

Populists in Power: The Problems of the Andrew E. Lee Administration in South Dakota

TERRENCE J. LINDELL

The 1890s witnessed the eruption of a new force on the American political scene. Across the Great Plains and the South, farmers facing difficult economic times grew disenchanted with the two mainstream parties and formed their own political organizations. Throughout the plains states, declining commodity prices, yield-reducing drought, and a perceived excess of corporate control over agriculture provoked many farmers to bolt the Democratic and Republican parties and form a new, independent party. Thus was born the Populist movement. In South Dakota, the movement culminated in the 1897-1901 administration of Governor Andrew E. Lee.

The first years of South Dakota populism produced mixed results. In 1891, a coalition of Independents (as the Populists were then known) and Democrats in the state legislature managed to elect James H. Kyle, an Independent, to replace Republican Gideon C. Moody as United States senator. Republicans, however, continued to dominate major statewide office during the first part of the decade and to control the legislatures elected in 1892 and 1894. Consequently, the discontented agrarians gained little in the way of meaningful reform.

The election of 1896, one of the most hotly contested political battles in the state's history, proved a turning point in the Populists' political fortunes. In July of that year, United States Senator Richard

F. Pettigrew led a faction of Republicans out of the state party over the issue of free silver, a traditional Populist goal. Designed to increase the amount of money in circulation and thereby free it from the control of big business, the free silver proposal seemed particularly appealing as the nation struggled with the aftermath of the Panic of 1893. Pettigrew's forces joined the Populist convention in Huron a few days later, and the combined groups adopted a platform and a ticket with Andrew E. Lee as the gubernatorial candidate. The South Dakota Democrats then endorsed the action of this Populist-Silver Republican convention. The free coinage of silver at a ratio of sixteen to one thus stood as the major issue binding the old political enemies together. Against this fusion coalition stood a Republican party weakened by the silverite defection and embarrassed by an 1895 scandal in which the Republican state treasurer, Walter William Taylor, had absconded with most of the funds under his care.¹

After three unsuccessful bids for major state office, the Populists had managed to form a coalition that could defeat the dominant Republican party. In November 1896, the fusion ticket narrowly won the governorship, and fusionists gained enough seats to control the state legislature. The newly elected governor, Andrew Lee, a Norwegian-born merchant from Vermillion, had first come to political prominence by siding with citizens in a dispute with the local water company, even though he owned stock in the firm. His stand earned him a position on the Vermillion city council and, later, two terms as mayor. Lee's reputation as a reformer, his support for corporate regulation, and his endorsement of free silver gained him the Populist gubernatorial nomination in 1896.² With fusion forces in

1. Herbert S. Schell, *History of South Dakota*, 3d ed., rev. (Lincoln: University of Nebraska Press, 1975), pp. 227-36; C. Perry Armin, "A State Treasurer Defaults: The Taylor Case of 1895," *South Dakota History* 15 (Fall 1985): 177-99. For general studies of the Populist movement in South Dakota, consult Terrence J. Lindell, "South Dakota Populism" (Master's thesis, University of Nebraska-Lincoln, 1982), and Kenneth E. Hendrickson, Jr., "The Populist Movement in South Dakota, 1890-1900" (Master's thesis, University of South Dakota, 1959). For information on the Lee administration specifically, see Arthur F. Brooks, "The Administration of Andrew E. Lee, Governor of South Dakota, 1897-1901" (Master's thesis, University of South Dakota, 1939). The political turmoil of this era has drawn increased attention from historians of late. See, for example, Herbert T. Hoover, "Farmers Fight Back: A Survey of Rural Political Organizations, 1873-1983," *South Dakota History* 13 (Spring/Summer 1983): 122-57, and Howard R. Lamar, "Perspectives on Statehood: South Dakota's First Quarter Century, 1889-1914," *South Dakota History* 19 (Spring 1989): 2-25.

2. Herbert S. Schell, "Andrew E. Lee, 1897-1901," in *Over a Century of Leadership: South Dakota Territorial and State Governors*, ed. Lynwood E. Oyos (Sioux Falls, S.Dak.:

control of the legislative process, Governor Lee's promises of honesty and economy in government, more equitable taxation, and railroad regulation seemed within reach. While they achieved some reforms, the fusionists made few lasting changes, however. Three major barriers prevented fusionist success in South Dakota.

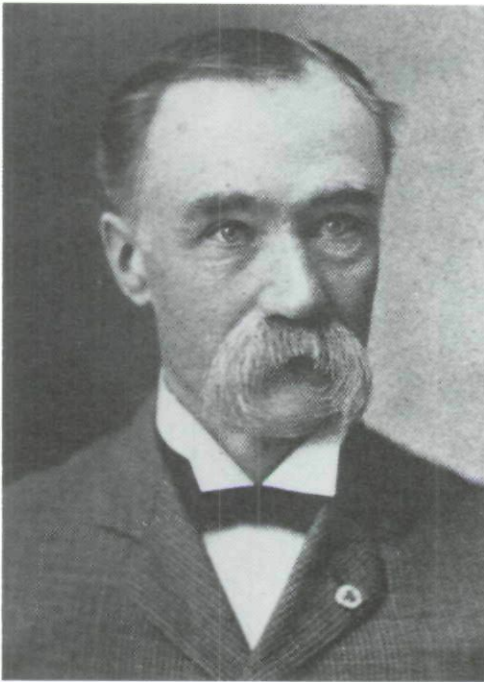
First, Lee and his allies failed to gain full possession of the executive, legislative, and judicial branches. Although the reformers won the governorship, Republicans held most other elected state offices and retained several appointed positions as well. In his second term, the governor also had to contend with a Republican legislature. Second, the very nature of the fusion coalition militated against united action. The group was composed of three separate parties, each of whose patronage demands had to be satisfied from an insufficient pool of appointments and offices. Moreover, the three groups often did not work well together, and the Populists themselves were seriously split over the decision to join the Democrats and Silver Republicans. Third, Lee had embarrassing troubles with his own appointees. Because of the loose nature of the reform coalition and Lee's own political inexperience, he lacked adequate knowledge about a number of the men he chose as his officers. Some, subsequently, proved to be disloyal and as unacceptable as the Republican officials Lee had replaced.

The 1896 election had hardly been an overwhelming victory for the People's party, as the fusionists were called. While South Dakotans elected People's party congressmen and gave their electoral votes to presidential candidate William Jennings Bryan, Lee carried the state by only 319 votes out of more than 82,000 cast. The only other state offices the reform coalition captured were those of the attorney general and railroad commissioners. As difficult as this fragmentation may have been for an executive who wished to make reforms, affairs only worsened in 1898. In that year, the fusionists lost all offices but the governorship, leaving only Lee to represent the fusion forces against the Republicans. Lee's own margin of victory that year was so slim that his opponent threatened to contest the election. The reformers' problem of incomplete success in these elections meant that Lee always felt threatened by his political enemies. The governor had neither the electoral mandate with

Center for Western Studies, Augustana College, 1987), p. 67; Kenneth E. Hendrickson, Jr., "The Populist-Progressive Era: Richard Franklin Pettigrew, Andrew E. Lee, and Coe I. Crawford," in *South Dakota Leaders: From Pierre Chouteau, Jr., to Oscar Howe*, ed. Herbert T. Hoover and Larry J. Zimmerman (Vermillion: University of South Dakota Press, 1989), pp. 197-99.

which to cow the Republicans who stood in his way nor enough of his own officers to give him the support he needed.³

State Auditor H. E. Mayhew was one of the elected Republican officials who used his position in the executive branch to hinder Governor Lee. By refusing to recognize the legality of a special three-man legislative committee, Mayhew managed to delay its investigations into the conduct of himself and other state officials in the wake



Disunity among fusionists, the demands of patronage, and trouble with appointees thwarted fusion governor Andrew E. Lee's plans for reform.

of the 1895 Taylor defalcation. Lee urged committee members to begin their probe even though Mayhew threatened to reject their pay vouchers. The governor hoped that the commission would find enough evidence of wrongdoing in its first month of work to insure that Mayhew would not risk the political consequences of ap-

3. South Dakota, *Legislative Manual* (1913), pp. 316, 319, 321-26, 331-41.

pearing to cover up improprieties. Mayhew's tactics succeeded, however. The commission refused to work without pay and made no investigations. The matter was later turned over to a public examiner.⁴

Republicans on the state Board of Equalization likewise succeeded in blocking another of Lee's major goals—the equal taxation of individual and corporate property. Lee secured some readjustment of railroad property assessments but not the increase he had hoped for. His correspondence reflects his disillusionment with the board, terming an 1898 meeting to examine rates a “grand stand play” by his political opponents.⁵ Lee felt no better about the process in 1900 when he charged that Republicans on the board “played politics from first to last. It is not a matter of what is to the best interests of all the people but what will promote their political interests.”⁶

To the governor's further aggravation, some appointive positions in state government remained in Republican hands until the appointee's term expired. Shortly after taking office, Lee demanded the early resignation of the state oil inspector, a Republican holdover, after a Standard Oil agent complained that the man was neglecting his duties.⁷ Lee also looked forward to replacing the superintendent of the insane asylum in Yankton, an appointee whom he considered “rank and abusive to our party” who was simply using his office to serve personal political ends.⁸ During his second term of office, Lee requested the initiation of a lawsuit to recover funds the superintendent of the state reform school at Plankinton had spent illegally. The Republican appointee not only had allegedly received financial gain from his position but had warned the resident children that they would be mistreated under the new superintendent, causing many of them to run away. One of the governor's most frustrating conflicts with his predecessor's appointees concerned the Board of Regents. In the November 1896 election, voters had supported a constitutional amendment to reorganize the state board. Months of deadlock between the old and new boards followed, with the old regents suing to keep their positions on the basis of a technicali-

4. Lee to Dighton Corson, 12 Oct. 1897, Andrew E. Lee Papers, Richardson Archives, I. D. Weeks Library, University of South Dakota, Vermillion, S.Dak. (hereafter cited as Lee Papers, USD); Lee to Maris Taylor, 12 June 1897, Andrew E. Lee Papers, South Dakota State Historical Society, Pierre, S.Dak. (hereafter cited as Lee Papers, SDSHS); Hendrickson, “Populist Movement,” pp. 56-58; Armin, “State Treasurer Defaults,” p. 197.

5. Lee to H. A. Humphrey, 11 Aug. 1898, Lee Papers, USD.

6. Lee to Arthur Linn, 18 Aug. 1900, Lee Papers, SDSHS.

7. Lee to C. W. Stafford, 15 Apr. 1897, Lee Papers, USD.

8. Lee to B. H. Lien, 26 Apr. 1899, Lee Papers, SDSHS.

ty in the printing of the ballots. Lee believed the motives behind the contest were to maintain control of the state school treasury, to keep Republican allies on the faculty of the schools, and to embarrass the new administration. The state supreme court eventually upheld the legality of the new board.⁹

Even the 1897 fusionist-controlled legislature was a disappointment to the governor in his attempts to consolidate power. Lee and his allies achieved only a small measure of success in meeting their goal of revamping portions of the state's administrative structure to insure fusionist control of the state's patronage. The legislature did approve a plan to create an office of insurance commissioner responsible for examining the insurance companies operating in the state and designating which newspapers could publish the companies' legal statements. This lucrative political plum had been under the management of the state auditor, a Republican.¹⁰ Another move to gain patronage—the reconstituting of the Board of Charities and Corrections—failed to clear the legislature, however. During the 1897 session, a concerned Lee confided to a fellow Populist that if the present board could not be altered “there will be but little patronage for our boys who have worked so hard in our party.”¹¹ The refusal of several Populists and Silver Republicans to support this measure temporarily left control of institutions like the insane asylum, penitentiary, and reform school in Republican hands.

The fusionists lost even more ground in 1898 with the election of a Republican legislature, an event Lee accepted with resignation. He bemoaned the defeat to a Black Hills Populist, writing, “[T]here is no great fun in being elevated to the Governor's chair with a hostile legislature and state house to train with, but that seems my fate.”¹² Lee's fears for the 1899 session were well placed, for the legislature attempted to hinder his administrative control in several ways. During his first term, the governor had eventually managed to gain some influence on the Board of Charities and Corrections by appointing new members when old appointees' terms expired. In 1899, a number of Republican legislators supported a bill that

9. Lee to John L. Pyle, 7 Jan. 1900, Lee to T. H. Null, 29 May 1897, and Lee to H. H. Blair, 15 June 1897, all *ibid.*; Hendrickson, “Populist Movement,” pp. 49-51.

10. Pettigrew to Lee, [Feb. 1897], Richard F. Pettigrew Papers, Pettigrew Museum, Sioux Falls, S.Dak. (a microfilm edition of this collection is available from the Center for Western Studies, Augustana College, Sioux Falls, S.Dak.). For the reaction of a Republican newspaper, see *Springfield Times*, 26 Jan., 16 Apr. 1897.

11. Lee to C. B. Kennedy, 27 Feb. 1897, Lee Papers, USD.

12. Lee to Joseph B. Moore, 18 Nov. 1898, *ibid.*

would have allowed them to maintain control of the board and the institutions it governed. While the measure failed to pass, it kept Lee from focusing on other goals. Similarly, only Lee's veto prevented the abolition of the Office of Insurance Commissioner, which would have returned the insurance patronage to the Republican auditor. Lee had also experienced some problems with his own appointees during his first term, and he urged the new legislature to enact a measure allowing him to remove appointed officers for cause. Although the bill passed the house, it died in the senate.¹³ Lee mourned, "I am therefore at the mercy of my appointees during my term of office."¹⁴ The senate also rejected two of his appointees and threatened to turn down others.¹⁵

The length of board terms and the fact that the governor could not remove board members for cause meant that Republicans often continued to reap the rewards of officeholding while the Lee administration was saddled with the responsibility of running government in the interests of the people. In 1897, the governor noted that the Republicans controlled every state institution except the Soldier's Home at Hot Springs, even though his administration was charged with properly managing them. Lee viewed the situation as untenable and dangerous to the future of the reformers' party.¹⁶ In 1899, after hearing charges of corruption at the state penitentiary, he snapped to one of his political allies: "It is the same old story. Everything belongs to the Republican machine. They can steal the State blind and the people will laud them all the more for it."¹⁷ He deeply regretted his inability to appoint L. T. Norman, whom he called "the man to whom I owe my election" (for an article Norman wrote for a Norwegian newspaper in Chicago). Lee failed to find the man employment at the penitentiary and the asylum because local interests dominated those institutions. Similarly, the Board of Regents seemed more intent on giving positions in the state's schools to Republicans than to Lee's recommendations. The governor finally asked his public examiner to give Norman a position as deputy.¹⁸

13. Lee to Robert W. Haire, 17 Jan. 1899, and Lee to W. E. Kidd, 19 Jan. 1899, both *ibid.*; Lee to W. H. Riddle, 4 Mar. 1899, Lee Papers, SDSHS; *Gary Inter State*, 10 Mar. 1899.

14. Lee to D. F. Connor, 6 Mar. 1899, Lee Papers, SDSHS.

15. Lee to Arthur Linn, 27 Feb. 1899, Lee Papers, SDSHS; Hendrickson, "Populist Movement," p. 72.

16. Lee to Soren C. Nelson, 29 Nov. 1897, and Lee to Gilbert Stevenson, 23 May 1899, both in Lee Papers, SDSHS.

17. Lee to B. H. Lien, 11 May 1899, *ibid.*

18. Lee to Maris Taylor, 17 Jan. 1900, Lee Papers, USD.

The reform forces also found themselves unable to control federal patronage in the state. Pettigrew had cut himself off from the Republican party when he bolted with the Silver Republicans at the national GOP convention in 1896. James Kyle's 1897 reelection to the Senate with Republican votes made certain that whatever patronage he could provide would not take the interests of Lee and Pettigrew into account.¹⁹

Even if the People's party had been able to gain secure control of both the executive and legislative branches, the Republican party generally controlled the state's judiciary, constituting another obstacle to the fulfillment of Lee's goals. When Lee was trying to oust the old Board of Regents and replace it with one of his own choosing, he did so with trepidation, knowing that he faced a court that opposed him politically. He conveyed his pessimism to a correspondent, writing, "The Supreme Court being radically republican we can expect no mercy from them if there is any way for them to find an excuse to go against us."²⁰ In 1897, as part of his first-term efforts to prosecute corrupt state officials, the governor personally offered to help finance a case against State Auditor H. E. Mayhew for withholding money collected as examination fees from insurance companies. The case, however, came before an unsympathetic Republican judge and was dismissed.²¹ Lee complained that the decision was "the rankest ruling I ever heard. . . . [The judge] showed his malice from begin[n]ing to end and is so bitter agains[t] populists that he could not conceal it."²²

One of the outstanding issues in the 1896 campaign was railroad regulation, but legal action against the corporations was useless without support from the judicial system. Even though the legislature gave the state railroad commissioners power to regulate freight rates in 1897, the law did not survive legal challenges. The major railroads operating in South Dakota quickly managed to get district court injunctions preventing the enforcement of the new, lower rates. In December 1897, the state supreme court ruled unconstitutional a railroad litigation fund that proponents of the legislation had hoped to use to defend the rates. In 1901, after years of legal battles, the United States Supreme Court held the rate regulation law unconstitutional.²³

19. Kenneth E. Hendrickson, Jr., "The Public Career of Richard F. Pettigrew of South Dakota, 1848-1926," *South Dakota Historical Collections* 34 (1968): 249-51.

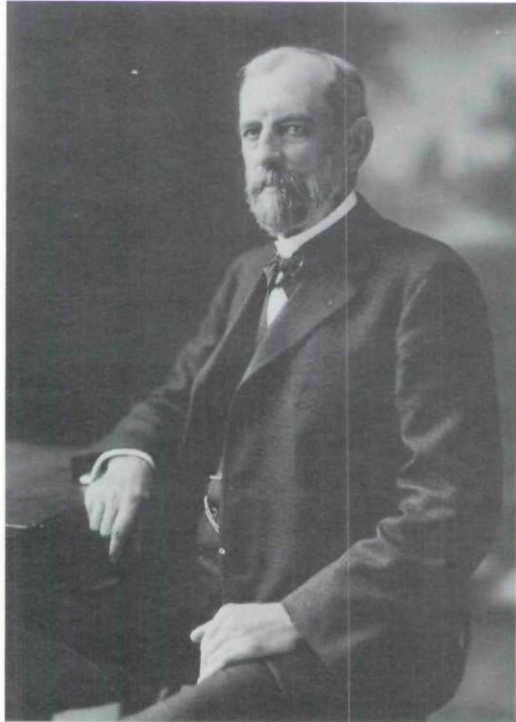
20. Lee to O. E. Haugen, 29 May 1897, Lee Papers, SDSHS.

21. Lee to Arthur Linn, 1 Nov. 1897, and Lee to John L. Pyle, 25 Feb. 1899, both *ibid.*

22. Lee to Arthur Linn, 27 Nov. 1897, *ibid.*

23. Hendrickson, "Populist Movement," pp. 59-61; Lee to W. T. LaFollette, 13 Dec. 1897, Lee Papers, SDSHS.

*Leading the
free-silver faction
out of the Republican
party, United States
Senator Richard F.
Pettigrew combined
forces with South
Dakota Populists at
their 1896 convention.*



The reformers recognized the importance of controlling the courts to insure the success of their programs. Republican judges would not stand up to the railroads and other corporations nor be sympathetic to prosecutions of Republican officeholders. Some believed that Taylor, the state treasurer who had embezzled over three hundred fifty thousand dollars and left the treasury virtually empty in 1895, would have received a heavier sentence had his party not controlled the bench.²⁴ Unfortunately for their cause, the Populists had problems mobilizing voters for judicial elections, which were held in the years between gubernatorial contests. After the Mayhew decision, an embittered Lee wrote of the situation, "The populists will stay at home and husk corn and let such men [as the hostile judge

24. Pettigrew to Otto Anderson, 16 July 1897, Pettigrew Papers; *Deadwood Independent*, 15 July, 26 Oct. 1897; Armin, "State Treasurer Defaults," pp. 178, 185-87.

in the case] be re-elected to domineer on [sic] them."²⁵ During the 1899 campaign, Lee wrote letters to arouse support for fusionist candidates but after the election mused that the one hundred fifty requests he sent out should have been fifteen or twenty thousand. Fusion forces won only three of the eight circuit court races in 1897 and lost all three of the supreme court contests in 1899.²⁶

Compounding the problem of the fusionists' lack of success in controlling all branches of state government was the fact that the People's party was a loose coalition of forces bound only by the silver issue and a desire to defeat the Republican party. Its constituent groups had strong philosophical or cultural ties to the old parties and could easily be persuaded to return to their former voting patterns. Moreover, the leaders of these diverse groups were old political opponents who sometimes hesitated to abandon their differences or surrender their personal ambitions for the sake of party unity. Given the diverse nature of the fusionist coalition, the failure to control patronage became a critical weakness. Lee simply did not have enough positions at his disposal to satisfy the demands of each constituency. In addition, many of the factions broke down further into ethnic groups that also demanded recognition. Lee's own countrymen, the Norwegian immigrants who formed a large segment of the state's voting population, were particularly insistent on receiving acknowledgement and critical when they felt slighted.²⁷ The Germans, another sizeable voting bloc, also believed they were due more than they received. Seeking to soothe ill feelings, Lee complimented the group for its contributions and explained that he had given the German nationality one position but could do no more for them from his insufficient pool of appointments. The Irish and Czechs also laid claim to jobs under the governor's control.²⁸ For

25. Lee to Arthur Linn, 27 Nov. 1897. Lee considered moving the judicial elections to general election years so that farmers would not be inconvenienced as often. Lee to A. H. Olson, 9 Nov. 1897, Lee Papers, SDSHS.

26. Lee to Edmund Smith, 1 Dec. 1899, Lee Papers, USD; *Legislative Manual* (1913), pp. 327-30. In 1897, fusionists retained the Eighth Circuit Court (northern Black Hills) judgeship, which they had won in 1893, and added the Seventh (southern Black Hills) and Third (east-central South Dakota) circuits. In the Fourth Circuit race, the fusionist coalition broke down and the Democrats ran their own candidate. *Legislative Manual* (1913), pp. 304, 328, 330.

27. Lee to Otto Anderson, 16 Apr. 1897, and Lee to H. W. Smith, 10 Dec. 1898, both in Lee Papers, USD. Lee in defense pointed to those Norwegians he had appointed, including—ironically—Charles N. Herreid, whose appointment to the Board of Regents he later regretted having made.

28. Lee to H. Butikofer, 19 July 1899, M. T. De Woody to Thomas Ayres, 18 Mar. 1897, and J. V. Tiebel to Lee, 30 Nov., 22 Dec. 1896, all in Lee Papers, SDSHS.

the fusionists to survive, each group needed to share in the spoils of office.

Senator Pettigrew, an experienced hand at dealing out patronage, warned Lee early of the problems involved in satisfying each faction. Pettigrew suggested that most of the patronage at Lee's disposal should go to the Democrats and Silver Republicans, but he counseled the governor not to neglect the Populists even though they had received most of the elected offices.²⁹ Lee worked hard to please the different parties but inevitably drew criticism that indicated dissent within the coalition. His major error seems to have been in giving too much to the Democrats. Angry over Lee's apparent neglect of his own party, one disappointed Populist office seeker complained, "I deplore the fact that the majority of the honors justly earned by our party, should be relinquished to the Democrats."³⁰ Lee himself eventually objected to the degree of control his Democratic appointees sought to exercise over state institutions. Some of them even rejected the governor's candidates for minor positions under their authority. The group that felt most alienated over the distribution of patronage was the old Farmers' Alliance leadership, which had been the core of the original Independent movement. Lee was especially concerned that Henry Loucks, who had headed the Independents in 1890, was offended because men who had been fighting for the party for years were not receiving due recognition.³¹

Lacking the leadership, discipline, and cohesiveness of a regular party, the fusionists found it nearly impossible to weld the separate parts of their coalition into an effective political unit. Divisions in the reform ranks became apparent almost immediately, when the fusionist majority in the 1897 legislature could not unite to elect a United States senator. The balloting dragged on for nearly a month with the Republicans united behind one candidate and the fusionists split among four others, one of whom was the Populist incumbent James H. Kyle. The senator had been elected in 1891 through a combination of Independent and Democratic votes, but by 1897 he had alienated various segments of the fusionist forces and was rumored to be negotiating with the Republicans. Both Lee and Pettigrew opposed Kyle's reelection, fearing the loss of fusionist

29. Pettigrew to Lee, 15 Jan. 1897, Pettigrew Papers.

30. C. W. Taber to Lee, 10 Mar. 1897, Lee Papers, SDSHS.

31. Lee to H. W. Sawyer, 10 June 1899, *ibid.*; Lee to H. L. Loucks, 15 Feb. 1898, Lee to Arthur Linn, 17 Feb. 1898, and Lee to George B. Daly, 24 Feb. 1898, all in Lee Papers, USD.

patronage that would result from the election of a candidate indebted to the Republican party.³²

When the Republican legislators suddenly switched to Kyle, he retained enough supporters among the Populists and Democrats to be elected. Fusionist leaders saw the coalition's lack of unity, the political ambition of the candidates who had refused to withdraw from the race, and the unreliability of the Democrats as major causes for the defeat.³³ Lee termed Kyle's election the "foulest and dirtiest piece of work" he had ever seen and informed Pettigrew, "I feel at this writing as though our whole administration is going to be a failure."³⁴ This inability to elect a senator without Republican support contributed to party disunity. Until then, Pettigrew had planned formally to join the Populist party, but Kyle's victory shook his confidence and convinced him that he could serve best by further organizing the Silver Republicans and keeping them as a separate entity to provide leadership for the coalition in the future.³⁵

Party leaders devoted a substantial portion of their efforts to healing the rifts among the reform forces and forging them into a viable political force. The difficulties of managing such a diverse coalition were evident to Pettigrew, who had once termed the fusionists an "unorganized mob" divided by jealousies and a lack of leadership.³⁶ Populist leaders, too, recognized the problem. During the senatorial election, Lee complained that the legislators were "worse than a

32. Hendrickson, "Populist Movement," pp. 53-55, and "Public Career of Richard F. Pettigrew," pp. 249-51.

33. Lee to Pettigrew, 2 Feb. 1897, Lee Papers, USD; Pettigrew to H. L. Loucks, 22 Feb. 1897, and Pettigrew to Lee, 11 Mar. 1897, Pettigrew Papers; Hendrickson, "Populist Movement," pp. 53-55. In Karel D. Bicha's view, Populist ideology differed little from that of its opponents. He terms the 1897 South Dakota legislature a "reformers' fiasco" that wasted much of its time investigating previous administrations, thereby achieving few reforms. Bicha, *Western Populism: Studies in an Ambivalent Conservatism* (Lawrence, Kans.: Coronado Press, 1976), p. 86. Bicha fails, however, to note the effort spent in the long struggle over Kyle's election and the deep rifts in the anti-Republican forces, factors that militated against any reforms that did not have widespread support. The Populists could not muster enough votes to control the legislature themselves, and the reform coalition lacked the unity to agree on a United States senator, much less accomplish any major change. Perhaps the lack of party discipline more than any deficiency in ideology explains the Populists' poor performance.

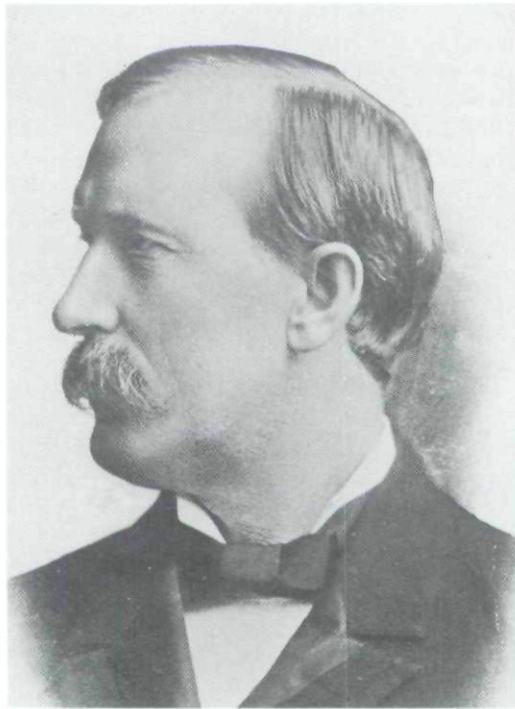
34. Lee to Pettigrew, 19 Feb. 1897, Lee Papers, USD. Kyle had been reelected the day before.

35. Pettigrew to S. L. Tate, 10 Mar. 1897, Pettigrew Papers; Hendrickson, "Richard F. Pettigrew," p. 251.

36. Pettigrew to U. S. G. Cherry, 17 Mar. 1897. For similar sentiments, see Pettigrew to John Diamond, 19 Jan. 1897, and Pettigrew to Lee, 17 Mar. 1897, both in Pettigrew Papers.

lot of sheep.''³⁷ A Populist editor lamented the fact that the lawmakers accomplished little because they were so split by factions.³⁸

Division surfaced again when several members of the reform group in the state senate opposed Lee's plan for a new Board of Charities and Corrections. The defection disgusted Lee, who believed the loss left all important state patronage with the Republicans. Lee's major complaint was against Cornelius S. Palmer, a Silver



Having alienated various fusionist factions, James H. Kyle became indebted to Republican legislators for his reelection to the United States senate.

Republican from Minnehaha County. Palmer apparently voted against the governor on the issue in order to protest Lee's attempt to lure back into the party those Populists who had supported Kyle. Palmer preferred that the defectors be castigated for their disloyal-

37. Lee to Pettigrew, 2 Feb. 1897.

38. *Grant County Review*, reprinted in *Springfield Times*, 19 Mar. 1897.

ty rather than be given favors for future support. Pettigrew spent two months in mid-1897 trying to reconcile Lee and Palmer, seeking Lee's support for Palmer's choice of penitentiary warden in return for Palmer's endorsement of Lee's preference for commandant of the Soldier's Home. Palmer was too resentful of his treatment and Lee too interested in punishing the state senator for easy compromise. The two opponents eventually came to terms, however, and Pettigrew hoped that the political trading would heal old wounds.³⁹

The three parties had been able to combine their strength in the 1896 election, but with each interested in preserving its own identity, there was no guarantee they could duplicate the feat in 1898. Pettigrew spent a considerable amount of time in the first half of 1898 working for cooperation among the parties. He recommended that the Populists give the Democrats the offices of treasurer, auditor, superintendent of schools, and either the secretary of state or the lieutenant governor, and simply let the Democratic party endorse the ticket. The Silver Republicans would be recognized with two offices. Pettigrew even suggested to a leading Democrat that the central committee chairmen of the Silver Republicans and Democrats meet before the state conventions and choose their candidates for a combined state ticket—hardly a method acceptable to those Populists who opposed slates made in back rooms. The three conventions, which met at the same time in Aberdeen, closely followed Pettigrew's suggestions, although the Republican press claimed there was some dissent in the Populist camp over the distribution of offices. Although each party adopted a slightly different platform, the bodies eventually formulated a single fusion platform on which they could all stand.⁴⁰

Not all members of the parties opposing the Republicans supported the combination of old political enemies and new principles. As a result, an even greater number of reform leaders defected to the Republicans in 1898 than had done so in 1896. Republican newspapers had a heyday with such incidents. The *Gary Inter State* published a lengthy interview in which Bartlett Tripp, formerly a leading Democrat, outlined his reasons for turning Republican in 1898. Just before the election of that year, the *Vermillion Dakota Republican*

39. Lee to Pettigrew, 9 Mar. 1897, Lee Papers, USD; Pettigrew to C. S. Palmer, 19 Apr. 1897, Pettigrew to Lee, 22 Apr. 1897, Pettigrew to U. S. G. Cherry, [11 May 1897], and Pettigrew to C. S. Palmer, 23 June 1897, all in Pettigrew Papers.

40. Pettigrew to H. L. Loucks, 7 Jan. 1898, Pettigrew to Abraham Boynton, [11 Jan. 1898], and Pettigrew to John A. Bowler, 19 Apr. 1898, all in Pettigrew Papers; *Gary Inter State*, 1 July 1898; Hendrickson, "Populist Movement," pp. 61-62; Brooks, "Administration of Andrew E. Lee," pp. 43-44.

listed the names of eight major opposition leaders who had come into the Republican fold.⁴¹

The Populist party itself suffered from severe division during the late 1890s, the most pronounced over the issue of fusion itself. Many ardent old-line leaders such as Henry Loucks had long opposed fusing with the Democrats for fear of destroying the Populist party or diluting its principles. At first Loucks was willing to work with the reform coalition, though reluctantly. Pettigrew viewed him as the leader of the "middle-of-the-road" Populists—those who strove to remain clear of both of the old parties—but the senator was still optimistic about receiving Loucks's support in 1898. Urging his correspondents to treat Loucks with care, Pettigrew believed the leader would join the fusionist ranks after the Populist convention endorsed union. Even though his view began to change after Loucks opposed fusion at the meeting of the state Populist Central Committee in March, Pettigrew still hoped the Farmers' Alliance leader would fall into line when the nominating convention met.⁴² By the end of April, however, the senator confided to one of Loucks's old foes that the man was "an infernal old scoundrel."⁴³ While Pettigrew spoke cautiously of Loucks to other Populists, he hinted to members of his own party that Loucks might be planning to join the Republicans or that he was already in their pay. Whatever Loucks's course, Pettigrew came to believe as the summer wore on that the old reformer would cause the coalition little damage by leaving. Although his drift away from the fusion camp had been no secret, Loucks's renunciation of the Populist party came as a surprise to many. In a letter addressed to Doane Robinson with the request that it be read at the Republican state convention, Loucks rejoined the party he had fought for so many years and asked the gathering to endorse the initiative and referendum to draw other middle-of-the-road Populists.⁴⁴

Others in the old Populist ranks shared Loucks's distaste for fusion. In some counties in 1898 efforts at fusion failed entirely. The

41. Gary *Inter State*, 26 Oct., 4 Nov. 1898; *Vermillion Dakota Republican*, 3 Nov. 1898.

42. Pettigrew to R. E. Dowdell, [13 Dec. 1897], Pettigrew to Stacey Cochrane, [4 Jan. 1898], Pettigrew to U. S. G. Cherry, 23 Mar. 1898, and Pettigrew to H. L. Loucks, 6 Apr. 1898, all in Pettigrew Papers.

43. Pettigrew to S. J. Conklin, 29 Apr. 1898, *ibid*.

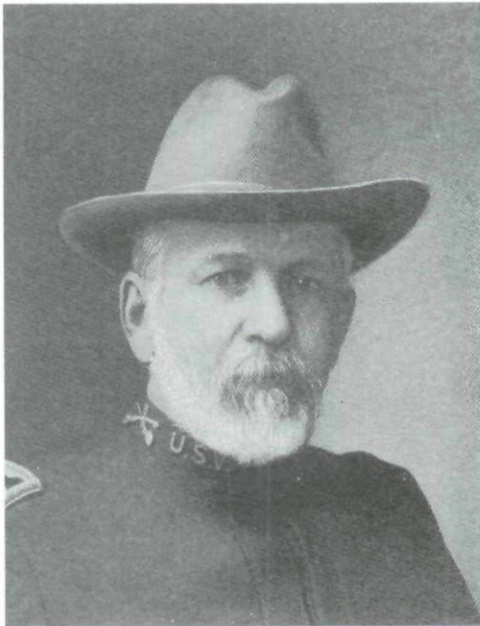
44. Pettigrew to C. B. Kennedy, 17 May 1898, Pettigrew to H. W. Sawyer, 12 May 1898, Pettigrew to Charles A. Towne, 1 June 1898, and Pettigrew to U. S. G. Cherry, 20 June 1898, all *ibid*; Gary *Inter State*, 2 Sept. 1898. For examples of the reaction to Loucks's return to the GOP, see Lee to W. B. Scott, 13 Sept. 1898, Lee Papers, USD, and *Salem Pioneer Register*, 2 Sept. 1898.

360 *South Dakota History*

divisions became more formal in October 1900 when a small convention of middle-of-the-road Populists met in Yankton and fielded a formal Populist ticket in opposition to the Fusionist People's ticket. The *Yankton Press and Dakotan*, a Silver Republican paper, criticized the new ticket as nothing but a Republican ploy to defeat the reform union. The Populist candidates drew only a handful of votes in November, but whether this poor showing was because voters saw it as a scheme or because it entered the race too late is uncertain.⁴⁵

In addition to division over the issue of fusion itself, the Populist party in the 1890s suffered from personal rivalry among its leaders. Particularly acrimonious was the feud between Governor Lee and Attorney General Melvin Grigsby. Grigsby had been a gubernatorial aspirant at the 1896 Populist state convention but placed third in the balloting. Receiving the nomination for attorney general instead, he carried the state by a slightly larger margin than Lee's own. The new administration had not even taken office before party leaders

45. Hendrickson, "Richard F. Pettigrew," p. 274; *Yankton Press and Dakotan*, 9, 19 Oct. 1900; *Legislative Manual* (1913), pp. 342-47, 349-50, 352-54. The Populist party's gubernatorial candidate, for example, drew only 316 votes. *Legislative Manual* (1913), p. 347.



Attorney General Melvin Grigsby served out his term despite a bitter feud that had prompted Governor Lee to request his resignation.

voiced suspicions of the new attorney general. Pettigrew predicted that he would side with the railroad corporations against any new regulations.⁴⁶ In the course of Lee's first year in office, Grigsby proved himself such an irritant that Lee addressed a lengthy letter to him in late October 1897 setting forth his complaints.

The governor accused Grigsby of attempting to prevent investigations of Republican officeholders suspected of misconduct, of trying to sabotage Lee's railroad program by crippling legislation to regulate the corporations and helping the railroads escape just taxation, and of obstructing the prosecution of government officials being tried for diverting funds to their own purposes. After intimating that he had information about Grigsby's alleged "scandalous conduct on board of a sleeping car on a trip from Pierre to Huron," Lee got to the point of his letter. "I suggest," he wrote, "that your resignation would be a highly proper thing at the present time."⁴⁷ Unintimidated, the attorney general remained in office and the following year sought to improve his political fortunes by securing the command of a cavalry regiment during the Spanish-American War. Raised under the same law that authorized Theodore Roosevelt's Rough Riders, "Grigsby's Cowboys" never saw combat. Grigsby's bid to replace Lee at the head of the Populist ticket in 1898 failed, and he never again posed a serious threat to the governor.⁴⁸

Another barrier to the success of Lee's administration was the trouble he experienced with his own appointees. Because many members of the reform coalition had recently been political foes and did not know each other personally until 1896, the Populist governor lacked sufficient information about some of the men he appointed. In addition, Lee had never held state office before and did not have the ties on which more experienced politicians could rely. Evaluating his administration in 1900, Lee wrote, "I have had many things to contend with and one of the greatest troubles of all was we were almost all strangers to on[e] another and worked to great disadvantage."⁴⁹ The inevitable result of these deficiencies was that

46. *Springfield Times*, 24 July 1896; *Legislative Manual* (1913), pp. 316, 319; Pettigrew to A. M. Allen, 14 Dec. 1896, and Pettigrew to H. W. Sawyer, 18 Dec. 1896, both in Pettigrew Papers.

47. Lee to Grigsby, 29 Oct. 1897, Lee Papers, SDSHS.

48. Robert Lee Mattson, "Politics Is Up!—Grigsby's Cowboys and Roosevelt's Rough Riders, 1898," *South Dakota History* 9 (Fall 1979): 303-15; Hendrickson, "Populist Movement," p. 61. Lee's bitter attitude toward Grigsby can be seen in his complaint to Pettigrew that it would "be no credit to our State to holler and roar about a cow-boy regiment from South Dakota and to have a gorilla at the head of them" (Lee to Pettigrew, 27 Apr. 1898, Lee Papers, USD).

49. Lee to Johnson Brothers, 13 Jan. 1900, Lee Papers, USD.

362 *South Dakota History*

Lee made errors in his appointments. He regretted these mistakes, realizing that the failures of his appointees reflected upon himself.⁵⁰ Especially embarrassing were those cases in which Lee's own men were found guilty of the same offenses of which he had accused his political opponents.

One of the most troublesome offices at Lee's disposal was that of the insurance commissioner. State Auditor H. E. Mayhew, who had previously conducted the insurance business and was being prosecuted for overcharging for examinations, claimed that Lee's appointee, J. H. Kipp, and a deputy were guilty of the same corrupt practice. Lee eventually removed Kipp but also had problems with his temporary replacement. In April 1898, Lee asked for the resignation of another of his appointees, Robert E. Dowdell, the oil inspector. Dowdell had failed to turn in all of the fees he had received for his work, a complaint that Lee had made against many Republican state officials. In lieu of being prosecuted, Dowdell reimbursed the state for the funds he had retained. The Republican press seized upon the opportunity to embarrass Lee. Shortly before the 1898 election, the *Vermillion Dakota Republican* suggested that Dowdell had received favored treatment and speculated that the reason might have been his support for Lee at the Populist convention in Aberdeen.⁵¹

Perhaps Lee's most serious appointment blunder involved his selection of the new Board of Regents, made up of Henry H. Blair of Elk Point, Robert W. Haire of Aberdeen, Fred A. Spafford of Flaudreau, Charles N. Herreid of Eureka, and L. M. Hough of Sturgis. Lee suspected that Herreid, the Republican board member, had encouraged the previous body to stall the surrender of its powers until Lee pressed the matter in court and was using the office to bolster his own position within the Republican party.⁵² Lee also suspected that Herreid, Spafford, and Blair had formed an alliance to control the board and thwart his plans for the state's educational institutions. He even blamed them—probably unreasonably—for authorizing a new normal school at Springfield, stating that his administration would be held responsible for a move the state could not afford. Lee charged that Springfield was not a good political choice

50. Lee to J. E. Erickson, 11 Feb. 1899, Lee Papers, SDSHS.

51. Lee to Maris Taylor, 17 Jan. 1898, Lee to *Fort Pierre Stock Journal*, 14 Feb. 1898, Lee to R. E. Dowdell, 29 Apr. 1898, all in Lee Papers, USD; Lee to Maris Taylor, 10 June 1899, Lee Papers, SDSHS; *Vermillion Dakota Republican*, 13, 27 Oct. 1898.

52. Lee to T. H. Null, 29 May 1897, and Lee to Pettigrew, 18 Dec. 1897, both in Lee Papers, SDSHS.

*The behavior
of fellow members
of the Board of Regents
disillusioned Father
Robert W. Haire,
who threatened
to resign.*



given the locations of the other schools and that the board had been motivated in part to provide a position for a professor recently discharged from the school at Brookings.⁵³ The governor concluded that Hough, who apparently had a poor attendance record at regents' meetings in 1897, was incompetent and repeatedly voiced his hope that the man would resign. He even contemplated removing Hough, but he decided that such an action would face a court challenge.⁵⁴ Lee believed that only Haire was reliable, and Haire became so disillusioned with the other members that he submitted his resignation to the governor—a resignation that Lee refused to accept because he counted on Haire "to help keep [the rest of the

53. Lee to Pettigrew, 12 Jan. 1899, Lee Papers, USD; Lee to Pettigrew, 4 Feb. 1899, Lee Papers, SDSHS. In the letter of 12 January, Lee accused Blair of hiring his own daughter and in the 4 February letter expressed his suspicion—but offered no specific charges—that Blair was dishonest. Herreid had left the board by early 1899, and Lee was glad to be rid of him. He bitterly termed the Republican "the little shyster" in his 12 January letter to Pettigrew. Ironically, Herreid succeeded Lee as governor.

54. Lee to William H. H. Phillips, 10 Dec. 1897, Lee to Pettigrew, 18 Dec. 1897, Lee to M. L. Fox, 1 Feb. 1899, and Lee to D. F. Connor, 18 Feb., 6 Mar., 13 Apr., 23 May 1899, all in Lee Papers, SDSHS; Lee to Pettigrew, 12 Jan. 1899, Lee Papers, USD.

364 *South Dakota History*

board] straight and prevent them disgracing my administration."⁵⁵ Lee's inability to manage his Board of Regents cost him badly needed patronage as well, for it meant great difficulty in getting the regents to accept any of his recommendations for positions.⁵⁶

Lee's problems in administering state government were by no means the only difficulties the Populist governor faced during his two terms. Lee took office as both the state and the nation were recovering from years of drought and depression. In addition, South Dakota was still suffering the consequences of the theft of state funds two years earlier. In keeping with the prevailing economic philosophy of his day, Lee sought a retrenchment in state expenditures to provide tax relief during these lean years. He also was governor during the Spanish-American War, a time when America was deciding upon its role in the world. Lee, along with many other Populists, supported the war to liberate Cuba from Spain for humanitarian reasons but opposed the annexation of any lands taken from the defeated power. When a South Dakota regiment was sent to the Philippines to quell the native rebellion, Lee strenuously protested the use of troops for reasons other than those for which the men had enlisted. These foreign affairs issues sidetracked the normal affairs of the state for a time.⁵⁷

Nor can one ignore the role Lee's own personality played in his problems. Pettigrew once characterized Lee as "too inclined to be stubborn."⁵⁸ Like many reformers who enter the public arena, he lacked the give-and-take ability required of a successful politician. He found compromise unpalatable, even when compromise would have gained him more than would his stiff-necked resistance. As noted above, Lee offered personally to pay part of the legal expenses involved in the prosecution of several Republican officeholders. "The principle involved," he declared, "is more than the cost to me."⁵⁹ One newspaper editor familiar with the governor's previous record predicted, "He will expend his whole energy and fortune rather than drop the matter at one point short of victory. . . . If there are rascals in the state house, he will kick them out or die with his toes to the enemy."⁶⁰ Tenacity can be an admirable trait, but in politics it makes accommodation difficult.

55. Lee to Haire, 15 May 1900, Lee Papers, USD. See also Lee to Haire, 7 May 1900, Lee Papers, SDSHS.

56. Lee to B. H. Lien, 28 May 1899, Lee Papers, SDSHS.

57. Hendrickson, "Populist Movement," pp. 63-66; Schell, *History of South Dakota*, pp. 239-40.

58. Pettigrew to U. S. G. Cherry, [11 May 1897], Pettigrew Papers.

59. Lee to Arthur Linn, 1 Nov. 1897, Lee Papers, SDSHS.

60. *Beresford Republic*, reprinted in *Deadwood Independent*, 20 Nov. 1897.

The administration of Andrew Lee cannot be called one of great reform. The fragmented fusionist coalition never gained control of state government, and bulwarks of Republicanism continued to thwart reform efforts. The diverse backgrounds and aspirations of coalition members made cooperation difficult and cohesion impossible. Lee's own misfortune at selecting the wrong people to fill some of the few offices within his grasp compounded the difficulty of controlling a predominantly Republican state with an untried and sometimes uneasy union of forces whose only common goals were free silver and the defeat of the GOP.

At the same time, Lee's years in office cannot be called a complete failure. In the election of 1898—the same election in which South Dakotans returned Lee to the governorship—voters approved an amendment establishing the initiative and referendum, a long-standing goal of Populists and other reformers. Lee did not achieve many of his major goals, such as lasting railroad reform, but he managed to bring a degree of honesty to a government that had seen much graft in the preceding years. The Populist movement likewise achieved few enduring reforms, but it focused attention on the problems arising from America's uneasy transition from an agrarian to an industrial power. In South Dakota and elsewhere during the decades that followed, insurgents who remained within or returned to the old party structures managed to accomplish, under the banner of Progressivism, changes reminiscent of those for which the Populists had battled. Lee has been criticized for wasting too much time pursuing corruption and petty politics rather than bringing about lasting reforms, but, given the barriers he faced, the governor may have done the best he could.⁶¹ Perhaps John D. Hicks, a noted historian of the movement, expressed the dilemma best when he wrote about the Populists, "Evidently their genius lay in protest rather than in performance."⁶²

61. Schell, *History of South Dakota*, pp. 241, 258-69; Lamar, "Perspectives on Statehood," p. 13. For treatments of the initiative and referendum, see H. Roger Grant, "Origins of a Progressive Reform: The Initiative and Referendum Movement in South Dakota," *South Dakota History* 3 (Fall 1973): 390-407; Burton E. Tiffany, "The Initiative and Referendum in South Dakota," *South Dakota Historical Collections* 12 (1924): 331-74; and Steven L. Piott, "The Origins of the Initiative and Referendum in South Dakota: The Political Context," *Great Plains Quarterly* 12 (Summer, 1992): 181-93.

62. John D. Hicks, *The Populist Revolt: A History of the Farmers' Alliance and the People's Party* (Minneapolis: University of Minnesota Press, 1931), p. 299.

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