out, the difference in attitudes cannot be attributed to the division between the McKenzie machine and the anti-McKenzie forces, either. In essence, the difference in attitudes can be traced to three variables: ethnic differences, religious differences, and perhaps rural-urban differences. Native born-foreign born patterns do not seem to have affected attitudes on this subject in North Dakota, the state with a larger percentage of foreign-born than any other in the Union. Literacy may also be said to have had no effect.

Of 147 bills on morality legislation introduced in the North Dakota legislature between 1889 and 1914, 67 came from the eastern pilot counties in this study. That is, 45 per cent of the bills on morality issues were introduced by the members of the legislature from the eastern pilot counties who made up, at most, 33 per cent of the legislature. Representatives from the western pilot counties, who at various times made up from 5 to 10 per cent of the legislature,

introduced only 5 per cent of the morality legislation. And only one of the eight bills from the western counties concerned with morality legislation could be numbered with those aimed at strengthening such legislation.

A breakdown of the bills concerned with morality legislation from the eastern counties shows a difference even more meaningful than the disproportionate number of morality bills from the eastern counties--and that is the number of these bills from Grand Forks, Steele, and Traill counties. Forty-eight of the sixty-seven measures which could be classified as morality legislation from the east were from these counties. Only one of these forty-seven was opposed to the spirit prompting such legislation. Traill County representatives especially backed such legislation. In brief, only one of the bills which were opposed to morality legislation came from one of these three counties. Of the eight anti-cigarette bills from the east, all but two (from rural Cass County) came from Grand Forks and Traill counties. Four of the seven bills from the east on Sabbath-breaking came from Traill County alone. And all of the bills on divorce came from Grand Forks and Traill counties.

The attitudes toward prohibition in the most Norwegian Lutheran of the pilot counties, as evidenced by the bills introduced by their representatives, the votes of their representatives, and the strength of the Prohibition party in the most Norwegian Lutheran of all, Traill County, is most surprising. New immigrants have traditionally been regarded as avidly anti-prohibitionist. Yet the Norwegians, who like the Germans were often hard drinkers,¹ were the most avid supporters

¹Larson, p. 125.

of prohibition. The strength of the prohibition movement in the Norwegian Lutheran counties is unusual in another respect. In Traill County, where prohibitionist sentiment was so very strong, the majority of the Norwegian Lutherans were members of the conservative, high church Norwegian Synod. It has usually been assumed that churches like this, which emphasized creed and liturgy rather than personal conversion, were less interested in morality legislation. It is important to recall in this regard that the evangelical Protestant churches, traditionally assumed to have been the heart of prohibitionist strength in America, were in a minority in North Dakota.

The repeated attempts by eastern pilot county representatives to keep liquor from seeping into the state cannot be attributed to the possibility that enforcement was more difficult in these counties because Minnesota, just across the Red River, did not have prohibition. Montana, like Minnesota, was a high license state. Thus, if the ease with which liquor could be obtained and brought into the state was the problem the eastern county representatives were trying to solve, the same problem should have been reflected in the bills and votes of the western county representatives. Such was not the case.

In general, the attitudes which predominated in the counties of Grand Forks, Steele, and Traill were in direct opposition to the attitudes which predominated in the three western counties and Richland County. The most noticeable attribute of the western counties was their Catholicism. All three were over 58 per cent Catholic throughout the period. Of the eastern counties, the most Catholic of the group was Richland County, which was 33 per cent Catholic

in 1906 and 40 per cent Catholic in 1916--but its proportion of Catholics was not so large as in the western counties. The largest ethnic groups in the western counties were German-speaking Russians, Austrians, and Germans; and Richland County had a far larger percentage of Germans than any of the other eastern counties. Yet in Richland County, a large proportion of the Germans were Protestant, not Catholic. And it will be recalled, for example, that Emil Møvius of Richland County who was Germany-born and Protestant introduced a bill intended to abolish state-wide prohibition--one of the few bills from the eastern counties against the spirit of morality legislation.

The disproportionate concern with prohibition legislation in Grand Forks, Steele, and Traill counties has already been noted. Recalling that Traill County had the highest percentage of Norwegian Lutherans throughout the period, and that it was different from the other eastern counties in that it was the only one with the largest percentage of its Norwegian Lutherans in the conservative Norwegian Synod, it is clear that religion cannot be discounted as a factor affecting attitudes toward morality legislation. The differences between Richland County and the western counties and Grand Forks, Steele, and Traill counties cannot be attributed strictly to religion, however. Grand Forks, Steele, and Traill counties had substantially larger percentages of Norwegian Lutherans than the other counties, but it is significant that Grand Forks was second only to Richland County in the percentage of Catholics in its population. The real difference between Richland County, which must be classified with the western counties on morality issues, and Grand Forks County, which must be classified with the eastern group, is the ethnic make-up of their

populations. Richland had a high percentage of Germans, while Grand Forks did not.

The assumption that the foreign-born in general were opposed to morality legislation, especially prohibition, has been found to be not valid. This case study clearly indicates that such attitudes were different in different ethnic groups, and distinctions should be made between them. What has probably obscured the necessity for such distinctions in the past is the fact that in the era in which such morality legislation as prohibition was being considered most of the foreign-born in America had come on the wave of the "new immigration." These immigrants came from Southern and Eastern Europe and were usually Catholic or Jewish, unlike the "old immigrants." The "old immigration" was made up of the Protestant Anglo-Saxons and Northern Europeans who had settled America and made up the bulk of American immigration until the latter part of the nineteenth century.

Two of the five bills from the east against prohibition were from Richland County; two were from Cass County, and one was from Grand Forks County. More specifically, the bills against prohibition from Cass and Grand Forks counties were from the urban centers. Likewise, Fargo and Grand Forks residents had defeated prohibition in the 1889 statewide vote, while the rural areas in their counties had carried the measure. The possibility of a rural-urban split suggested by this was confirmed by the consideration of other morality issues and by the votes of Cass and Grand Forks County representatives in the legislature, which were generally split on rural-urban lines. Of all the bills in favor of prohibition introduced by Grand Forks County legislators, only one was introduced by a representative of

the city of Grand Forks itself. All eight of the anti-cigarette bills from the eastern counties were from rural areas but one, which was introduced by a Grand Forks representative. Both bills against gambling were from rural areas--one from rural Cass County and one from Traill County. All of the seven bills against Sabbath-breaking were from rural areas in Traill, Grand Forks, and Cass Counties. So were both of the anti-profanity bills introduced in the period by eastern pilot county representatives.

While a rural-urban split seems to have existed, it would be well to keep Timberlake's analysis of this in mind: "Although the prohibition movement took on the nature of a conflict between country and city, it is better understood if viewed more as a class than a rural-urban struggle." He pointed out that the movement cut across geographic lines, noting that "the old-stock middle classes, which comprised about 40 per cent of the urban population in 1910, tended to favor it, whereas the lower classes in the country were more often opposed. . . . The fact that the liquor industry and the bulk of the lower classes were concentrated in the larger cities where the native middle classes were relatively weak often obscured this truth."² If the Scandinavian immigrants are included with the native American middle class on such questions, as this study indicates they should be, Timberlake's statement could apply to North Dakota.

Thus, the most important factors determining attitudes toward morality legislation in the first quarter-century of North Dakota's statehood appear to be ethnic background, religion, and possibly whether one lived in a rural or an urban area.

²Timberlake, p. 152.

APPENDIX I

POPULATION

Table 1
Population and Growth, 1890-1910¹

| Counties | Pop. 1890 | Pop. 1900 | Percentage of increase 1890-1900 | Pop. 1910 | Percentage of increase 1900-1910 | Percentage of increase 1890-1910 |
|-------------|--------------|--------------|----------------------------------------|--------------|----------------------------------------|----------------------------------------|
| Grand Forks | 18,357 | 24,459 | 33.2 | 27,888 | 14.0 | 52.0 |
| Steele | 3,777 | 5,888 | 55.9 | 7,616 | 29.3 | 102.0 |
| Traill | 10,217 | 13,107 | 28.3 | 12,545 | - 4.3 | 22.5 |
| Cass | 19,613 | 28,625 | 45.9 | 33,935 | 18.6 | 73.0 |
| Richland | 10,751 | 17,387 | 61.7 | 19,659 | 13.1 | 84.0 |
| Morton | 4,728 | 8,069 | 70.7 | 25,289 | 213.4 | 436.0 |
| Stark | 2,304 | 7,621 | 230.8 | 12,504 | 64.1 | 440.0 |
| Billings | 170 | 975 | 473.5 | 10,186 | 944.7 | 5990.0 |

¹The percentages of population increase for 1890 to 1900 were obtained from: North Dakota, Legislative Manual, 1901, p. 182. The percentages of increase for 1900 to 1910 are from: Legislative Manual, 1911, pp. 393-94. The percentages of increase for 1890-1910 were computed by the author. The Legislative Manuals were used rather than the United States Census because of a small error in the 1910 Census percentages for North Dakota. In Thirteenth Census of the United States: 1910. Population, III, 318, the percentage of population increase for North Dakota in the previous ten years was given as 80.8 per cent. The Legislative Manual, 1911 recorded the increase as 80.0 per cent, the correct figure.

TABLE 2
Growth of Fargo and Grand Forks ²

| City | Year | Population | Numerical increase over preceding census | Percentage of increase |
|-------------|------|------------|---------------------------------------------|---------------------------|
| Fargo | 1890 | 5,664 | 2,971 | 110.3 |
| | 1900 | 9,589 | 3,925 | 69.3 |
| | 1910 | 14,331 | 4,742 | 49.5 |
| Grand Forks | 1890 | 4,979 | 3,274 | 192.0 |
| | 1900 | 7,652 | 2,073 | 53.7 |
| | 1910 | 12,478 | 4,826 | 63.1 |

²Thirteenth Census of the United States: 1910. Population, III,
318.

APPENDIX II

THE FOREIGN BORN

TABLE 3

Percentages of foreign-born in the pilot counties¹

| County | Percentage of foreign-born 1890 | Percentage of foreign-born 1900 | Percentage of foreign-born 1910 |
|-------------|---------------------------------------|---------------------------------------|---------------------------------------|
| Grand Forks | 43.5 | 34.7 | 27.7 |
| Steele | 41.5 | 31.5 | 26.1 |
| Traill | 46.3 | 36.6 | 29.0 |
| Cass | 39.3 | 31.5 | 24.4 |
| Richland | 37.6 | 30.6 | 23.4 |
| Morton | 40.5 | 33.7 | 32.7 |
| Stark | 39.2 | 50.8 | 38.3 |
| Billings | 33.0 | 25.9 | 20.4 |

¹Percentages for 1900 and 1910 are from: Thirteenth Cens' of the United States: 1910. Population, III, 348-356. Percentages for 1890 were computed by the author.

TABLE 4

Top three foreign-born groups in eastern counties²

| County | 1890 | | | | | 1910 | | | | | |
|------------|------------|-------------|--------------|-------------|-------------|------------|-------------|--------------|-------------|-------------|--------------|
| | Total Pop. | Total Norw. | Total Canad. | Total Germ. | Total Swede | Total Pop. | Total Norw. | Total Canad. | Total Germ. | Total Swede | Total Austr. |
| Grand Fks. | 18,357 | 3,518 | 2,648 | 418 | | 27,888 | 3,239 | 1,856 | 586 | | |
| Steele | 3,777 | 1,118 | 154 | | 95 | 7,616 | 1,310 | 129 | | 193 | |
| Traill | 10,217 | 3,572 | 397 | 257 | | 12,545 | 2,854 | | 182 | 240 | |
| Cass | 19,613 | 2,428 | 1,854 | 1,339 | | 33,935 | 2,456 | 1,322 | 1,481 | | |
| Richland | 10,751 | 1,837 | | 1,188 | 304 | 19,659 | 1,768 | | 1,377 | | 590 |

²Figures for 1890 are from Eleventh Census of the United States: 1890. Compendium, III, 79-82.
 Figures for 1910 are from Thirteenth Census of the United States: 1910. Population, III, 348-56.

TABLE 5

Top three foreign-born groups in western counties³

| County | 1890 | | | | | | 1910 | | | | | |
|----------|------------|-------------|-------------|-------------|-------------|--------------|------------|------------|--------------|-------------|-------------|-----------------|
| | Total Pop. | Total Germ. | Total Russ. | Total Norw. | Total Irish | Total Canad. | Total Pop. | Total Russ | Total Austr. | Total Norw. | Total Germ. | Total Hungarian |
| Billings | 170 | 7 | | 7 | 12 | 12 | 10,186 | | 537 | 365 | 256 | |
| Stark | 2,304 | 284 | 144 | 113 | | | 12,504 | 4,115 | | 568 | 1,252 | |
| Morton | 4,728 | 902 | 187 | 252 | | | 25,289 | 1,932 | | | 342 | 1,310 |

³Ibid.

APPENDIX III

RELIGIOUS STATISTICS

TABLE 6

Leading religious groups in North Dakota, 1890-1916¹

| Religious Group | 1890 | | 1906 | | 1916 | |
|-----------------------------------|----------------|-------------------|----------------|-------------------|----------------|-------------------|
| | No. of Members | Percent. of total | No. of Members | Percent. of total | No. of Members | Percent. of total |
| All denomin. | 64,160 | 100.0 | 169,864 | 100.0 | 225,877 | 100.0 |
| Roman Cath. | 31,091 | 48.5 | 72,072 | 42.4 | 95,859 | 42.4 |
| Norweg. Luth. ^a | 14,294 | 22.2 | 45,272 | 26.6 | 53,328 | 23.7 |
| Germ. Luth. ^b | 2,137 | 3.4 | 11,840 | 6.9 | 18,698 | 8.3 |
| Older Amer. Churches ^c | 12,646 | 19.7 | 28,873 | 17.0 | 40,410 | 17.9 |
| All Others | 3,992 | 6.2 | 11,807 | 7.0 | 17,582 | 7.8 |

^aIncludes the United Norwegian Lutheran Church, the Norwegian Synod, Hauge's Synod, the Lutheran Free Church, and the Lutheran General Council.

^bIncludes the Synodical Conference, the Synod of Iowa and the Joint Synod of Ohio.

^cIncludes Methodists, Presbyterians, Congregationalists, Baptists, and Episcopalians.

¹The figures in Table 6 were computed by the author from those given in: Religious Bodies, 1916, I, 110.

TABLE 7

Religious composition of the pilot counties, 1906²

| County | All Denominations | Total Prot. | Roman Cath. | Norw. Luth. | Germ. Luth. | Congreg at'list | Methodist | Presbyterian | Baptist | Other |
|------------|-------------------|-------------|-------------|-------------|-------------|-----------------|-----------|--------------|---------|-------|
| Grand Fks. | 10,023 | 7,556 | 2,467 | 4,787 | 171 | 189 | 643 | 806 | 337 | 623 |
| Steele | 1,833 | 1,743 | 90 | 1,438 | 29 | 70 | 113 | 75 | | 18 |
| Traill | 4,535 | 4,342 | 125 | 3,627 | 193 | 188 | 148 | 107 | 37 | 110 |
| Cass | 10,830 | 8,371 | 2,459 | 2,951 | 631 | 462 | 1,124 | 703 | 509 | 1,991 |
| Richland | 6,684 | 4,450 | 2,234 | 1,940 | 904 | 317 | 422 | | 54 | 813 |
| Billings | 379 | 112 | 267 | 90 | | 22 | | | | |
| Stark | 6,239 | 842 | 5,397 | 230 | | 195 | 80 | | | 337 |
| Morton | 8,567 | 2,781 | 5,786 | 306 | 210 | 371 | 80 | 154 | 89 | 1,571 |

²Figures in Table 7 are from Religious Bodies, 1906, T, 344.

TABLE 8

Religious composition of the pilot counties, 1916³

| County | All Denominations | Total Prot. | Roman Cath. | Norw. Luth. | Germa. Luth. | Bapt. | Congr | Meth. | Episc | Presb | Germa. Ev.S ^a | Other |
|------------|-------------------|-------------|-------------|-------------|--------------|-------|-------|-------|-------|-------|--------------------------|-------|
| Grand Fks. | 10,875 | 7,390 | 3,485 | 3,807 | 251 | 481 | 229 | 849 | 254 | 1,071 | | 404 |
| Steele | 2,318 | 2,196 | 122 | 1,672 | 64 | | 156 | 164 | | 130 | | 10 |
| Traill | 4,591 | 3,835 | 856 | 2,957 | 276 | 4 | 243 | 102 | 17 | 116 | | 120 |
| Cass | 14,429 | 9,740 | 4,689 | 3,157 | 903 | 662 | 556 | 1,235 | 391 | 1,053 | | 1,753 |
| Richland | 9,802 | 5,886 | 3,916 | 2,085 | 1,326 | 68 | 460 | 445 | 71 | | 930 | 501 |
| Morton | 15,376 | 5,977 | 9,399 | 597 | 1,481 | 241 | 968 | 192 | 276 | 310 | 1,556 | 356 |
| Stark | 8,389 | 1,419 | 6,970 | 272 | 533 | | 227 | 165 | 51 | 20 | 95 | 56 |
| Billings | 3,295 | 1,388 | 1,907 | 508 | 169 | | 264 | 189 | 28 | 70 | | 160 |

^aThe German Evangelical Synod

³Figures in Table 8 are from Religious Bodies, 1916, I, 238.

APPENDIX IV

THE VOTE ON PROHIBITION

TABLE 9

The votes, by county, on Article XX, October 1, 1889¹

| County | For | Against |
|-------------|-------|---------|
| Grand Forks | 1,534 | 1,432 |
| Steele | 444 | 172 |
| Traill | 1,117 | 824 |
| Cass | 1,739 | 2,156 |
| Billings | 4 | 53 |
| Stark | 171 | 394 |
| Morton | 358 | 644 |

¹Legislative Manual, 1901, p. 120.

BIBLIOGRAPHY

Articles

- Hall, Luella J. "History of the Formation of Counties in North Dakota," Vol. V of Collections of the State Historical Society. Edited by O.G. Libby, Grand Forks, N.D., 1923, 167-250.
- Hillesland, Anton. "The Norwegian Lutheran Church in the Red River Valley," Vol. VII of Collections of the State Historical Society. Edited by O.G. Libby, Grand Forks, 1925, 195-283.
- Larson, Agnes M. "The Editorial Policy of Skandinaven, 1900-1903," Norwegian-American Studies and Records, VIII, Northfield, Minn.: Norwegian-American Historical Association, 1934, 112-135.
- Tollefson, Axel. "Historical Notes on the Norwegians in the Red River Valley," Vol. III of Collections of the State Historical Society. Edited by O.G. Libby, Grand Forks, N.D., 1925, 131-193.
- Winship, George B. "Early Politics and Politicians of North Dakota," Quarterly Journal of the University of North Dakota, XIII (1922-1923), 254-269.

Books

- Aberle, George P. From the Steppes to the Prairies. Bismarck, N.D.: Bismarck Tribune Co., 1963.
- Blegen, Theodore C. Norwegian Migration to America: The American Transition. Northfield, Minn.: The Norwegian-American Historical Association, 1940.
- Billington, Ray Allen. Westward Expansion: A History of the American Frontier. 2d ed. New York: The Macmillan Co., 1960.
- Colvin D. Leigh. Prohibition in the United States. New York: George H. Doran Co., 1926.
- Compendium of History and Biography of North Dakota. Chicago: George A. Ogle and Co., 1900.

- Crawford, Lewis F. History of North Dakota. 3 vols; New York and Chicago: The American Historical Society, Inc., 1931.
- Hennessy, W.B. (comp.) History of North Dakota. Bismarck, N.D.: The Bismarck Tribune Co., 1910.
- History of the Red River Valley, Past and Present. 2 vols; Grand Forks, N.D.: Herald Printing Co., 1910.
- Merz, Charles. The Dry Decade. Garden City, N.Y.: Doubleday, Doran and Co., 1932.
- Mowry, George E. The Era of Theodore Roosevelt and the Birth of Modern America: 1900-1912. New York: Harper and Row, 1958.
- Nye, Russel B. Midwestern Progressive Politics. East Lansing, Mich.: Michigan State College Press, 1951.
- Pfaller, Louis (ed.). The Catholic Church in Western North Dakota, 1738-1960. Mandan, N.D.: Crescent Printing Co., 1960.
- Qualey, Carlton C. Norwegian Settlement in the United States. Northfield, Minn.: Norwegian-American Historical Association, 1938.
- Shannon, Fred A. American Farmers' Movements. Princeton, N.J.: D. Van Nostrand Co., 1957.
- Stephenson, George M. The Religious Aspects of Swedish Immigration, A Study of Immigrant Churches. Minneapolis: The University of Minnesota Press, 1932.
- Timberlake, James H. Prohibition and the Progressive Movement, 1900-1920. Cambridge, Mass.: Harvard University Press, 1963.

Public Documents

- North Dakota. Journal of the House of the First Legislative Assembly. November 19, 1889-March 18, 1890.
- North Dakota. Journal of the House of the Second Legislative Assembly. January 6, 1891-March 6, 1891.
- North Dakota. Journal of the House of the Third Legislative Assembly. January 3, 1893-March 3, 1893.
- North Dakota. Journal of the House of the Fourth Legislative Assembly. January 8, 1895-March 8, 1895.
- North Dakota. Journal of the House of the Fifth Legislative Assembly. January 5, 1897-March 5, 1897.

- North Dakota. Journal of the House of the Sixth Legislative Assembly.
January 3 to March 3, 1899.
- North Dakota. Journal of the House of the Seventh Legislative Assembly.
January 8, 1901, to March 8, 1901.
- North Dakota. Journal of the House of the Eighth Legislative Assembly.
January 6 to March 6, 1903.
- North Dakota. Journal of the House of the Ninth Legislative Assembly.
January 3 to March 3, 1905.
- North Dakota. Journal of the House of the Tenth Legislative Assembly.
January 8, 1907, to March 8, 1907.
- North Dakota. Journal of the House of the Eleventh Legislative Assembly.
January 5, 1909, to March 5, 1909.
- North Dakota. Journal of the House of the Twelfth Legislative Assembly.
2 vols; January 3 to March 3, 1911.
- North Dakota. Journal of the House of the Thirteenth Legislative
Assembly. 2 vols; January 7 to March 7, 1913.
- North Dakota. Journal of the Senate of the First Legislative Assembly.
November 19, 1889, to March 18, 1890.
- North Dakota. Journal of the Senate of the Second Legislative Assembly.
January 6 to March 6, 1891.
- North Dakota. Journal of the Senate of the Third Legislative Assembly.
January 3 to March 3, 1893.
- North Dakota. Journal of the Senate of the Fourth Legislative Assembly.
January 8 to March 8, 1895.
- North Dakota. Journal of the Senate of the Fifth Legislative Assembly.
January 5 to March 5, 1897.
- North Dakota. Journal of the Senate of the Sixth Session of the Leg-
islative Assembly. January 3 to March 3, 1899.
- North Dakota. Journal of the Senate of the Seventh Session of the
Legislative Assembly. January 8 to March 8, 1901.
- North Dakota. Journal of the Senate of the Eighth Session of the
Legislative Assembly. January 6 to March 6, 1903.
- North Dakota. Journal of the Senate of the Ninth Session of the
Legislative Assembly. January 3 to March 3, 1905.
- North Dakota. Journal of the Senate of the Tenth Session of the
Legislative Assembly. January 8 to March 8, 1907.

- North Dakota. Journal of the Senate of the Eleventh Session of the Legislative Assembly. January 5 to March 5, 1909.
- North Dakota. Journal of the Senate of the Twelfth Session of the Legislative Assembly. January 3 to March 3, 1911.
- North Dakota. Journal of the Senate of the Thirteenth Session of the Legislative Assembly. January 7 to March 7, 1913.
- North Dakota. Legislative Manual, 1895.
- North Dakota. Legislative Manual, 1897.
- North Dakota. Legislative Manual, 1899.
- North Dakota. Legislative Manual, 1901.
- North Dakota. Legislative Manual, 1903.
- North Dakota. Legislative Manual, 1905.
- North Dakota. Legislative Manual, 1907.
- North Dakota. Legislative Manual, 1909.
- North Dakota. Legislative Manual, 1911.
- North Dakota. Legislative Manual, 1913.
- North Dakota. Laws Passed at the First Session of the Legislative Assembly. 1890.
- North Dakota. Laws Passed at the Fourth Session of the Legislative Assembly. 1895.
- North Dakota. Official Report of the Proceedings and Debates of the First Constitutional Convention. 1889.
- North Dakota. Revised Codes, 1899.
- Territory of Dakota. Compiled Laws, 1887.
- U.S. Census Office. Eleventh Census of the United States: 1890. Compendium, Vol. III.
- U.S. Bureau of the Census. Thirteenth Census of the United States: 1910. Population, Vol. III.
- U.S. Bureau of the Census. Fourteenth Census of the United States: 1920. Population, Vol. III.
- U.S. Bureau of the Census. Religious Bodies: 1906. Summary and General Tables, Vol. I.

U.S. Bureau of the Census. Religious Bodies: 1916. Summary and General Tables, Vol. I.

Newspapers

Dickinson Press, 1889-1914.

Fargo Argus, 1889-1912.

Grand Forks Herald, 1889-1914.

Mayville Tribune, 1889-1914.

Unpublished Material

Brudvig, Glenn L. "The Farmers' Alliance and Populist Movement in North Dakota (1884-1896)." Unpublished Master's thesis, Department of History, University of North Dakota, 1956.

Carey, Kenneth J. "Alexander McKenzie, Boss of North Dakota 1883-1906." Unpublished Master's thesis, Department of History, University of North Dakota, 1949.

Ertresvaag, James T. "The Grand Forks Daily Herald; The Grand Forks Daily Plaindealer: The Stirring of Reform (1894-1897)." Unpublished Seminar paper, Department of History, University of North Dakota, 1958.

Glaab, Charles N. "John Burke and the North Dakota Progressive Movement (1906-1912)." Unpublished Master's thesis, Department of History, University of North Dakota, 1952.

Johnson, Robert E. "An Annotated Bibliography on the Government and Politics of North Dakota." Unpublished Master's thesis, Department of Political Science, University of North Dakota, 1961.

Mehl, Lambert J. "Missouri Grows to Maturity in North Dakota: A Regional History of the Lutheran Church-Missouri Synod." Unpublished Master's thesis, Department of History, University of North Dakota, 1953.

North Dakota. "Bills introduced at the First Session of the Legislative Assembly, House of Representatives." 1889-1890. (Collected by the North Dakota State Historical Library, Bismarck.)

North Dakota. "Bills introduced at the Second Session of the Legislative Assembly, House of Representatives." 1891. (Collected by the North Dakota State Historical Library, Bismarck.)

- North Dakota. "Bills introduced at the Third Session of the Legislative Assembly, House of Representatives." 1893. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills introduced at the Fourth Session of the Legislative Assembly, House of Representatives." 1895. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills introduced at the Fifth Session of the Legislative Assembly, House of Representatives." 1897. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills introduced at the Sixth Session of the Legislative Assembly, House of Representatives." 1899. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills Introduced at the Seventh Session of the Legislative Assembly, House of Representatives." 1901. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills introduced at the Eighth Session of the Legislative Assembly, House of Representativec." 1903. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills Introduced at the Ninth Session of the Legislative Assembly, House of Representatives." 1905. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills introduced at the Tenth Session of the Legislative Assembly, House of Representatives." 1907. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills introduced at the First Session of the Legislative Assembly, Senate." 1889-1890. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills introduced at the Second Session of the Legislative Assembly, Senate." 1891. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills introduced at the Third Session of the Legislative Assembly, Senate." 1893. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills introduced at the Fourth Session of the Legislative Assembly, Senate." 1895. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills introduced at the Fifth Session of the Legislative Assembly, Senate." 1897. (Collected by the North Dakota State Historical Library, Bismarck.)

- North Dakota. "Bills introduced at the Sixth Session of the Legislative Assembly, Senate." 1899. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills introduced at the Seventh Session of the Legislative Assembly, Senate." 1901. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills introduced at the Eighth Session of the Legislative Assembly, Senate." 1903. (Collected by the North Dakota State Historical Library, Bismarck.)
- North Dakota. "Bills introduced at the Ninth Session of the Legislative Assembly, Senate." 1905. (Collected by the North Dakota State Historical Library, Bismarck.)
- Pinkerton National Detective Agency. "Report on the Louisiana Lottery Investigation." Unpublished report on file at the North Dakota State Historical Library, Bismarck, 1890.
- Robinson, Elwyn B. "North Dakota." Unpublished manuscript in four parts, Department of History, University of North Dakota.
- Stenerson, J. Ruth. "Opponents of the Foaming Cup in North Dakota." Unpublished Seminar paper, Department of History, University of North Dakota, 1956.
- Territory of Dakota. "Census of 1885." Microfilmed by the State Historical Society of North Dakota, Bismarck.
- Voeller, Joseph B. "The Origin of the German-Russian People and Their Role in North Dakota." Unpublished Master's thesis, University of North Dakota, 1940.
- Weber, Gerald Michael. "John Shanley, First Bishop of Fargo." Unpublished Master's dissertation, Saint Paul Seminary, Saint Paul Minn., 1951.

Other Sources

- Interview with the Rev. Elmer B. Yohr, Pastor, Lutheran Students' Missouri Synod, May 2, 1964.

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