## George W. Egan: The Demagogue Who Would Be Governor

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Egan has proven himself a wonder. Of magnificent physique, tall and well built, with a massive head covered by a mane of black hair, a face of classic Celtic mould strong in delineation and indicative of power and eloquence and quick intuition, wonderfully endowed with the incisive wit of his race, he towers among his legal associates and brings to the bar a splendid presence, and a dash and vigor and knowledge in procedure seldom if ever witnessed in the state.

—Flandreau Herald, 19 June 1907

The foregoing laudation marked the beginning of George William Egan's checkered career in South Dakota. While serving as special prosecutor in the celebrated murder trial of Emma Kaufmann in 1907, Egan exhibited a physical presence and oratorical style that commanded attention. In ensuing years, he used the recognition he had gained from the trial to launch eight attempts to gain public office in South Dakota despite being disbarred twice, going through bankruptcy, and serving time in the state penitentiary. Described as having more enemies among South Dakotans than any other man, Egan also had thousands of followers, and in each of his candidacies for governor, United States senator, and Minnehaha County public office, he frightened the opposition because of his vote-getting appeal. Egan proved especially popular with low- and middle-income voters as well as those dissatisfied with prevailing party politics. His driving ambition, however, always lay in gaining money and prestige for himself, and he exploited class differences and Republican Party factionalism in his attempts to achieve them. Although he never at-

<sup>1.</sup> Sioux Falls Sunday, 4 June 1972.

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tained the offices he sought, his perennial campaigns made him a potential "spoiler" in state and local elections for nearly two decades.

The colorful and controversial Egan was born to poor Irish-American parents in Bartlett, Iowa, in 1873. After beginning his education rather late in his youth, he entered a combination normal school and high school and finished a four-year course in two years. Following graduation, he enrolled at the University of Iowa, where he excelled in oratory and graduated with honors. In rapid succession thereafter, he earned the degrees of master of arts and master of laws.<sup>2</sup>

Egan began practicing law at Logan, Iowa, seventy-five miles southeast of Sioux City, where he also married Vernice Cochran, daughter of the eminent Judge S. H. Cochran. The bright young attorney soon found himself in trouble, however, when two women—a seventeen-year-old-girl and an older woman with several children—accused him of rape. Although the charges were dismissed, an investigating committee of three lawyers filed a report with a district court judge on 28 January 1907 recommending that Egan be fined for contempt of court and disbarred in Iowa. His father-in-law intervened and proposed that Egan would leave the state if the disbarment proceedings were halted. Shortly thereafter, in the spring of 1907, Egan received an invitation to go to Sioux Falls, South Dakota, to serve as special prosecutor in the trial of Emma Kaufmann.<sup>3</sup>

The forty-three-year-old wife of wealthy Sioux Falls brewer Moses Kaufmann had been charged with the fatal beating of her sixteen-year-old servant girl, Agnes Polreis. Emma Kaufmann had employed Polreis, a recent immigrant from Hungary, on 15 February 1906, and the girl died of apparent physical maltreatment on 1 June. Following word of the death, emotions ran high in Sioux Falls, sparked by the nature of the crime and the social status of the alleged perpetrator. Although the Kaufmanns were Jewish, overt anti-Semitism did not appear to contribute to the charged atmosphere.<sup>4</sup> After lawyers requested a

<sup>2.</sup> Sioux Falls Daily Argus-Leader, 16 Apr. 1934.

<sup>3.</sup> Sioux Falls Daily Press, 25, 31 May 1912; Sioux Falls Sunday, 4 June 1972.

<sup>4.</sup> Dana R. Bailey, in fact, called Moses Kaufmann charitable, sociable, and a good citizen who "has a host of friends who delight in helping him to accomplish whatever he may desire" (History of Minnehaha County [Sioux Falls, S.Dak.: Brown & Saenger, 1899]), p. 587. See

change of venue, the trial for Emma Kaufmann began in Flandreau on 4 June 1907. Although the state's attorneys for Minnehaha and Moody counties prepared to prosecute the case, the people of Parkston, where Polreis had resided before going to work for Kaufmann, hired Egan as special prosecutor. The reports preceding the trial called him "a lawyer of brilliant attainments, a prosecutor of the first order." 5

Once underway, the trial became highly sensationalized because of the dramatic testimony, the prominence of the defendant, sympathy for the victim, and extensive press coverage. Egan delivered his summation before a packed courtroom on 21 June, describing Emma Kaufmann as a sadist and referring to the Kaufmann residence as the "Bastile [sic] of Death." He characterized the wounds inflicted on Polreis as equal to any torture perpetrated during the Spanish Inquisition.7 A reporter for the Sioux Falls Daily Press wrote that Egan "threw upon the canvass [sic] of the mind a series of living pictures that burned their way into the indelible recesses of the brain, pictures of pain and agony, and suffering and starvation, and of death. . . . 'England had her Mrs. Browning, Italy had her Lucretia Borgia, and South Dakota has her Emma Kaufmann,' are among the words he used as he pilloried Mrs. Kaufmann with the awful colors of his wonderful oratory."8 Egan swayed the jury, which convicted Kaufmann of first-degree manslaughter. According to the jury foreman, the lawyer's summation was "not only the greatest speech ever made in this state, but in my judgment [the greatest made] at any time and at any place in a murder trial."9

also Parkston Advance, 15, 22 June 1906. Emma Kaufmann, on the other hand, was reputed to be a loner who had no friends among even the Jewish women of the city. Sioux Falls Sun, 28 Dec. 1975.

<sup>5.</sup> Sioux Falls Daily Press, 4 June 1907.

<sup>6.</sup> Ibid., 21 June 1907. See also George W. Egan, Closing Address to the Jury: State of South Dakota against Emma Kaufmann, Tried at Flandreau, South Dakota, June 1907 (N.p.: By the Author, 1907), p. 67. The Kaufmann residence stood on the northeast corner of Seventh Street and Summit Avenue in Sioux Falls. See Egan, Closing Address, unnumbered page between pp. 48–49.

<sup>7.</sup> Freda Hosen, "The Trials and Tribulations of Emma Kaufmann," The Region Today 3 (May 1976): 59.

<sup>8.</sup> Sioux Falls Daily Press, 21 June 1907.

<sup>9.</sup> Ibid., 22 June 1907.



Always impeccably dressed, George W. Egan had a flair for drama and projected an air of elegant confidence.

Immediately following the verdict, a multitude of admirers surrounded Egan, who received congratulatory telegrams and found his hotel room bedecked with flowers. A dozen of the "best women" in Flandreau presented the victorious attorney with a cut-glass vase. To After he returned to Sioux Falls, Egan published a seventy-three-page pamphlet that included a sizeable portion of his celebrated closing address. To

<sup>10.</sup> Hosen, "Trials and Tribulations," p. 60. See also Sioux Falls Daily Press, 23 June 1907.

11. See Egan, "Closing Address."

Less than five months later, the Minnehaha County Bar Association sought to block Egan's admission to the South Dakota Bar, charging him with unprofessional conduct in a number of matters, including the case of Julia Ann O'Grady, an elderly woman whom Egan was accused of swindling. On 12 November 1907, the South Dakota Supreme Court held a hearing to review the charges and ruled that Egan's accusers had not proven their case. On 15 November, the court admitted Egan to the state bar. Newly vindicated, he determined to run for political office. In the 1908 fall election, voters supported Egan's bid to become state's attorney for Minnehaha County, but he never took office. On 10 October, the state supreme court had ordered him disbarred after considering new evidence in the O'Grady case. In handing down their decision, the justices said that Egan's "perception of the duties and responsibilities of an attorney are such as to render him an undesirable member of the profession." 13

Julia O'Grady had been accused of murdering her husband on the evening of 29 September 1907. At the urging of two of Egan's friends, she signed a contract agreeing to pay Egan ten thousand dollars for his legal services. During special testimony in Sioux Falls and in arguments before the South Dakota Supreme Court, the state proved that Egan knew O'Grady was mentally incompetent when she signed the document and that he had not used the insanity plea in her defense, fearing that any reference to her mental condition might invalidate his profitable contract with her. His father-in-law, Judge Cochran, came from Iowa to lead Egan's defense, but his efforts proved ineffective when expert witnesses swore that O'Grady was mentally ill and that Egan had schemed to take away her one sure defense. On 6 December 1908, circuit court judge Joseph W. Jones ruled that Egan could not be the Minnehaha County state's attorney because of his behavior in the O'Grady case.<sup>14</sup>

The autumn of 1908 proved to be a difficult season for the refugee from Iowa in another way, as well. Emma Kaufmann's defense attor-

<sup>12.</sup> Sioux Falls Daily Press, 13, 16 Nov. 1907, 5 Nov. 1908.

<sup>13.</sup> Sioux Falls Daily Argus-Leader, 10 Oct. 1908. See also ibid., 12 Oct. 1908.

<sup>14.</sup> Sioux Falls Daily Press, 23 May 1912; In re Egan, 22 SD 355-64 (1908); Sioux Falls Daily Argus-Leader, 10 Oct. 1908; Moody County Enterprise, 13 Dec. 1908.

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neys appealed her conviction, and on 18 November the state supreme court overturned the decision of the Flandreau jury and ordered a new trial for the brewing magnate's wife. According to the justices, Egan had repeatedly misstated the law and misrepresented evidence in a calculated attempt to play on the jurors' emotions. Community passions had lessened by the time the second trial took place in June 1909. Found guilty of assault and battery, Emma Kaufmann was fined one hundred and fifty dollars and released.<sup>15</sup>

Within weeks of his disbarment, Egan began efforts to regain his status in the community. He claimed to be the victim of persecution due to his Irish-Catholic heritage and argued that Moses Kaufmann was using his political influence to have him discredited. Egan founded a newspaper, the *American Republic*, in January 1909 and used its pages to attack the Kaufmanns, running front-page cartoons that depicted Emma mistreating Agnes Polreis. Egan failed to mention that

15. State v. Kaufmann, 118 NW 337 (1909); Sioux Falls Sun, 28 Dec. 1975.



Egan published this cartoon depicting the principal actors in the Agnes Polreis murder case in his newspaper, the American Republic.

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his exploitation of a fellow Irish Catholic, Julia O'Grady, had led to his disbarment. 16

Throughout his legal and political career, Egan time and again created "straw men" in attempting to raise himself in the public's estimation. Having lost his right to practice law, he contended that a coterie of local lawyers had worked against him since his arrival in Sioux Falls. Five members of the local bar, Egan claimed, had met him at the railroad depot and warned him not to locate in the state. This group, he held, had initiated the charges that resulted in his disbarment. Immediately after the supreme court's 1908 ruling, Egan began to fulfill a plan to speak at forty venues throughout the state on the circumstances surrounding his disbarment. The title of his speech was "Fight for Liberty," or "The Kaufmann Case and What It Did for Me." 18

On 29 May 1909, George Egan petitioned the state supreme court for readmission to the bar, pointing to his educational qualifications, six years of experience as an attorney, and his belief that the court had misapprehended the facts. Putting himself at the mercy of the justices, he said that his mental suffering and financial losses had been adequate punishment and that the court would never have reason to regret his reinstatement. In 1910, the supreme court ordered that the judgment of disbarment be modified to a suspension, expiring on 1 January 1911. 19

In the meantime, Egan began to develop a substantial economic base in Sioux Falls, having turned to real estate, insurance sales, and

<sup>16.</sup> See American Republic, 22 Jan., 19 Feb., 13 Aug. 1909. Although no evidence has been found to indicate that Egan was persecuted for his heritage, anti-Irish, anti-Catholic sentiment did exist. Catholics in South Dakota, as in the nation as a whole, were periodically targeted for harassment by individuals and groups such as the Ku Klux Klan, largely in reaction to increased immigration from Catholic-dominated countries. David H. Bennett, The Party of Fear: From Nativist Movements to the New Right in American History (Chapel Hill: University of North Carolina Press, 1988), pp. 172–79; M. Claudia Duratschek, Builders of God's Kingdom: The History of the Catholic Church in South Dakota (Yankton, S.Dak.: Benedictine Sisters of Sacred Heart Convent, 1985), p. 290; Robert F. Karolevitz, With Faith, Hope and Tenacity: The First One Hundred Years of the Catholic Diocese of Sioux Falls, 1889–1989 (Mission Hill, S.Dak.: By the Author, 1989), pp. 103–8.

<sup>17.</sup> Sioux Falls Daily Argus-Leader, 15 Nov. 1923.

<sup>18.</sup> Sioux Falls Daily Press, 13 Oct. 1908.

<sup>19.</sup> Ibid., 30 May 1909; In re Egan, 27 SD 16-24 (1911).

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lecturing to enhance his livelihood. He displayed his new affluence by driving expensive automobiles and living in a showy residence with prismatic chandeliers and Japanese wall coverings at 107 North Summit Avenue. Security devices in the house testified to Egan's ongoing fear that somebody was trying to "undo" him. Not only did the bedroom doors have their usual locks, but there were special bolts for extra protection against some unknown threat.<sup>20</sup>

Even before he was allowed to resume his legal practice, Egan sought to return to the political stage. During the 1908 primary election campaign, he had spoken for the Progressive cause on the same platform as Coe I. Crawford, a candidate for the United States Senate. After the election and Egan's disbarment, the Progressive wing of South Dakota's Republican Party ignored him, and he negotiated with the Republican Stalwarts, hoping they would recommend him for a state office. Stalwart newspapers mentioned him as a possible gubernatorial candidate, but by the early fall of 1909, it became clear that the conservative Republicans would not consider him for any nomination. Several newspapers claimed that Republican establishment figures were jealous of Egan's success.<sup>21</sup>

Egan took matters into his own hands and declared as an independent aspirant for the 1910 Republican nomination for governor. On 16 October 1909, he opened his campaign in the state's southeastern corner, moving on to towns along the Chicago & North Western Railroad between Brookings and Rapid City. He eventually visited every county in South Dakota, generating a real threat to Governor Robert Vessey's reelection bid. The Progressive ranks in South Dakota held many dissidents, and Egan capitalized on this factionalism. Late in 1909, Adolph Ewert and other dissatisfied Progressive leaders suggested Egan as a possible substitute for Vessey, whom they believed had betrayed Progressive principles. Senator Coe Crawford, on the other hand, aligned himself with the incumbent.<sup>22</sup> Despite the fact

<sup>20.</sup> Sioux Falls Sunday, 4 June 1972.

<sup>21.</sup> Sioux Falls Daily Press, 29 Oct. 1908; Calvin Perry Armin, "Coe I. Crawford and the Progressive Movement in South Dakota," South Dakota Historical Collections 32 (1964): 183.

<sup>22.</sup> Edwin C. Torrey, Early Days in Dakota (Minneapolis, Minn.: Farnham Printing & Stationery, 1925), p. 282; Armin, "Coe I. Crawford," pp. 183, 185.

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Governor Robert Vessey became the target of Egan's anti-establishment tirades during the 1910 gubernatorial primary.

that Egan had campaigned for the Progressive cause alongside Crawford in 1908, the senator disavowed any connection to Egan, calling him a "long-haired fakir."<sup>23</sup> Even so, many who had supported Vessey in 1908 became Egan backers. As the campaign wore on, the Sioux Falls attorney showed surprising strength in former Progressive strongholds, including Brookings, Lake, Lincoln, Minnehaha, Moody, and Turner counties.<sup>24</sup>

The Stalwarts had at first encouraged Egan's run for office, believing he would split the Progressive vote, particularly in its southeastern South Dakota stronghold. As Egan extended his campaign across the state, however, he began to make significant inroads into the conser-

<sup>23.</sup> Armin, "Coe I. Crawford," p. 185.

<sup>24.</sup> Sioux Falls Daily Argus-Leader, 1 June 1910.

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vative Republican territory of the Black Hills. The Stalwarts, who believed that their candidate, former Governor Samuel Elrod, could not lose, became alarmed over Egan's vigorous campaign tactics.<sup>25</sup>

Egan impressed audiences as he appeared on platforms around the state. A large man, weighing about two hundred and forty pounds, he cultivated the image of a nineteenth-century statesman, letting his black hair grow to nearly shoulder length and dressing in a black hat, striped trousers, and formal coat with a carnation pinned to the lapel. Recalling the publicity surrounding the Kaufmann case, South Dakotans thronged to see the celebrity and received a show at each campaign stop. Despite his cultivated appearance, Egan managed to persuade audiences of his devotion to poor and common people.26 His newspaper advertisements also made a bold appeal to the masses: "Vote for Hon. George W. Egan. The people's choice and the only man whose candidacy is supported by the provisions of the primary law. A man of the people and for the people." Egan declared his independence from machine politicians who foisted candidates on voters, claiming that the people themselves had directly chosen him to be their candidate.27

Egan promoted his image as an underdog by stating that not one newspaper publisher from either the Progressive or Stalwart camps favored him. He claimed, furthermore, that both factions had stolen his platform. Governor Vessey, he argued, was a tool of greedy railroad corporations and guilty of executive incompetence. In addition, he charged that Vessey and Crawford had incurred a state debt of six hundred thousand dollars and packed state boards with political appointees. Egan proclaimed himself to be the first honest man to run for governor, alleging that he had refused a bribe offered by Moses Kaufmann during Emma Kaufmann's trial.<sup>28</sup>

Throughout the campaign, Egan rarely troubled himself with legitimate issues but instead played on his audiences' sympathies by focus-

<sup>25.</sup> Armin, "Coe I. Crawford," p. 184; Torrey, Early Days, p. 281.

<sup>26.</sup> Armin, "Coe I. Crawford," p. 183.

<sup>27.</sup> Sioux Falls Daily Argus-Leader, 30 May 1910. See also Armin, "Coe I. Crawford," p. 184; Torrey, Early Days, p. 283.

<sup>28.</sup> Armin, "Coe I. Crawford," p. 184; Sioux Falls Daily Argus-Leader, 16 Dec. 1909.

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ing on the Kaufmann case and his own disbarment. Hearing the silver-tongued lawyer present his case on the campaign platform, people found it easy to believe that he had been maligned and persecuted. Having experienced more than a decade of factional fighting within the Republican Party, voters looked for a dynamic leader and responded to Egan's demagogic appeal. The only speaker who could match him in ability, Senator Coe Crawford, remained in the nation's capital instead of campaigning in South Dakota.<sup>29</sup>

As a result of his extensive campaigning, Egan incurred heavy expenses. His opponents failed to discover any significant contributors to his cause. Some believed that anti-Prohibition forces supported Egan, although historian Calvin Perry Armin reports that no record exists that he spoke on that subject. Egan may have been more than willing to use his own financial resources to secure the governor's office. If elected, he would be located across the rotunda from the supreme court in the new capitol building, where he could watch and intimidate the judges who had disbarred him.<sup>30</sup>

Egan concluded his primary campaign on the evening of 6 June 1910 with a rally in the At-O-Kad tent pitched at the corner of Minnesota Avenue and Ninth Street in Sioux Falls. Many people came from out of town, particularly from communities south of Sioux Falls, and the crowd spilled out onto the sidewalks. A reporter for the *Argus-Leader* believed it to be the largest turnout ever for a local speaker.<sup>31</sup>

Egan took an early lead as results from the 7 June primary began to come in from the towns, where he had concentrated his campaign. Both factions of the Republican Party appeared to be in near-panic as they awaited the final tally. In the end, Egan carried nearly every community along the Chicago & North Western Railway line from Brookings to Rapid City except for Iroquois, Pierre, and East Pierre. The Stalwarts had counted on Elrod taking the Black Hills vote, but the former governor won in only three counties west of the Missouri River. Egan also ran well in the northeastern corner of the state. Many Democrats voted for him, hoping to divide the Republican Party so

<sup>29.</sup> Armin, "Coe I. Crawford," p. 184; Torrey, Early Days, p. 283.

<sup>30.</sup> Ibid.

<sup>31.</sup> Sioux Falls Daily Argus-Leader, 7 June 1910.

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This 1910 photograph depicts downtown Sioux Falls not far from the spot where Egan and his followers gathered at the At-O-Kad tent to await the results of the primary election.

that their nominee, Chauncey L. Wood of Rapid City, would win in November.<sup>32</sup>

It was the rural vote that saved Vessey, and by 10 June, Egan conceded the election. Vessey garnered 26,372 votes, Egan 21,446, and Elrod 20,335. Farmers were interested in issues affecting the farm economy and not in Egan's three-hour-long diatribes against Republican leaders. Egan offered no specific agricultural policies, and his proposals for agrarian reform were of a general nature. His primary base of support lay in the state's towns and cities, where people could easily gather to listen to his campaign rhetoric. Many farmers knew of the controversial lawyer only through newspaper accounts and were not stirred by Egan's claims that the political establishment was against him.<sup>33</sup>

<sup>32.</sup> Torrey, Early Days, pp. 281-83.

<sup>33.</sup> Sioux Falls Daily Argus-Leader, 10 June 1910; South Dakota, Legislative Manual (1911), p. 439-

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The Stalwart attempts to play Egan off against the Progressives nearly proved disastrous for the Republicans. Both factions breathed a sigh of relief that the bid of the Sioux Falls Irishman had been turned back. The "Egan scare" should have terminated the Republican infighting, but party differences continued for several more years. Egan's favorable showing in 1910 spurred him to continue his efforts to gain control of the statehouse, relying on his personality and political independence to win votes.<sup>34</sup>

On the gubernatorial campaign trail once again in June 1911, Egan intensified his dramatics and demagoguery. From studying his audiences, he believed they wanted entertainment as well as caustic assaults on established politicians. In his speeches, Egan portrayed groups of scheming men in smoke-filled rooms determining who would be governor and what he would be expected to do for them once elected. "The man in the moon," said Egan, "holds his nose whenever he passes over the statehouse. Not only is there something rotten in Denmark, there's something rotten in Pierre."35 As in his first run for office, he did not hesitate to engage in character assaults. In one instance at a speech in Aberdeen, Egan claimed that after the 1010 election a man approached Governor Vessey and asked for some "pie," or payback, in return for his work on the campaign. "This man," Egan stated, "is a discredited, discharged federal official, John D. Deets." At the time, Deets served as commissioner of immigration and was considered a conscientious civil servant.36

One of Egan's favorite dramatic gestures was to emerge onstage from the folds of a large American flag used as a backdrop. He liked to conclude his speeches with flowery tributes to motherhood that brought tears to the eyes of his listeners. His ego often came to the surface. In a speech at Carthage, he prefaced his remarks by saying, "I want that back door closed. When Mr. Egan speaks there shall be no creaking doors to interrupt." Always playing to the women in his audiences, he would remind the men in the gallery to remove their

<sup>34.</sup> Armin, "Coe I. Crawford," pp. 185-86.

<sup>35.</sup> Quoted in J. V. Yaukey, The Governor's Scepter: Vignettes of South Dakota Governors from Byrne to Kneip (N.p.: By the Author, 1976), p. 6.

<sup>36.</sup> Quoted in Sioux Falls Daily Press, 26 May 1912.

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hats because "when George W. Egan speaks, those who attend must be gentlemen. Ladies come out to hear Mr. Egan."<sup>37</sup>

Such rhetoric and tactics played a central role in his campaign for the Republican nomination for governor in 1912. Lieutenant Governor Frank M. Byrne, a Progressive, was Egan's opponent in the primary election. As in 1910, Egan launched stinging verbal attacks, charging that the Progressives had done nothing but squander taxpayers' money and practice machine politics. He campaigned under the banner "Blot 'em all out and vote for Egan." 38 Accusing Progressives of creating a bloated bureaucracy, he claimed that during the summer of 1911, Governor Vessey had appointed 526 officeholders. Always careless with figures, Egan later reduced the number to two hundred. Byrne retorted that only about fifty state positions were filled by gubernatorial appointment. The Sioux Falls lawyer further criticized the state legislature for appropriating money to determine the valuation of railroads. Byrne countered that Egan had grossly overstated the money spent and that equitable tax rates had to be based on actual valuations, not estimates.39

The railroads, eager to prevent any further regulatory legislation by the Progressives, decided to support Egan. The fiery independent had the backing of both the Chicago & North Western and the Chicago, Milwaukee, & St. Paul railroad companies. Employees of the latter firm received instructions to do all they could to promote and vote for the nomination of Egan in the primary. In 1912, the anti-prohibition forces also declared their support for the Sioux Falls attorney. The Byrne forces tried to counter the Egan assault in several ways. Newspapers that supported Progressive and Stalwart political aspirants ran front-page cartoons identifying Egan with the railroad interests and portrayed him as immoral, a libertine, and a scoundrel. They pounced on Egan's Sunday political rallies. When one such event took place at Nunda, featuring a ball game, theatrical performance, and a lecture by Egan on Jesus of Nazareth, it drew protests not only from the press

<sup>37.</sup> Sioux Falls Daily Press, 24 May 1912. See also Yaukey, Governor's Scepter, p. 6.

<sup>38.</sup> Armin, "Coe I. Crawford," p. 201.

<sup>39.</sup> Sioux Falls Daily Press, 24 May 1912.

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but from the clergy, a group that seldom participated openly in partisan politics.  $^{4\circ}$ 

The most devastating attack on Egan's character came on 24 May 1912, when Sioux Falls newspapers published accounts of Egan's moral offenses in Iowa in 1905 and the subsequent efforts to disbar him in that state. The Sioux Falls Daily Press called the actual records of his assaults on the two women unprintable. Egan retaliated by filing a libel suit against C. L. Dotson, owner of the Daily Press, and his son, Carroll Dotson, its editor. The suit continued in the court system until the end of the decade. Of the fifty thousand dollars Egan sought, he eventually received one judgment for \$1.00 and another for \$36.35.41

Concerned about Egan's growing support, Frank Byrne, for many years a reform-minded Republican, decided not to run on the Progressive record. He openly solicited Stalwart support in an effort to unify South Dakota's Republicans and repel Egan's formidable challenge. Byrne's action angered a number of the Progressive faithful, particularly Crawford loyalists, but it proved to be a shrewd political tactic. Byrne withstood Egan's campaign of vilification with dignity and won the nomination by nine thousand votes, receiving 38,660 to Egan's 29,481.<sup>42</sup>

Now a perennial office seeker, Egan entered the Republican gubernatorial primary of 1916 against the formidable Peter Norbeck, whom voters had elected as Byrne's lieutenant governor in 1914. Richard O. Richards, a Progressive gadfly and father of the South Dakota primary law providing for the direct selection of candidates, also challenged Norbeck. In seeking the nomination, Egan ran on an economy platform, attempting to prove the extravagance of the Byrne-Norbeck government. According to his own calculations, the state in 1906 employed 615 people, or "pie eaters," Egan's term for bureaucrats. By 1916, the number had doubled to 1,200. In 1906, the state's operating costs totaled approximately nine hundred thirty-five thousand dollars, but by 1916, expenses had mounted to \$2.3 million.<sup>43</sup> The deceitful

<sup>40.</sup> Ibid., 24, 28, 29, 31 May 1912.

<sup>41.</sup> Sioux Falls Sunday, 4 June 1972; Sioux Falls Daily Press, 31 May 1912.

<sup>42.</sup> Armin, "Coe I. Crawford," pp. 200-201; Legislative Manual (1913), p. 474.

<sup>43.</sup> Sioux Falls Daily Argus-Leader, 9 May 1916.

but brilliant orator, whose voice was loud enough to be heard distinctly in any auditorium before the days of sound amplification, said that by "smashing" the Byrne-Norbeck machine he could save six hundred thousand dollars annually for taxpayers. Voters must, he declared, "destroy the Apostolic line of succession established by the officeholders league of South Dakota."

Aside from reducing the budget, Egan's program in 1916 consisted of generalities. He stood for encouragement of educational institutions, state development, tax reduction, highway improvement, and an open market for farm products.<sup>45</sup> One of Egan's ardent supporters was former United States Senator Richard F. Pettigrew, who also wanted to "clean out the gang who are now managing our affairs." Pettigrew argued that the legislature and state supreme court had utterly disregarded the will of the people in regard to constitutional matters and fiscal policy.<sup>46</sup> As in the earlier races, Egan referred back to the Kaufmann case and his disbarment which, according to him, had resulted from his belief that the "life of little Agnes Polreis was as sweet as the money of a rich woman."<sup>47</sup>

Egan also launched personal attacks on Norbeck, depicting him as having "hands as big as bushel baskets . . . feet eighteen inches long . . . [and] clothes that [did] not fit very well." His attempts to ridicule his opponent may have amused listeners but did not win many votes. <sup>48</sup> On primary day, 23 May 1916, 31,987 voters registered their approval of Norbeck. Egan received the support of 11,142 people, and Richards garnered 10,449 votes. <sup>49</sup>

Following his resounding defeat in 1916, Egan withdrew from the campaign trail for the next six years. He faced serious economic and legal problems in Sioux Falls. Through his legal practice, he had acquired considerable property, including business blocks, city lots, and farmland valued at approximately \$1 million. Egan lost all of these

<sup>44.</sup> Quoted ibid.

<sup>45.</sup> Ibid.

<sup>46.</sup> Quoted ibid.

<sup>47.</sup> Quoted ibid.

<sup>48.</sup> Quoted in Gilbert Courtland Fite, Peter Norbeck: Prairie Statesman (Pierre: South Dakota State Historical Society Press, 2005), p. 51.

<sup>49.</sup> Legislative Manual (1917), p. 426.

properties in 1921 when he declared bankruptcy, a result of his extravagant lifestyle, considerable legal debts, and financial miscalculations. One year later, he stood accused in United States District Court of concealing assets and defrauding creditors in connection with the bankruptcy proceedings. 50

Egan had gained control of the *Sioux Falls Press* on I January 1921 and served as its owner, editor, and manager until the enterprise was foreclosed upon seven months later, on 29 July. His editorials proved to be as florid as his platform oratory, and his name loomed large in advertisements announcing his lectures at out-of-town celebrations. Egan composed a weekly sermonette but did not keep his peace with political opponents, referring to the rival evening newspaper, the *Argus-Leader*, as a "machine kept organ." After he lost control of his newspaper, he immediately purchased advertisements in his evening rival announcing that a new journal, *Egan's Weekly*, would appear shortly. Egan threatened to name the individuals who had destroyed the *Sioux Falls Press* and expose the "machinations and general cussedness of the gang that has been running this state for many years." He did begin publishing *Egan's Weekly*, but it had a brief life.<sup>51</sup>

By this time, Egan was facing a possible prison sentence for fraudulent insurance claims. He had gained possession of a former hotel in South Sioux Falls, at present-day Forty-fourth Street and West Avenue, and converted it into a dance hall. On 24 November 1919, fire destroyed the building, located in Al Fresco Park. Investigating officials charged Egan with having the building destroyed. Rather than being tried for arson, however, Egan went to trial for making false affidavits. Prior to the fire, he had contracted with nine different companies to insure the property for thirty thousand dollars. In each case, he had declared that the building was not insured by any other firm. After a long and bitter trial, Egan was convicted on 28 May 1920. Upon appeal, the state supreme court reversed his conviction and granted a new trial. Following a second conviction in April 1921 and another appeal, the supreme court finally ruled, on 26 October 1923, that Egan had to

<sup>50.</sup> Sioux Falls Daily Argus-Leader, 10 Mar. 1922, 16 Apr. 1934; Sioux Falls Argus-Leader, 8 June 1956.

<sup>51.</sup> Sioux Falls Sunday, 4 June 1972.

serve a two-year sentence in the state penitentiary. In and amongst these events, he had, of course, been disbarred for a second time.<sup>52</sup>

When the supreme court fixed Egan's date of incarceration for 17 November, he announced a public meeting to be held in the Sioux Falls Coliseum on the evening of 14 November, at which time he would bid his admirers farewell. Shortly after the doors opened at 7:00 p.m., all seats were taken, and people stood along the sides, in the back aisles, and the balcony. Egan strode in from the south wing of the stage, where a five-year-old girl met him bearing an armful of roses. After bending down to kiss her, the demagogic showman approached the lectern and spoke for an hour and a half, mixing humor, pathos, and satire. No prison walls would confine him if he but said the word, he declared, but because he respected the law, he would obey and consent to imprisonment. Toward the end of his address, he climbed atop a table, raised his arms, and asked the audience for a ringing vote of confidence. The crowd responded with sustained applause. Egan, with tears streaming down his cheeks, then shook hands with individuals in the audience.<sup>53</sup> In particular, he directed his attention to the women. Kissing one woman's hand, he said, "If I made a good speech it was because you were here." To another he remarked, "Don't excuse yourself. Every good woman who comes to me gives me so much greater strength."54

Egan did not enter the penitentiary on 17 November, thanks to a Deadwood attorney who discovered technical reasons for an appeal to the federal courts. During the next two years, the case proceeded through district court and the court of appeals, finally reaching the United States Supreme Court on habeas corpus proceedings. On 25 May 1925, the justices in Washington, D.C., ruled against Egan and ordered him committed to prison in the following month.<sup>55</sup>

During the time Egan staved off imprisonment, he made three additional tries for public office. In 1922, he entered the Republican gu-

<sup>52.</sup> Sioux Falls Daily Argus-Leader, 16 Apr. 1934; Sioux Falls Argus-Leader, 8 June 1956; Sioux Falls Sunday, 4 June 1972.

<sup>53.</sup> Sioux Falls Daily Argus-Leader, 15 Nov. 1923.

<sup>54.</sup> Quoted ibid.

<sup>55.</sup> Sioux Falls Argus-Leader, 8 June 1956; Sioux Falls Sunday, 4 June 1972.

bernatorial primary contest, where he faced William H. McMaster, a Progressive and the incumbent governor. Again, Egan mounted an extensive campaign and traveled the state attacking the army of "pie eaters" on the state payroll.<sup>56</sup> In the course of the campaign, he waged verbal war on any person who opposed him, including ministers, journalists, and the judges who had ruled against him. Egan claimed that the deficit incurred under the rural credits program, which he estimated at \$3.5 million, resulted from the ineptness of former Progressive governor Peter Norbeck and his successor, William McMaster.<sup>57</sup>

People speculated on the source of Egan's campaign money. After all, he had recently passed through bankruptcy, and *Egan's Weekly* offered no visible means of support. Some journalists suspected that the railroads continued to contribute to his campaign coffers, while others suggested that certain business interests backed him as part of their efforts to do away with state-owned enterprises such as the cement-manufacturing plant, coal mines, and crop hail insurance program established during Norbeck's term.<sup>58</sup>

In late winter, Egan challenged McMaster to a debate, and the governor accepted, much to the surprise of Egan and his supporters. McMaster, an experienced public speaker in his own right, made a public summary of the Sioux Falls attorney's court record on the following day. Egan immediately tried to change the rules he had set down in making the challenge. "It has come to my attention," he said, "that the Governor is going to indulge in personal attacks against me. I should be given more time to reply." 59

<sup>56.</sup> Sioux Falls Daily Argus-Leader, 10 Mar. 1922

<sup>57.</sup> Ibid., 7 Mar. 1922. In January 1917, Governor Norbeck proposed a "rural credits" program whereby the state would loan money to farmers at low interest rates. By 1924, the Rural Credits Board had accumulated a debt of \$45 million, with \$27 million due in interest. One-third of the program's participants defaulted on their loans. The rural credits experiment ultimately cost the state approximately \$57 million. Lynwood E. Oyos, ed., *Over a Century of Leadership: South Dakota Territorial and State Governors* (Sioux Falls, S.Dak.: Center for Western Studies, Augustana College, 1987), pp. 98, 100–101. An editorial in the 7 March 1922 issue of the *Argus-Leader* pointed out that Egan himself had done little to help the state's money woes, having been involved in fifty-two circuit-court cases over fourteen years, either as a plaintiff or defendant, at a cost to taxpayers of over fifteen thousand dollars.

<sup>58.</sup> Sioux Falls Daily Argus-Leader, 7, 8 Mar. 1922.

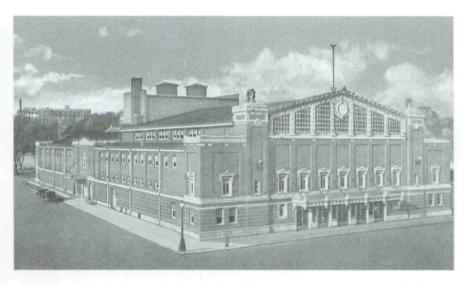
<sup>59.</sup> Quoted in Yaukey, Governor's Scepter, p. 6.

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The debate, held on the evening of 9 March 1922, marked the watershed of Egan's platform prowess. People began to gather in front of the Sioux Falls Coliseum at 5:00 p.m., even though the doors did not open until two hours later. All of the downstairs seats in the building had been removed to make room for the expected crowd. Spectators arrived from surrounding towns on special trains or on regularly scheduled trains pulling extra coaches. When the doors of the Coliseum opened, Egan supporters surged in to secure the most favorable positions for cheering and heckling. By 7:30, nearly nine thousand people awaited the debate. Onstage, 175 seats had been reserved for supporters of both men. Egan's wife sat with a host of other women on the disbarred attorney's side, while a number of businessmen and local notables took their place alongside McMaster. According to the ground rules, Egan would open the debate and speak for fifty minutes. McMaster would follow and address the crowd for an hour. Egan would then have ten minutes for rebuttal, and the debate would conclude at 10:00 p.m.60

60. Sioux Falls Daily Argus-Leader, 9, 10 Mar. 1922.



The Sioux Falls Coliseum, which could hold thousands of spectators, provided the venue for Egan's most dramatic appearances.

Egan appeared on the stage accompanied by bedlam as his supporters rang cowbells and cheered lustily. Theatrical as ever, he talked fast; he read; he shouted; he fired questions; he ran over to the governor's chair, coattails flying, and patted the chief executive jauntily on the hand. Once, he airily blew McMaster a dainty kiss from his fingertips, making the crowd roar. The Sioux Falls attorney repeated his accusations that the rural credits system was between three and five million dollars short, that loans to farmers had been made out of proportion to the value of their property, that the construction of the State Game Lodge in Custer State Park had cost an extravagant sixty-thousand dollars, and that McMaster had withheld World War I veterans' bonus money in order to deposit it in banks in which he owned stock and thereby derive a profit. Egan reiterated his old charge that a South Dakota political machine, now headed by McMaster, was conspiring against him.<sup>61</sup>

McMaster had done his research and came to the platform dignified and well prepared. The governor refuted all of Egan's charges, branding them as lies. With regard to his profiting from the veterans' bonus, McMaster stated that he did not own any bank stock. Concerning the State Game Lodge, he informed his opponent that the actual cost had been twenty-five-thousand dollars. He then took aim at Egan's legal problems, stating, "It was not the contract that was the horrifying thing to him [Egan], but it was that we let the game lodge burn down without fire insurance." 62

Governor McMaster then asked Egan a series of questions, all relating to the attorney's controversial past. In this devastating public interrogation to which Egan could not respond until McMaster had used his allotted time, the governor asked: "Was the supreme court of this state right when they said 'The conduct of the accused in this [O'Grady] case not only shows his unfitness to be a member of this court, but shows that his perceptions of the duties and responsibilities

<sup>61.</sup> Ibid., 10 Mar. 1922.

<sup>62.</sup> Quoted ibid. Fire destroyed the State Game Lodge shortly after its completion in 1921. It was replaced the following year by the structure that still stands today. David Erpestad and David Wood, *Building South Dakota: A Historical Survey of the State's Architecture to 1945* (Pierre: South Dakota State Historical Society Press, 1997), pp. 207–8.

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Armed with the facts and a cool demeanor, William H. McMaster proved a worthy match for Egan in the 1922 debate.

of an attorney are such as to render him an undesirable associate of a highly honorable profession and dangerous for clients who may seek his assistance as an attorney?" McMaster went on in a similar vein, questioning Egan about his second disbarment, his fraud conviction, and the allegations of rape in Iowa. "If any one of these judgments, charges, or accusations are true," the governor concluded, "how have you the hardihood to face your fellow citizens and ask for a position of trust at their hands? If none of these judgments are just, if none of these accusations are true, how comes it that so many judges, so many of your fellow citizens were wrong and you alone were right?" 63

Midway through McMaster's questions, several hundred Egan backers began shouting "History!" and drowned out McMaster's supporters. The governor had to wait several minutes before continuing and abandoned part of his remarks because of the interruptions. Even so, McMaster's attack had a ruinous effect on Egan. In his last ten minutes on the stage, the disbarred attorney's vibrancy diminished, he stumbled for words, and his collar wilted on his perspiring neck.

63. Quoted in Sioux Falls Daily Argus-Leader, 10 Mar. 1922.

Egan's rebuttal was entirely devoid of the confidence he had shown in his opening remarks, but he recovered to close with his usual tribute to womanhood. Pandemonium ensued at the end of the debate. A woman shouted "You lie!" from one side of the Coliseum to be answered by shouts of "liar" from the other side. Six burly men carried Egan on their shoulders down through the crowd and out onto the street. On their way, they met a surge of angry people moving toward the platform, and a brief period of fighting ensued. <sup>64</sup>

The remaining days of the campaign were filled with apprehension, excitement, and harassment. Egan, at his demagogic worst, engaged in extensive name-calling, and McMaster supporters responded in kind. When the state's citizens went to the polls on 28 March 1922, McMaster won 60 percent of the vote, receiving 60,927 votes as opposed to Egan's 40,831.65

Egan strutted across the political stage two more times before being confined to prison. In 1924, the convicted man became a candidate for the United States Senate and for mayor of Sioux Falls. Before declaring for either office, he worked hard during the March primary to prevent McMaster from gaining the Republican nomination for the Senate seat. Egan urged the nomination of the incumbent senator, Thomas Sterling, who did not appreciate having the backing of a man free under bond and early on disavowed his support. Egan ignored Sterling's rebuff and continued his anti-McMaster tour. He wound up his campaign for the senator by speaking before a crowd estimated at five thousand in the Sioux Falls Coliseum. In addition to launching another verbal assault on the man who had bested him in the same hall two years earlier, Egan, in his customary manner, exuded praise for the lovely women of the city. <sup>66</sup>

After McMaster defeated Sterling on 25 March, Egan decided to enter the race for mayor of Sioux Falls. His opponents were Thomas McKinnon and George W. Burnside. Egan came within 333 votes of winning the election but lost in a run-off to McKinnon, a former al-

<sup>64.</sup> Ibid.

<sup>65.</sup> Ibid., 25, 27 Mar. 1922; Legislative Manual (1923), p. 335.

<sup>66.</sup> Ralph R. Tingley, "The Crowded Field: Eight Men for the Senate," South Dakota History 9 (Fall 1979): 325; Sioux Falls Daily Argus-Leader, 25 Mar. 1924.

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derman and state legislator who portrayed Egan as a troublemaker. <sup>67</sup> While engaged in the mayoral campaign, Egan again expressed a desire "to go to the United States Senate for South Dakota," hinting that if voters chose him as mayor he might immediately announce for the Senate as an independent. <sup>68</sup>

Despite being rejected by Sioux Falls voters, Egan launched his Senate campaign. By mid-June, he was circulating nominating petitions, and on 4 July he formally announced his candidacy at Lake Campbell, where an annual "Egan Day" celebration had been held for several years. Although he supported President Calvin Coolidge's platform, several of Egan's proposals differed considerably from those of the Republican standard-bearer. Egan advocated lower taxes for working people and farmers; stabilization of farm prices; curbing the influence of big money on legislation; denunciation of the Ku Klux Klan; non-involvement in the League of Nations; enforcement of national prohibition; and higher pensions for veterans of the Civil War and the Spanish-American conflict. Although eight men were competing for the Senate seat, Egan focused his vendetta against McMaster, accusing the governor of working hand-in-hand with Standard Oil and with depositing state money in insolvent banks. <sup>69</sup>

Egan lacked both credibility and money in this campaign. He placed only a few small advertisements in newspapers, and reporters ignored his statements at political rallies. Seeing that Egan no longer posed a political threat, McMaster ignored the discredited attorney's challenge for another debate. Instead, the governor directed his efforts toward turning back the challenge of the Democratic contender, U. S. G. Cherry. Egan came in fourth in the voting on 4 November 1924, receiving 14,484 votes, or 7.3 percent of the ballots cast. McMaster secured the support of 90,006 voters and went on to serve in the United States Senate.<sup>70</sup>

All of his political and legal maneuverings could not save George Egan from prison. On 25 May 1925, the United States Supreme Court

<sup>67.</sup> Ibid., 16 Apr. 1934; Sioux Falls Sunday, 4 June 1972.

<sup>68.</sup> Quoted in Tingley, "Crowded Field," p. 325.

<sup>69.</sup> Ibid., p. 326.

<sup>70.</sup> Sioux Falls Daily Argus-Leader, 15 Oct. 1924; Legislative Manual (1925), pp. 237-38.

ordered his committal. Approximately one month later, on 22 June, he entered the state penitentiary at Sioux Falls. While an inmate, he served as prison librarian. Governor Carl Gunderson pardoned Egan eighteen months later, on 24 December 1926, after receiving petitions bearing more than four thousand names requesting his release. Egan left the prison gate carrying a Bible under one arm.<sup>71</sup>

Upon gaining his freedom, Egan turned to lecturing about prison conditions. His appeal gone, few people came to hear him speak. In 1930, he published a book he had written in prison entitled *About the Birth of Jesus: Who Sayest Thou He Is?*. The work related how, while an inmate, Egan discovered the importance of Jesus in the lives of ordinary people.<sup>72</sup>

During his numerous political campaigns, Egan rarely introduced religion into his rhetoric. In fact, his campaigning on Sunday had drawn the wrath of clergymen. Whether he was a changed man upon his discharge from the state penitentiary is open to debate. As prison librarian, Egan had the opportunity to engage in biblical studies and may have decided to reform. Doubters questioned whether his conversion was sincere, believing that he had simply developed a new ploy for seeking adulation. While Egan may indeed have experienced a religious awakening, he also never ceased to crave public attention.

Egan made a final attempt to secure an elective office in 1928, when he ran for sheriff of Minnehaha County. He emerged victorious in the Republican primary but lost by a decisive margin to Democrat John H. Johnson in the fall election. In 1929, Egan was credited with turning the tide in the mayoral election as a supporter of George Burnside.<sup>73</sup>

During his final years in Sioux Falls, Egan tried unsuccessfully to be readmitted to the state bar. As his finances dwindled, he acted as counselor-at-law and attempted to sell insurance. He and his wife Vernice changed residences several times, likely due to debts and insufficient income.<sup>74</sup> In 1931, the couple moved without fanfare to Okla-

<sup>71.</sup> Sioux Falls Daily Argus-Leader, 16 Apr. 1934; Sioux Falls Argus-Leader, 8 June 1956.

<sup>72.</sup> Egan, About the Birth of Jesus: Who Sayest Thou He Is? (Sioux Falls: Press of Mark D. Scott, 1930).

<sup>73.</sup> Sioux Falls Argus-Leader, 8 June 1956.

<sup>74.</sup> Ibid.; Sioux Falls City Directory (Sioux City, Iowa: R. L. Polk & Co., 1924), p. 116. The city directories for 1922 to 1931 list seven different addresses for the couple.

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homa City, Oklahoma, where Egan engaged in radio work, politics, writing, and religious endeavors. Ordained as a Baptist minister, he served several months as a pastor and then resigned voluntarily. Local ministers regarded him as an eloquent speaker and a well-read man. Egan suffered a paralytic stroke on 11 April 1934 and died four days later, on 15 April, at the age of sixty. He was buried in Rose Hill Cemetery in Oklahoma City.<sup>75</sup>

Although Egan never attained his cherished goal of presiding over the statehouse, he did have his hour upon South Dakota's political stage. His ego drove him to be a perennial candidate for public office, and he possessed attributes that could be used effectively in the public arena. He demonstrated his acumen and oratorical skill in the Kaufmann case and believed that he could successfully transfer these qualities to politics. There is no question that this man of unsavory reputation possessed charisma. Friend and foe alike acknowledged him to be a person of brilliant mentality and prodigious memory in a legal controversy or on a rostrum. He was one of the most skillful orators ever to appear on the public scene in South Dakota.

Thousands of people attended his rallies and voted for Egan time and again, looking for a strong, dynamic leader and an end to the ongoing factionalism in the Republican Party. Egan, however, was never able to assume the role. Despite his talent for persuasion, his unsavory past and unscrupulous grasping for recognition and wealth made him unacceptable to Republican leaders and, ultimately, to voters. Egan sought revenge against anyone who defeated or challenged him. Thus, he ran for governor in order to get back at the members of the supreme court who had disbarred him. He opposed McMaster for a seat in the United States Senate, trying to redeem the prestige he had lost in the great debate of 1922. He supported Burnside in the mayoral election of 1929 to make up for his loss to McKinnon in 1924. In the end, Egan never achieved the political stature of a Peter Norbeck or a William McMaster because the numerous flaws in his character outweighed his many talents.

<sup>75.</sup> Sioux Falls Daily Argus-Leader, 16 Apr. 1934.

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