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The Omnibus Bill of 1889: Stathood for Dakota Territory

Julie Marvyl Andresen Koch

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THE OMNIBUS BILL OF 1889:  
STATEHOOD FOR DAKOTA TERRITORY

by
Julie Marvyl Andresen Koch
Bachelor of Arts, Concordia College, 1974
A Thesis
Submitted to the Graduate Faculty
of the
University of North Dakota
in partial fulfillment of the requirements
for the degree of
Master of Arts

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THE OMNIBUS BILL OF 1889:
STATEHOOD FOR DAKOTA TERRITORY

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The University of North Dakota, 1984

Faculty Advisor: Professor Richard E. Beringer

This thesis examines the statehood history of the present-day states of North and South Dakota. They were part of the Territory of Dakota during the years 1861-1889, their ultimate division occurring only after a long and bitter eighteen-year struggle.

The prime object of this thesis is to pinpoint precisely the reasons why statehood for the Dakotas took so many years. It seeks to determine who supported and who opposed admission, both in Dakota Territory and in the United States Congress, and investigates the reasons admission was so long delayed. Specific investigation of the Fiftieth Congress, 1888-1889, is necessary because it was this Congress that ultimately allowed Dakota Territory to organize into two states, as set forth in the Omnibus Bill.

Conventional methods were used to examine contemporary and modern histories, pertinent documentary collections,
congressional records, and territorial papers. Quantitative analysis, involving a study of roll-call materials was also used.

Results proved that the Dakotans themselves contributed to their statehood delays by fragmenting into segregated groups lacking direction, rather than uniting behind a common goal. They looked only after their own local or regional interests, instead of those of the entire territory. Secondly, partisanship was extremely strong in the Fiftieth Congress in Washington. Democrats and Republicans consistently voted along precise party lines, doing exactly what the party leaders apparently wanted. When it came to the statehood issue, two poles resulted. Democrats formed a united front against the possibility of new states, while Republicans fully supported the admittance of new territories into the Union.

In conclusion, research indicates that Dakotans were responsible to some degree for the long statehood delay because of their disorganized program and suspicious attitude toward other parts of the territory. A second conclusion, supported precisely by conventional and quantitative analysis, shows that Republicans were promoters of statehood for the territories and that Democrats were opposed.
This Thesis submitted by Julie Marvyl Andresen Koch in partial fulfillment of the requirements for the Degree of Master of Arts from the University of North Dakota is hereby approved by the Faculty Advisory Committee under whom the work has been done.

(Chairperson)

This Thesis meets the standards for appearance and conforms to the style and format requirements of the Graduate School of the University of North Dakota, and is hereby approved.

Dean of the Graduate School
PERMISSION

Title: Omnibus Bill: Statehood for Dakota Territory
Department: History
Degree: Master of Arts

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The data utilized in this thesis were made available in part by the Inter-University Consortium for Political and Social Research. This material was originally collected and keypunched by the Consortium from the Congressional Vote Analysis Collection originally undertaken by Clifford Lord under sponsorship of the WPA. Neither the original source or collectors of the data nor the Consortium bear any responsibility for the analysis or interpretations presented here.

A special thanks to the Graduate School, University of North Dakota, Grand Forks, North Dakota, for granting me the funds which enabled me to purchase the roll call data.
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The prime objective of this thesis is to pinpoint precisely the reasons why statehood for the Dakotas took so many years. It seeks to determine who supported and who opposed admission, both in Dakota Territory and in the United States Congress, and investigates the reasons admission was so long delayed. Specific investigation of the Fiftieth Congress, 1888-1889, is necessary because it was this Congress that ultimately allowed Dakota Territory to organize into two states, set forth in the Omnibus Bill.

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In conclusion, research indicates that Dakotans were responsible to some degree for the long statehood delay because of their disorganized program and suspicious attitude toward other parts of the territory. A second conclusion, supported precisely by conventional and quantitative analysis, show that Republicans were promoters of statehood for the territories and that Democrats were opposed.
CHAPTER I
INTRODUCTION

The present-day states of North and South Dakota were part of the Territory of Dakota during the years 1861-1889, their ultimate division occurring only after a long and bitter eighteen-year struggle. It was a time of frustration, as Congress either ignored or belittled numerous petitions, resolutions, and memorials supporting statehood for Dakota Territory. The early years, from 1861 to 1871, were relatively calm, with a concentrated effort to settle and develop the area. But thereafter, the territorial inhabitants engaged in a constant struggle to prove to Congress that they were able to take control of their government and deserved statehood.

This paper traces the history of the statehood movement. It seeks to determine who supported and who opposed admission, both in the Dakota Territory and in the United States Congress, and investigates the reasons admission was so long delayed. Because of their initial union, North and South Dakota cannot be discussed separately; their beginnings are interwoven, with the history of each state affecting the other.
The prime objective of this thesis is to pinpoint precisely the reasons why statehood for the Dakotas took so many years. There seems to be a considerable amount of time between the initial memorials sent to the United States Congress in 1871 and the final passage of the Omnibus (statehood) Bill in 1889. I intend to investigate the issues and events occurring in the territory that seem to have delayed political action. I will also examine the United States House and Senate. The legislative action of Congress ultimately granted statehood, but eighteen years' delay implies indifference. The long period of territorial tutelage, from 1861 to 1889, occurred when Gilded Age political partisanship was intense. Party loyalty caused some sympathetic individuals, who favored statehood for the territories, to forego their consciences and vote as the party dictated. It is my contention that the main culprits in this unfortunate situation appear to be Democrats. Historiography indicates that members of this party overlooked glowing, favorable reports that arrived frequently from the territory, disregarded continual memorials and petitions, and chose to ignore individuals who came out from Dakota to plead their cause.

The interpretation is basically correct in attributing to the Democratic Party the long delay in statehood for the Dakotas. Even so, historians have
underestimated the strength of these party views at the point of actual passage, in the last session of the Fiftieth Congress. The positive role of the Democrats in promoting statehood has also been slighted, perhaps because roll-call voting behavior of Democratic congressmen indicates they were almost universally suspicious of the notion that the two states should enter, while Republicans were even more unanimous in favor of dual statehood. Furthermore, sectionalism (North versus South or East versus West) played very little role in influencing attitudes, despite the fact that, on the surface at least, statehood would always seem to raise a question of eastern versus western influence and would always have the effect of diluting eastern political power. Section was only important to the extent that the solid Democratic South influenced the issue because of its partisan, not sectional, point of view. It will become clear that Democrats were quite insensitive to the statehood question and that Republicans, on the other hand, staunchly supported it. The conclusion seems inescapable that Democrats were unfair to Dakota's citizens in withholding deserved statehood.

The purpose of this paper is to define precisely the role of the Democratic and Republican Parties in either delaying or supporting statehood for the Territory of Dakota. Up to this point, common historical
interpretations of events during the territorial period merely suggest that Republicans assisted the statehood cause while Democrats blocked the addition of new states. The latter seriously believed that their political power would be jeopardized by the addition of new territories, especially those with strong Republican ties as was the case with Dakota. Therefore, they were not going to nor did they assist any territorial entrance into the Union which would alter party strength. The Republicans, on the opposite side, were naturally supportive of the statehood issue given the political complexion of the territory. My hypothesis, therefore, is that Democrats led Dakotans down a path lined with false and unfilled promises and that Republicans supported territorial ambitions—and yet, Democrats, some of them at least, were ultimately responsible for the passage of the statehood measure.

I intend to show that there were definite party views in the Fiftieth Congress. Democrats and Republicans consistently voted along precise party lines, doing exactly what the party leaders apparently wanted. When it came to the statehood issue, two poles resulted. Democrats formed a united front against the possibility of new states while Republicans fully supported the admittance of new territories into the Union.
However, even though my hypothesis defines the Democratic and Republican roles in the statehood issue, it is nevertheless important to point out that Dakota entered the Union during Fiftieth Congress, 1888-1889, which had a Democratic majority in the house. The Democrats, however consistently against statehood for the territories, actually brought in the new states. This was done only under extreme circumstances in the last few months before the statehood bill passed. It was only after all avenues were closed and it became important to "save face," that some Democrats came full circle and suddenly supported statehood for the territories. It is ironic, as it turns out, that my hypothesis defining the Democrats as non-supporters for statehood, actually seems disproved on the surface by the passage of the Omnibus (statehood) Bill by the Democratic House. However, my original hypothesis is nevertheless supported by both the historiography of the period and by quantitative research. It will be clear that the Democratic Party acted irresponsibly by not protecting the interests of the unenfranchised citizens for many years, and that they clearly prevented Dakota from entering the Union until they were forced to change their program.

Another theme that recurs throughout this study is the delay that seemed to plague the Territory of Dakota throughout the period. Much delay was caused by
Democratic congressmen who refused to support statehood even though all requirements were fulfilled; but Dakotans themselves contributed to their problems by fragmenting into segregated groups lacking direction rather than uniting behind a common goal. I also found Dakotans looked only after their own local or regional interests, instead of those of the entire territory, and that further delay was caused by a total lack of organization. Each of these problems was apparent throughout the entire territorial period. Delay was certainly a major problem in Dakota, and this point will be emphasized in subsequent chapters.

Research will follow two directions. Conventional methods will be used to examine contemporary and modern histories, pertinent documentary collections, congressional records, and territorial papers. Quantitative analysis, involving a study of roll-call materials, presents the other technique. I have chosen to broaden my research to include the use of the computer, a reliable computer program, and the investigative theory made feasible by quantitative methodology.

Quantitative history goes beyond the traditional monograph or committee report. It also supplements the boxes of letters, personal papers, and written speeches left to us by our forefathers. These common research tools are often adequate when studying prominent,
outspoken individuals who possessed a desire to record their every thought, word, or deed. However, there were many minor politicians, who did not leave a prolific portfolio and spoke only occasionally, if at all, for the public record. Nevertheless, these individuals collectively had an impact on American history. Often their single surviving record is their roll-call record in the *Congressional Globe* or the *Congressional Record*. This vital record will reveal, with careful analysis, the legislator's behavior on the issues that passed through the Congress.

Quantitative analysis lends itself very nicely to my particular subject and clearly gives strong support for my hypothesis, that the Democratic Party blocked the statehood quest of Dakota Territory and that Republicans supported the territory the entire time. Rice-Beyle cluster-bloc analysis compares the voting records of one member of a given legislative body with each of the other members, in a set of pairwise comparisons that establishes the degree of similarity of their patterns. The pairwise comparisons are scored by percentage of agreement and are plotted on a matrix. Those who voted together at a specified level of agreement, here at least seventy percent, are isolated into blocs. Fringe members of a particular bloc may also be determined and included,
here those who voted with at least fifty percent of the bloc members, at least seventy percent of the time.

Investigation of the Fiftieth Congress, 1888-1889, is necessary because it was this Congress that ultimately allowed Dakota Territory to organize into two states. I used two sets of roll calls. First, because the Democratic majority in the House of Representatives failed repeatedly to secure statehood for Dakota, whereas the Republican majority in the Senate passed its version of the bill, it is clear Democrats in the House were holding up the action. Therefore, I chose twelve pertinent roll calls that dealt specifically with Dakota Territory to investigate those individuals who either supported or opposed the plan. Second, I ran my program on the entire United States Congress of 1888-1889, including both the House and the Senate. This aided the second purpose of this thesis, which is to examine the extent to which partisanship played a role in politics in the second half of the nineteenth century. Rice-Beyle cluster-bloc analysis gave me explicit results which helped to substantiate my original hypothesis. The quantitative analysis added a new dimension to my research and it likewise exposed me to an unfamiliar approach to historical research.\(^3\)

The historiography of this particular period of Dakota Territorial History is far from complete. I have

Some of these authors had first hand experience in territorial politics and the statehood issue. There is no doubt when we read Col. Clement A. Lounsberry, editor of the *Bismarck Tribune*, or George W. Kingsbury, of the *Yankton Press and Dakotan*, that their true intention was to leave a very detailed record of events in the territory. However, it is equally apparent that they had a strong prejudice against outsiders, whether Washington politicians or transplanted territorial officials. Furthermore, writers from the southern part of the territory expressed sentiment sympathetic to their
particular region and the same can be said of northern Dakota writers. The distance between the northern section and the southern section caused an absence of communication which, in turn, intensified mutual distrust between the two areas. These writers clearly reflect the prevailing views of the respective parts of the territory. It is most interesting to follow events in Dakota and to find frequent and considerable discrepancies between the sources. Later histories, notably few and far between, do not devote many pages to statehood. It seems a quick run-down of the facts and dates satisfied the authors. However, there are two exceptional modern studies, Herbert S. Schell, History of South Dakota, 3rd ed. (Lincoln: University of Nebraska Press, 1975); and Elwyn B. Robinson, History of North Dakota (Lincoln: University of Nebraska Press, 1966).  

The following chapters will discuss events in the area of Dakota up to statehood in 1889. I will delineate what the sources indicated had occurred and their interpretation of events. I will also point out contradictions in their conclusions, adding the results of my quantitative research. This will result in a concise re-interpretation of the statehood issue in Dakota Territory.
William M. Neil, "The American Territorial System Since the Civil War: A Summary Analysis," Indiana Magazine of History 60 (September 1964):237-38, hereinafter referred to as "The American Territorial System." Neil contends that although this seems to be a long period of time, especially for the territorial residents, the average period states had to wait for admittance into the union between 1787 and 1912 was approximately twenty years. However, the blatant political maneuverings apparent in the Dakota issue overshadow Neil's calculations.

Many of the speeches found in legislative records were re-written to sound better, providing inadequate and often misleading clues as to how a legislator felt about a particular issue. When voting time came, the roll-call best indicated the congressman's true intentions. See Richard E. Beringer, Historical Analysis; Contemporary Approaches to Clio's Craft (New York: John Wiley & Sons, 1978), pp. 287-88, hereinafter referred to as Historical.


The most important examination of territories in general is by Earl S. Pomeroy, The Territories and the United States: 1861-1890; Studies in Colonial Administration (Philadelphia: University of Pennsylvania Press, for the American Historical Association, 1947), hereinafter referred to as Territories. Equally important is Jack E. Eblen, The First and Second United States Empires; Governors and Territorial Government, 1784-1912 (Pittsburgh: University of Pittsburgh Press, 1968), hereinafter referred to as First and Second Empires. The Dakota Territorial Papers (microfilm), Department of Special Collections, University of North Dakota, Grand Forks, hereinafter cited as Dakota Territorial Papers, are useful for events occurring in the territory. The Congressional Globe and Congressional Record offer the debates in the United States House and Senate.

There are only three useful articles concerning the Omnibus Bill that admitted North and South Dakota to the Union: Carroll Gardner Green, "The Struggle of South Dakota to Become a State," South Dakota Historical Collections 12 (1924):503-540, hereinafter referred to as "The Struggle of South Dakota"; Frederic Logan Paxson, "Admission of the 'Omnibus States,' 1889-1890," Wisconsin State Historical Society Proceedings 59 (1911):77-96,
CHAPTER II
THE TERRITORIAL SYSTEM

In the past 200 years, the United States Government maintained over one half of the country as territories. Stretching from the Appalachians westward to the Pacific Ocean, this entire area was ruled under similar forms of territorial government at one time or another.¹

Generally, western territories were held in territorial status much longer than eastern territories.² Between 1858 and 1867, five territories were added to the Union as new states; however, from 1867 to 1889 only one state (Colorado in 1876) was admitted.³ One can only assume the older states jealously guarded precious statehood and were reluctant to bring in new states that would reduce their political strength. A few of the more populous states also rejected the idea of 'thinly settled' areas having equal representation in the Senate.⁴

The criteria for admitting new states into the Union went through a change from 1861 to 1889. Prior to the Civil War, territories were apparently admitted to the
Union in pairs in order to maintain the balance between free states and slave states. After the Civil War, the states were admitted or not admitted based on the desire of the parties in power in the House and the Senate to maintain their numerical advantage in Congress. Unless a political party controlled both the House and Senate, a territory ran the risk that statehood would be approved in one house yet ignored in the other. Consequently, a state either had to wait until its party gained an advantage in both houses of Congress or until another territory of the opposite political persuasion would be available for admittance at the same time. The latter action would thereby maintain the existing party balance in the Senate, therefore the status quo would be perpetuated.

Dakota Territory, along with the other western territories, was subject to the colonial status authorized by the Ordinance of 1787, often called the Northwest Ordinance, the principles of which were frequently extended beyond the original Northwest Territory.\(^5\) Using an old pre-revolutionary British model utilizing a fully centralized, non-democratic, colonial government, the Ordinance was further established by the Wisconsin Territorial Act of 1836.\(^6\) This preliminary stage of government was to be temporary, lasting only until the people were allowed and were able
to take over for themselves. It was to provide a learning experience for the inhabitants, gradually guiding the territory through several stages of colonial dependency.\(^7\)

The organized territory was placed in the care of the President, who would appoint all government officials. The Secretary of State (Secretary of Interior after 1873) approved and oversaw the appointees, and the Congress allocated funds needed to pay the expenses of the territorial legislative sessions.\(^8\) This arrangement, on the surface, appeared to meet all the requirements necessary to govern the territories properly; however, an unsystematic policy prevailed. The President, authorized to appoint the officials, was often too busy with the affairs of national government to investigate personally the qualifications of his nominees for the territorial positions. Therefore, he had to rely on individual congressmen, who exercised their influence by suggesting their choices for the assignments. An additional area of neglect was the day-to-day supervision of the correspondence and administrative details pertaining to the territories. Reports were handled and processed by mere clerks in the Department of State, never receiving the full attention of the proper administrators.
Congressional involvement did not usually go beyond confirmation of officials and appropriation of funds for the territory. Congressmen too found little time to oversee operations effectively; occasionally inaccurate and uninformed, they dictated to the territorial assembly which laws could and should be acted upon. The congressional committees on the territories were often the territories' only contact with the legislative process. As indicated by the name, the committees received reports from the territory and were responsible for passing on information to the House and Senate. However, these bodies frequently neglected their duties; often the territorial reports were all but ignored.

It was unfortunate there was no comprehensive territorial policy. Equally regrettable was the apparent lack of interest by those individuals, namely the weak Presidents, secretaries of the Interior, and congressmen, who were supposed to protect the interests of the powerless, disenfranchised citizens. 9

Under the terms of the Northwest Ordinance of 1787, three political stages were to be followed to insure proper internal development. The first, an extremely autocratic stage, called for the appointment, by the President, of a governor, three judges, and a secretary. Answerable to Congress and ultimately the President,
the governor became a very powerful figure. Intermediary between Washington and the territory, he controlled local politics. He also held veto power over the local legislature, headed Indian affairs, and commanded the local militia. The territorial chief executive appointed aides and civil officials, collected taxes, divided counties, called elections, organized townships, erected buildings, picked out the location of the capital, defined judicial districts, and was the principal administrator of all finance.

Under the supervision of the Department of Justice, three judges were assigned to insure justice in the unsettled land. In addition, a secretary and minor aides were sent to set up the bureaucracy. On the whole, the judges and the secretary were pale members of the management team in comparison to the governor.

As soon as the territory attained a total population of 5,000 people, stage two could be set in motion. Here the territorial residents could participate in government by electing a bicameral assembly. Settlers could now extend their influence beyond the local level. However, delegates' deliberations in the territorial assembly still were subject to the approval of the governor and Congress.
The second stage of development also established the office of the territorial delegate, who became the most prominent official. Living in Washington, the territorial delegate represented the territory in the United States House of Representatives as a non-voting member. He could debate in the House and attempt to influence legislation by personally approaching key members of Congress, who, in turn, would presumably vote favorably on vital territorial issues. Territorial constituents regarded him as head of his party because they felt he was in a position to influence federal patronage for Dakota; he was, for all practical purposes, accepted as their protector in Congress. Given the fact that national politics frequently interfered with his ability to affect this patronage, and the fact that Dakota and other territories were a long way from Washington, the "delegate was important to his constituency because they did not know how unimportant he was." People failed to realize that he was no more than a lobbyist, and that he had no legal authority either inside or outside the territory, although a strong personality with friends in the White House or the party that controlled Congress could doubtless influence events for the benefit of his constituents if he wished.

Stage three in the territorial plan allowed residents to write a constitution, organize a state
government, and ask Congress for admission to the Union. Sufficient population of at least 60,000 persons, developed resources for its support, and the above-mentioned constitution were necessary criteria for this final stage. Statehood was possible whenever Congress gave its approval. 16

The writers of the Northwest Ordinance believed that only through the guidance of experienced officials would American ideas of loyalty, Union and self-government be insured. They did not want any "new" countries springing up in the western part of the United States. Besides, individuals in the wilds supposedly lacked any training in government and state planning, or setting up an effective judicial system or taxation program. 17

Suprisingly, most territories, including Dakota, were governed quite well during their formative, educational years. Often the lack of direction from Washington forced individuals in the territory to band together collectively and formulate their own policy. This, in turn, gave rise to an independent citizenry that was reluctant to accept guidance from national political parties or territorial officials. This independence consequently spurred harsh criticism of the transplanted officials. Many leaders truly were unfair, dishonest, or opportunist, only using the territorial stint as a
stepping stone for more lucrative offices down the road. Democratic Senator Thomas A. Hendricks of Indiana is quoted as saying specifically about the territorial governor:

The Governor of a Territory, as is known to Senators, is appointed almost altogether from political considerations. The office itself is political in its character, and there can be no objection to the appointment of a man because of political considerations, as we now understand these matters. He goes to the Territory expecting that appointment as Governor of the Territory to be a stepping-stone either to the House of Representatives or to the Senate. He administers his office with a view to that. He is a candidate for Congress from the day he goes there, is a candidate for Senate from the day he goes there.

Washington politicians, eager to build strong political machines in the territories, often chose their officials with an eye for obedience rather than for getting the most qualified man. The result was the appointment of "office seekers and party hacks and not future Presidents and national heroes." Throughout the territorial period in Dakota, these identical problems propelled the citizens to try to enter the Union as a state. They were constantly trying to be heard in Washington, and to overcome their powerless political situation; yet the political party in control of the House, the Democrats, was unsupportive of their needs.

In defense of the officials, they often arrived from the east with little knowledge of the area or the
particular problems of the inhabitants. Often they were all but forgotten by the national government and they received little or no thanks in the territory. Federal salaries were very poor, forcing officials to scratch for a bare living or to travel east repeatedly to maintain previously established business interests. The statement by Republican Senator Samuel C. Pomeroy of Kansas about problems caused by poor salaries in the Territory of Wyoming applied equally to other territories:

I see that this bill provides that the chief justice and associate justices shall have a salary of $1,800 a year. I submit whether you can expect to have any justice administered by a man who will serve in this Territory for $1,800 a year. Certainly a salary of $1,800 is inadequate for a judge in the Territory. . . . I submit that if you select a man from the Territory capable of being chief justice, and give him only $1,800 a year, you offer him no inducement. That is no inducement for a man to go there to fill the position; and if you take a man there, it is no inducement for him to devote himself exclusively to that office. I desire to have proper men to administer justice, and I should prefer to have them taken from the Territory, if suitable persons can be had there; but $1,800 will not command their services, and ought not to do so. If you are to have justice administered at all, it should be administered by competent men, and a decent salary should be provided for them.

Nevertheless, the territorial experience was basically positive. Good and bad politicians both helped mold a wild, unsettled land into a prosperous, independent commonwealth. Considering the large area involved and the small pockets of population, this type
of administration fared very well given the fact that these factors would tax the most efficient government. When statehood became a reality, it was a mere formality as the machinery had been in place for many years.\textsuperscript{22}

Further discussion of the unpopular transplanted officials will follow in the section dealing with the final push for statehood.

In conclusion, the territorial situation that existed throughout the nation, including the Territory of Dakota, was difficult to live under yet also beneficial. Territorial status was undesirable to those who lived under its control. In Dakota, the settlers were constantly trying to break away from the powerless ward status applied by Congress. Unfortunately, they were unsuccessful for many years due to an unsympathetic Democratic Party in Washington.
Earl S. Pomeroy, "The Territory as a Frontier Institution," The Historian 7 (Autumn 1944): 40, hereinafter referred to as "Frontier Institutions."

Pomeroy, Territories, p. 2. There was no clear process or time limit before a territory could be granted statehood. New Mexico, although settled before Massachusetts Bay, was a candidate for statehood for 62 years; on the other hand, Nevada gained statehood after three years of territorial status. Pomeroy, "Frontier Institution," p. 30.

Lamar, Dakota Territory, p. 19. The five territories were Oregon, Kansas, Minnesota, Nevada, and Nebraska. Eblen, First and Second Empires, p. 6; Pomeroy, Territories, p. 2.


An Act to Provide for the Government of the Territory Northwest of the River Ohio, Statutes at Large 1, 50-53 (1789).


Pomeroy, Territories, pp. 4-28, 34-35, 41-42, 49-50; according to Eugene Curie Schneider, "Taxation in Dakota Territory," South Dakota Historical Collections 13 (1926): 405, a subsidy was provided by the national government and was intended to cover all major expenses of the legislature during the years 1861 to 1865. However, Dakotans misunderstood the arrangement and did not levy any taxes to cover the other expenses because they felt it was not their responsibility to pay for appointed, non-elected officials that were sent to the territory. Another example of Dakota's unwillingness to cooperate with Washington officials is reflected in a letter to the territory from James Harlan, Department of Interior, to
Newton Edmonds, July 26, 1865, Dakota Territorial Papers, Roll 18. It was common practice that the territory pay all transportation costs for public documents. Dakota felt it was an expense to be incurred by the national government. Harlan's letter firmly stated that if Dakota did not pay costs, it would not receive any more documents. Needless to say, Dakota begrudgingly paid for the papers.

Pomeroy, Territories, pp. 4-7; Lamar, Dakota Territory, p. 18. The seemingly endless list of "official" persons who were in some part responsible for the territory included the President, Secretary of State, Secretary of Interior, Secretary of War, Attorney General, Commissioner of Indian Affairs, Commissioner of the General Land Office, Congress, House Committee on the Territories, Senate Committee on the Territories, and Treasury Department.

An Act to Provide for the Government of the Territory Northwest of the River Ohio, 50-53; Eblen, First and Second Empires, pp. 31-32, 49-51, 273-74; Lamar, Dakota Territory, pp. 2-3. Almost without exception, appointed public servants were loyal members of the party currently controlling the White House.


An Act to Provide for the Government of the Territory Northwest of the River Ohio, 50-53; An Act Further to Regulate the Territories of the United States, and Their Electing Delegates to Congress, Statutes at Large 3, 363 (1817); Lamar, Dakota Territory, p. 2; Pomeroy, Territories, p. 5. Pomeroy also points out that the judges were personally responsible for all traveling costs, p. 14.


Lamar, Dakota Territory, pp. 74-75; Pomeroy, Territories, pp. 80, 83-84, 87.
15 Pomeroy, Territories, p. 88.


17 Lamar, Dakota Territory, p. 1; Pomeroy, "Frontier Institutions," p. 41. Contrary to this claim that territorial settlers were politically ignorant, many residents were actually easterners who moved west. It is natural they resented the lack of democratic privileges, considering they had previously enjoyed them in the east. Pomeroy, Territories, p. 106.


20 Lamar, Dakota Territory, p. 14.

21 Cong. Globe, 40th Cong., 2nd sess., 3:2799. Moses K. Armstrong, The Early Empire Builders of the Great West (St. Paul, Minnesota: E. W. Porter, 1901), pp. 79-82, hereinafter referred to as Early Empire Builders. Armstrong was highly critical of absent officials, declaring that "Today there is not one of our officials in the territory--men who are drawing the government's life-blood the pretty sum of twelve thousand dollars a year." He also contended that some officials did not spend any money in the territories. Their transient character came out when they did not even buy a house or property. Armstrong smugly guessed that they would probably vacate the territory and run back east at the first sign of an Indian uprising. See also Pomeroy, "Carpet-baggers," p. 61, and Neil, "The American Territorial System," p. 237-40.

experience of western expansion was placid and democratic in the United States compared to other nations. He attributed the success partly to the flexible territorial system utilized in the western states.
CHAPTER III
YEARS OF DIVISION AND NEGLECT

In order to understand the events in the final intensive years leading to statehood for Dakota Territory, it is necessary to study the history of the entire area.

The area known today as North and South Dakota has gone through numerous changes in inhabitants, boundaries, and even names. Before white men invaded the wide prairie, Indian tribes were the sole dwellers in the area. Mandan, Arikara, and Hidatsa chose a settled agricultural-based economy while the more volatile Dakota or Sioux, Crees, and Assiniboin lived nomadically, gathering in the wild and hunting.¹

European pretensions to ownership of the land started when Robert Cavelier Sieur de La Salle claimed it for France in 1682. Thereafter it passed to Spain in 1763 then back to France in 1801. The United States finally bought the section commonly known as the Louisiana Purchase for $15 million dollars from Napoleon in 1803.² The northeastern section, which is drained by the Red River of the North, was taken by Henry Hudson
for the British in 1610 and they turned it into a very profitable trapping area. The United States gained possession at the 49th parallel in 1818 under the conditions of a treaty with the British.\(^3\)

The southern half of the Louisiana Purchase became the territory of Orleans in 1803, leaving the north called the District of Louisiana. The entire area that eventually became Dakota Territory was included in every other territory in the northwest from the years 1803 to 1861. The boundaries changed as new territories were formed or existing territories subdivided preparatory to statehood. In 1812, the area west of the Missouri River lay with the territory of Missouri, later called Nebraska. The area east of the Missouri and White Earth Rivers was included with Michigan Territory in 1834. Dakota went to Wisconsin Territory in 1836, Iowa Territory in 1838 and Minnesota Territory in 1849. In 1858, Minnesota became a new state and the area between its western boundary and the Missouri River did not belong to any state or organized territory until Dakota became a territory in 1861. At this point Dakota embraced 350,000 square miles, and included the present-day states of North Dakota, South Dakota, a large part of Montana, the northern one-half of Wyoming, a small part of east-central Idaho, and a small part of northern Nebraska. Between 1863 and 1882, the Territories of
Idaho (1863), Montana (1864 and 1873), Wyoming (1868) and Nebraska (1882) were established, taking western and southern sections of Dakota. In the final boundary decision, Dakota was left with 149,000 square miles.  

The first contact Indians had with the white people came with the fur traders. Trapping proved to be an excellent source of income, with an almost limitless supply of animals. After the Lewis and Clark Expedition early in the 1800's, more traders filtered into the area. Large fur companies set up permanent trading posts on the major rivers. Initially, the posts drew backwoods-men and Indians to trade the furs for staple goods and supplies, but as the fur companies discovered the potential growth of the area, they soon promoted settlement for businessmen, farmers, and investors. The small trading posts turned out to be the hubs of political activity during the early territorial years.  

Starting as an obscure, unsettled section of the United States, Dakota, even before territorial status, had already experienced numerous changes. As settlements pushed into the area, economic, political, and developmental problems had to be solved. It follows that large investors from outside the territory ultimately gave the region the impetus needed to attract permanent pioneers.  

Residents of neighboring states took a keen interest in the unidentified area within the Big Sioux, Red, and
Missouri Rivers. Capitalists from Minnesota, Iowa, Missouri, and Illinois eyed the unsettled land with great anticipation, seeing latent opportunities. The land speculators and railroad expansionists developed effective organizations to promote the land in such a manner that potential agricultural settlers would want to migrate into the area. Besides directly inviting farmers and businessmen, the large companies also realized that an additional source of profit could be reaped if careful control was maintained over the expected territorial government. The ultimate center of government, i.e. the territorial capital, must be controlled if federal funds and influence on the novice government were to be worthwhile. The large territory was settled sporadically. This led to different areas of influence, fragmentation, and disunity occurring from the first notion of settlement. This theme of disunity manifested itself repeatedly throughout the territorial days.

Three distinct settlements competed for the chance to be the force responsible for influencing Congress to grant territorial status to the uncharted prairie. Pembina, the first townsite and also the oldest, was comprised of Metis (part Indian and part French) and fur traders. Its close proximity to Canada and its importance as a trading center meant Pembina served as a vital link between Winnipeg and St. Paul. Always an
independent group, the people of Pembina were eager for territorial status and wanted a share of the potential profits generated from additional settlers. A territorial capital would assure the additional growth. They believed there was also a chance two territories might be formed out of the large area and their settlement was an excellent choice for the capital of the northern half.6

The second area, Yankton, was dominated by two individuals, General Daniel M. Frost of St. Louis and Captain John B. S. Todd of Illinois and Kentucky. They were the founders of the Frost-Todd Trading Company and the Upper Missouri Land Company, both of which engaged in establishing trading and supply centers, building boom towns, and acquiring parcels of land. The desire to make considerable profits was the basic reason Todd and Frost firmly supported the coming of the territory. They wanted to reap the benefits of a booming economy and control the political arena. They prompted their fellow neighbors to petition congress for territorial status in 1859 and 1860, but their pleas were unsuccessful.7

Settlement number three, gathering around the town of Sioux Falls, was not to be undone by the Frost-Todd faction. Settlers here were fully supported by the state of Minnesota, which assisted them in attempting to set up a territorial government. Delegates were sent to
Congress along with the proper petitions; however, Congress politely ignored them. Placement of the territorial capital in Sioux Falls would be of great financial benefit to the area. As it turned out, petitions from the frontier were not taken seriously; the presidential election of 1860 was in the offing, and the prospects of rebellion preoccupied Congress. It was apparent that all legislation was secondary to the question of slavery. The North, of course, mostly adverse to slavery, was most interested in organizing new, free territories which would, in turn, fortify the Union. The South, on the other hand, was not enthralled with the idea of additional, pro-northern, loyalist territories. Therefore, it presented solid opposition on the territorial question.

In 1860 a final appeal for territorial status was brought before the United States House and Senate. At this point, most southern states had withdrawn from Congress; they had anticipated the split in the Union which ultimately led to the Civil War. This same group had expressed the most objections to establishing additional territories. It is no surprise, therefore, that the territorial bill easily passed both houses, receiving Senate approval on February 26 and House approval on March 1, 1861. On March 2, 1861, President Buchanan established the Territory of Dakota.
under the guidelines of the Organic Act set forth by Congress. 11

In 1861, the newly formed Dakota Territory was an enormous area, largely unsettled, and teeming with hostile Indians who were vigorously defending their shrinking land. Initial growth was significantly hindered by national events. Not only was the United States slowly recovering from the depression brought on by the financial panic of 1857, but also, as the economy recovered, the nation became engaged in the Civil War; this was followed by the painful process of recovery, after which the country was hit again by economic depression. 12 Until these national problems could be solved, Dakota Territory remained a remote area that drew little attention. Development was postponed almost a decade. 13

Disunity and disharmony plagued Dakota throughout the early years. Even the few brave and willing settlers who did venture into Dakota Territory encountered numerous problems during the 1860's. A good transportation system, essential to any state or territory, was critical to Dakota Territory because of its sheer size and inaccessibility. Not only did individuals have difficulty reaching the territory, but when they arrived, the railroads ended and roads became mere paths. Travel on steamboats was also limited because the territory
lacked adequate loading facilities and suffered from periodic low water.\footnote{14}

Climatic extremes also played a role in deterring pioneers. Settlers in Dakota suffered from extremely cold temperatures and blizzards during the long winters, while the hot summers often produced drought and prairie fires. Crop failures during the 1860's were commonplace due to scant rainfall and grasshopper plagues. Shortages of food and clothing taxed the people, and a lack of timber threatened their supply of fuel and building materials. These physical hardships were difficult enough, but an added torment was the constant threat of hostile Indians. Settlers often lived in isolated pockets with only a limited number of soldiers in a few equally isolated garrisons to suppress any attacks.\footnote{15}

Hardy souls who braved the hardships often grew tired of fighting the elements and left Dakota for more congenial places to live. One temporary settler in the area, Army surgeon Dr. Noah M. Glatfelter, described the prairie to his wife who remained "safe" back east:

Treeless, and all along here, grassless prairies, produces to the traveller an aspect the dreariest, bleakest and most forsaken imaginable and the mind wonders in vain, whether truly this region was likewise created for some useful purpose. Travelling here, it makes your mouth water to see a tree, does your heart good to obtain sight of a place of abode, be it ever so rude, and you are readily
disposed to hail and make friends with all living things, whether man, beast, or bird. 16

Other potential settlers heard the rumors of the "Great American Desert" and chose other places to make their homes. The famous western painter, George Catlin, wrote that the Dakotas were a part of that region known as the Great Plains, "which is and ever must be useless to civilized men to cultivate." 17 Established states, such as Minnesota and Iowa, competed with Dakota for European and eastern United States immigrants relocating in the west. There was no need to venture into Dakota when good, fertile, agricultural land was available in more "civilized" states en route. 18

To sum up the situation, the Civil War, unfavorable but accurate propaganda, Indian uprisings, crop failures, blizzards, droughts, and an inadequate transportation system seriously retarded growth in Dakota Territory during the 1860's. It seemed that the delays occurring in the territory were endless. Not only were settlers unprepared for the climatic and economic problems, they were powerless to do much about the situation. Time and time again, the Dakotans were subject to problems beyond their control.

As it turns out, Dakotans were forced to wait for change in events inside and outside the territory. The gloomy facts were finally turned around by the late
1860's with the advent of a great population and economic boom. Five factors changed the discouraging situation of the earlier period: 1) an end to the Civil War, 2) peaceful contact with the Indians, 3) agricultural success, 4) improved transportation lines, and 5) the discovery of gold in the Black Hills of southern Dakota.

Dakota desperately needed money, goods, and confidence to build a strong economic base. The end of the Civil War triggered rapid economic growth in the northern half of the United States that generated investment capital for speculation in railroads and manufacturing plants in the north, and land companies and more railroads in the territories.

Railroads and capital pouring into the territory would be of little use if peaceful relations between the settlers and the Indians had not been established. At first, bloodless association with the Indians seemed elusive, for pioneers pushed farther west despite the fact the Indians had clear title to the land. Gradually, small trading posts grew into major centers of population, usually on the fringe or within the boundaries of the Indian lands. It is no surprise that hostile confrontations between eager settlers and indignant natives were frequent and bloody, as the settlers moved onto Indian land and then called upon the United States military to protect their homesteads from the angry
Indians. The Indians, in turn, were pushed westward and rightly fought to retain their lands; however, they were no match for gold miners and land-hungry homesteaders. The subsequent wars and numerous treaties limited the Indians' mobility and weakened their resistance. In the end, the independent natives were appointed wards of the United States Government and were forced to live on restrictive reservations with promises that the government would help them start farming. Now the settlers could feel safe on "their land" on the prairie. As territorial resident Moses Armstrong precisely stated, "here begins the date of permanent settlement in Dakota, when the retreating Red face look back upon the advancing sentinels of civilization who had come to subdue the wilds and adorn the rivers with thriving villages."

Peaceful relations were imposed, rather than earned, but they were achieved nonetheless.19

Successful agricultural development likewise spurred population growth. Obviously, the majority of the people finding their way to Dakota wanted land for agricultural purposes. After the discouragement of eight years of poor crops and drought, increased moisture and subsidence of grasshopper plagues encouraged many farmers to migrate to Dakota who had previously rejected the notion.20

Boastful settlers sent letters back east and abroad telling relatives and friends of the wonderful
opportunities in Dakota. Relatively little enticement was necessary, however, for eastern lands were becoming increasingly expensive, in short supply, and subject to high taxes. Dakota, on the other hand, offered flat, treeless land with relatively low taxes at a favorable rate of interest. Under the Pre-emption Act of 1841, land was cheap, and became free under liberal provisions of the Homestead Act of 1862, or available at low prices from the railroads. Additional acres could be claimed under the Timber Culture Act of 1873. Eager settlers took advantage of these various means of acquiring land and the number of acres settled increased dramatically. Farmers practiced diversification of both livestock and cereal grains. New strains of resilient grains were tested as were innovative milling practices. This led to the development of hard spring wheat, Dakota's greatest agricultural product.

Improved transportaion also played a vital role in the development of Dakota Territory. The paths followed by settlers were first trod by Indians, and were gradually widened to accommodate wagons and stage and freight lines. Utilizing the major river systems, the Missouri and Red, steamboats provided an alternate mode of transporation. Often a combination system of Red River carts, stage coaches, and steamboats were employed.
The decisive factor in the transport problem rested with the railroads. They brought Dakota its greatest commodity, people. Thousands of migrants from the eastern United States and Europe traveled across the prairie, and all were eager for land. Cars loaded with families and belongings dropped pioneers in the territory and took surplus agricultural products back to needy eastern markets.  

A strip of settlement lined the tracks of railroads. Towns logically grew in locations where transportation was established, elevators were built to store grain before it was shipped east, and new businesses peddled articles of necessity that came in with regularity. 

The railroads linked Indian agencies, military posts, mining camps, and railroad construction camps with major population areas that, in turn, provided profitable markets for the territorial farmers. The increase in rail miles directly affected the economic situation in Dakota. The rails closed the gap between the frontier and the east. The St. Paul and Pacific stretched from St. Cloud, Minnesota, to Breckenridge, Minnesota, in 1871; Dakota's first railroad, the Northern Pacific, reached Fargo in 1871 and Bismarck in 1873. James J. Hill built his Great Northern Railway across the northern half of Dakota, starting from Grand Forks in 1880. There was direct competition between this railroad
and the Northern Pacific. A branch of the Chicago and Northwestern, the Sioux City and Pacific Railroad, joined the Dakota Southern in 1873, linking the east with Yankton.²⁹

The railroads were the territory's greatest propaganda machines. They placed numerous advertisements in eastern newspapers and magazines promoting the virtues of beautiful Dakota. Europeans also received representatives and ample literature to entice them to choose Dakota as their new home.³⁰ The railroads furnished the pioneers a link with the east, supplied stability in wilderness, and maintained continuity under often difficult living conditions.

Transportation and settlement were both stimulated by the discovery of gold in 1874 on the banks of French Creek near the town of Custer in the Black Hills. Thousands of people migrated to the gold fields, including not only miners, but speculators and businessmen as well. New railroads were used to transport gold and other products out of the Hills and take staple goods back in. Gold not only brought wealth to the Territory but attracted many settlers who never made it to the gold mines. Many stopped along the way to take up farming or other business interests; others came to mine the miners, including some farmers, who realized that the Black Hills would serve as a new market for them to sell their
crops. Lawyers and merchants also found a ready market for their services and goods.\textsuperscript{31}

Despite these elements promoting growth, however, government did not develop as quickly as it should have. During the early years of slow growth, and in the later period as well, national politics directly affected the economic and political situation in the territory, but without much reference to the actual needs of the local inhabitants. The party in power in Washington, or more clearly, the President and Congress, were responsible for the political appointments and oversaw territorial operations.\textsuperscript{32} Thus, territorial politics were shaped by the needs of eastern politicians. The party sent these loyal servants and naturally expected the territory would be administered properly, according to party policy.\textsuperscript{33}

President Abraham Lincoln appointed his trusted friend, William Jayne of Illinois, as the first governor of Dakota Territory in 1861. Jayne approached the territory with his retinue of henchmen, all setting up residence in Yankton.\textsuperscript{34} The first problem for the new governor was the selection of the capital city. Three rival towns - Yankton, Vermillion, and Bon Homme - competed for the seat of government. Such heated debates took place in the assembly that the Dakota Cavalry was called into Yankton to insure peace. Yankton triumphantly won the seat of the territorial capital in
1862 and, as a trade off, Vermillion was promised the university of the Territory, and Bon Homme, the penitentiary.35

Jayne's other tasks included organization of government, the framework taken from the Organic Act and lasting the next eighteen years. He took the census, enacted civil and criminal codes, established a revenue, organized the local militia, defined the limits of the assembly, drew county boundaries, established judicial districts and set up school sections in the townships. Bureaucratic employees included specifically the secretary, chief justice, associate justices, federal district attorney, U.S. Marshal, commissioner of railroads, and surveyor general. Postmasters and Indian agents were also engaged.36

Although the governor exercised tremendous authority, local residents did have a small voice in territorial politics. Control of county and township affairs was maintained by the elections held on the precinct, county, district, and township levels for the registers of deeds, county commissioners, sheriffs, judges of probate, county attorney, surveyors, coroners, superintendents of schools, justices of the peace, and constables. More importantly, the representatives sent to the territorial assembly and the congressional delegate who served in Washington were elected by Dakota
settlers who, in turn, expected their demands be remembered and, if possible, fulfilled. 37

The first elections in the territory brought forth a group of men who were, more than likely, unfamiliar with politics. The first territorial assemblies proved to be unruly, and included many inexperienced young men with little or no knowledge of proper legislative proceedings. These unseasoned assemblages spent considerable time deliberating minor topics that delayed discussion of more pertinent topics. 38 On occasion, some prominent issues, such as the removal of the capital and territorial division, were discussed with heated emotions. The assembly proposed tax revenues, locations of territorial institutions, development of the economy, and inducements for potential settlers. Deliberations also included discussions of Indian policy, women's suffrage, creation and organization of counties and county seats, prohibition, land fraud, and railroad issues, such as taxation and land ownership. 39

However, the assembly lacked autonomy, as its actions were always subject to the governor's consent. He could and did occasionally overrule or intervene at his discretion, regardless of the issue. His veto power stifled the assembly and further aggravated the dislike of "foreign" rule. 40
The early political parties, plagued by factional feuds and obscure ideologies, were often led by charismatic individuals who appealed to the common man. They tended to make big promises. Strict party adherence was yet to come; bribery and vote buying were all too frequent an occurrence. The settlers nonetheless were extremely active participants in the entire political arena, becoming zealously involved in local politics. National elections were followed with dedication as Dakotans, although unable to vote, were fully aware that the national scene directly affected events back home in the territory.\textsuperscript{41}

Dakota Territory survived the lean years of the 1860's, endured the undefined economic and political experimentation of the 1870's, and anticipated the long struggle for statehood in the 1880's. The settlements, few and far between, worked against unity in the territory. Sectional rivalry, coupled with an unsympathetic Congress in Washington, meant years of frustration. Statehood was foremost in the mind of the people in the territory for over eighteen years. The following chapters discuss the major problems and individuals involved in the statehood movement.


4Dakota, An Act to Provide Temporary Government for the Territory of Dakota, and to Create the Office of Surveyor-General Therein, Laws of Dakota, (1862):21; An Act to Provide a Temporary Government for the Territory of Dakota, and to Create the Office of Surveyor General Therein, Statutes at Large 12, 239-44 (1861); An Act to Provide a Temporary Government for the Territory of Montana, Statutes at Large 13, 85-92 (1864); An Act to Provide a Temporary Government for the Territory of Wyoming, Statutes at Large 15, 78-83 (1868); Armstrong, Early Empire Builders, p. 31. Idaho became a territory in 1863, taking part of the present day states of Idaho, Montana and Wyoming. Montana Territory gained another portion from the western part of Dakota Territory in 1873; and Nebraska, in 1882, claimed a small piece of land in the south. General Laws, and Memorials and Resolutions of the Territory of Dakota, Passed at the First Session of the Legislative Assembly (Yankton, Dakota Territory: Josiah C. Trask, 1862), pp. iii-vii. See also Crawford, History of North Dakota, 1:319; History of the Red River Valley, p. 453; Armstrong, Early Empire Builders, pp. 28-31.
In 1858 the Ponca and Yankton treaties ceded to the United States 16,000,000 acres for a mere $2,000,000. The Indians then moved to reservations near Ft. Randall. Treaty Between the United States of America, and the Yankton Tribe of Sioux, or Dacotah Indians. Concluded at Washington, April 19, 1858. Ratified by the Senate, February 16, 1859. Proclaimed by the President of the United States, February 26, 1859. Statutes at Large 11, 743-9 (1858). Armstrong, Early Empire Builders, pp. 13-28; Schell, History of South Dakota, pp. 49-64; Robinson, History of North Dakota, pp. 67-75; Briggs, Frontiers of the Northwest, pp. 146-156. The white men also produced the métis or half-breed, a group of very tough characters. Most of their fathers were French, Canadian, Scottish, or English and their mothers were Chippeawa, Cree, or Assiniboin.

Lamar, Dakota Territory, pp. 50-54. According to Loundsberry, North Dakota History, 1:40-52, Pembina was first settled in 1819. Briggs, Frontiers of the Northwest, p. 363, states the Hudson Bay Company made arrangements with the U. S. Government to use a route from the Great Lakes through Minnesota and Pembina upward to Canada. This greatly enhanced Pembina's position as a trade center and a potential territorial capital.


Captain John Blair Smith Todd was a graduate of West Point, and was originally from Kentucky. Resigning from the Army in 1856, he formed the trading company with General Frost. A cousin of Mary Tood Lincoln, Todd was one of the founding fathers of Yankton. General Daniel Marsh Frost was also a West Point graduate. Originally from New York, he excelled in business at St. Louis, Missouri, before entering the partnership with Todd. Both men were instrumental in aiding Dakota in becoming a territory. Surrounding states that backed the efforts of Todd and Frost were Iowa, Missouri, and Illinois.

The Dakota Land Company exercised the most influence in the town, dealing in land speculation. Lamar, Dakota Territory, p. 41-50; "The Settlement at


Compendium of History and Biography of North Dakota: Containing a History of North Dakota: Embracing an Account of Early Explorations, Early Settlement, Indian Occupancy, Indian History and Traditions, Territorial and State Organization; a Review of the Political History; and a Concise History of the Growth and Development of the State: Also a Compendium of Biography of North Dakota: Containing Biographical Sketches of Hundreds of Prominent Old Settlers and Representative Citizens of the State, With a Review of Their Life Work; Their Identity With the Growth and Development of the State; Reminiscences of Personal History and Pioneer Life and Other Interesting and Valuable Matter Which Should be Preserved in History (Chicago: George A. Ogle and Company, 1900), pp. 84-86; hereinafter referred to as Compendium; Armstrong, Early Empire Builders, pp. 166-69; Loundsberry, North Dakota History, 1:259-62.

U.S., Congress, Senate, Congressional Globe, 36th Cong., 2nd sess., 1861, 1:897, 923, 1207-1208, 1337; Cong. Globe, 2:1356, 1362. The President had approved and signed, "An act (S. No. 562) to provide a temporary government for the Territory of Dakota, and to create the officer of Surveyor General therein." Laws of Dakota, pp. 21-28; and An Act to Provide a Temporary Government for the Territory of Dakota, and to Create the Office of Surveyor General Therein, 239.

Commencing at a point in the main channel of the Red River of the North, where the forty-ninth degree of north latitude crosses the same; thence up the main channel of the same, and along the boundary of the State of Minnesota, to Big Stone lake; thence along the boundary line of the said State of Minnesota to
the Iowa line; thence along the boundary line of the State of Iowa to the point of intersection between the Big Sioux and Missouri rivers; thence up the Missouri river and along the boundary line of the Territory of Nebraska, to the mouth of the Niobrara or Running Water river; thence following up the same, in the middle of the main channel thereof, to the mouth of the Keha Paha or Turtle Hill river; thence up said river to the forty-third parallel of north latitude; thence due west to the present boundary of the Territory of Washington; thence along the boundary line of Washington Territory, to the forty-ninth degree of north latitude; thence east along said forty-ninth degree of north latitude, to the place of beginning, be, and the same is hereby, organized into a temporary government, by the name of the Territory of Dakota.

According to Armstrong, Centennial Address, p. 8, "The territory did not hear the news [of the new territorial status] - [it was so] far removed from rails and telegraphs. News did not reach Yankton until 11 days after passage of the law."

12 Especially hard hit were the land companies and railroads, both essential to the development of Dakota Territory. Crawford, History of North Dakota, 1:259.

13 History of the Red River Valley, pp. 79-80.

14 Paxson, "Omnibus States," pp. 77-78.

15 Briggs, Frontier of the Northwest, pp. 366-70, 534-39. After the Sioux Uprising of 1862, it was reported that from one-half to three-fourths of the farmers in Dakota had left the territory.


17 References to Catlin can be found in Kingsbury, History, 1:338; and Briggs, Frontiers of the Northwest, pp. 368-69. Briggs also contains a small quotation from Lieutenant G. K. Warren, who wrote about Dakota in his journal, Exploration in the Dakota Country in the Year 1855. Warren asserted flatly that "the land west of the ninety-seventh meridian was not fit for
agricultural settlement." With this sort of propaganda, it is no surprise Dakota's population grew very slowly. See also Walter Prescott Webb, The Great Plains (New York: Ginn and Co., 1931), pp. 152-60.

18 Briggs, Frontiers of the Northwest, pp. 366-69; Loundsberry, North Dakota History, 1:253-55; Kingsbury, History, 1:338; Armstrong, Early Empire Builders, p. 54; Paxson, "Omnibus States," pp. 77-78.

19 The first parcel of land the government acquired to open to white settlers in Dakota was negotiated under the treaty of Traverse-de-Sioux, Minnesota. A small strip of land, it included the river valley of the Big Sioux River, covering the present towns of Sioux Falls, Flandreau and McClary, according to Armstrong, Centennial Exhibition, pp. 5-7. For important treaties, see the Yankton Treaty of 1858 and the Ft. Laramie Treaty of 1868. Both can be found in Charles J. Kappler, Indian Affairs Laws and Treaties, 2 vols. (Washington: Government Printing Office, 1903), 2:776-81, 998-1007; Armstrong, Centennial Exhibition, pp. 6-7.


22 Briggs, Frontiers of the Northwest, p. 384; The Timber Culture Act became law March 3, 1873, to encourage the growth of timber on western prairies. Provided a person would plant, protect, and keep healthy 40 acres of timber for 10 years, he received title to the quartersection of which the 40 acres were a part. It
provided for a maximum of 160 acres. An Act to Encourage the Growth of Timber on Western Prairies, Statutes at Large 17, 605-606 (1873). An Act to Encourage the Growth of Timber on the Western Prairies, Statutes at Large 20, 113-15 (1878).

From 1862 to 1866, 100,000 acres were settled upon; 1866 to 1870, 500,000 acres; 1883, 7,500,000; 1889, 42,000,000 or one-half of Dakota was filed upon (cumulative total). P. F. McClure, Resources of Dakota. An Official Publication Compiled by the Commissioner of Immigration, Under Authority Granted by the Territorial Legislature (Sioux Falls, Dakota: n.p., 1887), p. 245; Briggs, Frontiers of the Northwest, p. 424.


Briggs, Frontiers of the Northwest, p. 376; Schell, History of South Dakota, pp. 65-79.


Briggs, Frontiers of the Northwest, pp. 410-27; Robinson, History of North Dakota, pp. 144-45; Dakota had its own immigration organization, the Bureau of Immigration. This body promoted Dakota settlement in the east and in Europe. Dakota, Territorial Legislature,

31 Schneider, "Taxation in Dakota Territory," pp. 399-400; Briggs, Frontiers of the Northwest, pp. 25-41, 387-90. There is a postscript to the gold mine situation of Dakota Territory. In March 1863, the Territory of Idaho was established, carving a small portion of land from western Dakota Territory. In May 1864, the Territory of Montana was formed, taking more western land. In those two years, Dakota lost its two richest mining areas and its most populous sections of the territory. Armstrong, Centennial Exhibition, p. 11.

32 Lamar, Dakota Territory, p. 14.

33 Ibid., p. 69.

34 North Dakota Blue Book (n.p.: Secretary of State, 1981), pp. 160-67. Other officials included John Hutchinson, Minnesota, Secretary; Philemon Bliss, Ohio, Chief Justice; S. P. Williston, Pennsylvania and J. S. Williams, Tennessee, Associate Justices. This source lists all Territorial Delegates, Governors, Secretaries, Chief Justices, Associate Justices, United States Attorneys, United States Marshals, Surveyor Generals, Attorney-Generals, Auditors, Treasurers, Superintendents of Public Instruction, and Commissioners of Railroads for the entire territorial period. In addition, it is an excellent reference guide for the members of the Territorial Legislature.

Lincoln was so busy with the government and Civil War that he did not always appoint officials on the basis of merit alone (nor did other Presidents). However, considering the political patronage practices of this period of American History, it was not within Lincoln's power to do anything contrary to established practice. Lamar, Dakota Territory, p. 67.


36 Schell, "Politics--Palaver and Polls," in Dakota Panorama, p. 188; History of the Red River Valley, pp. 47-65; Lamar, Dakota Territory, pp. 68-73. For a complete list and description of the initial public servants, see Armstrong, Early Empire Builders, pp. 32-34. Also see the 2nd Annual Message of Governor William Jayne, Delivered to the Legislative Assembly of Dakota Territory, in Joint convention, on Thursday, December 19,
In the first decade, Dakota established a code of laws for the territory. It turned out to be a very notable set of laws and it was used as a guideline for the Territory of Wyoming when it was formed in 1868. Republican Senator Jacob M. Howard, of Michigan stated, in the Cong. Globe, 40th Cong., 2nd sess., 3:2799:

The Territory of Dakota has a very respectable code of laws at present, and I believe they are very acceptably administered. Probably nine tenths of the new Territory is carved out of the Territory of Dakota, and the people have been accustomed to and well acquainted with the laws of the Territory of Dakota, while the remainder of the new Territory is within the present Territory of Utah, which is governed by a distinct and separate code of laws, many of which are very peculiar in their nature and very objectionable. I would therefore adapt the territorial code of Dakota to the government of the new Territory of Wyoming, so that there shall be really but one code of laws in the Territory.

According to the Organic Act, any free white male, over the age of 21 years, who either declared allegiance to the U.S. Constitution or was a citizen of the country could vote, provided he was a resident of the territory. An Act to Provide a Temporary Government for the Territory of Dakota, and to Create the Office of Surveyor General Therein, 239-44; Lamar, Dakota Territory, pp. 67, 69; Schell, "Politics—Palaver and Polls," in Dakota Panorama, pp. 93, 98, 102, 208; Loundsberry, North Dakota History, pp. 262-68; Kingsbury, History 1:230-31, 670; Kingsbury, History 2:1022, 1566.

Armstrong states that many assemblyman were educated in eastern colleges, including doctors, lawyers, and ministers, but frontiersmen were represented too, with buckskin suits and long hair. Armstrong, Early Empire Builders, p. 52. As Armstrong relates,

In one of these early legislatures my seat was near a frontier member and desperado, by the name of Jim Somers, who some years afterwards was shot dead for jumping a claim near Chamberlain. I remember vividly the only
speech Jim made in the Legislature. It was short, but full of fire and threats of vengeance against all who should dare to vote against his bill legalizing marriages between white men and squaws. Jim and his cannon were both loaded that morning, when he arose with blood in his eye, and swore he would blow out all the brains of the assembled lawmakers if they killed his bill. He declared that what Dakota needed was less brains and more children, and he struck his fist on the desk and moved that the Legislature adjourn and take Indian wives and go out populating country.

Violence was very common during the early days. Frontier wars and land fights among settlers and between settlers and territorial officials were common. In 1873, General E. S. McCook, Secretary of the Territory, was shot and killed in a public railroad meeting in Yankton by P. P. Wintemute, a banker. Armstrong, Centennial Exhibition, p. 16.


40 Schell, "Politics-Palaver and Polls," in Dakota Panorama, pp. 93-97; Briggs, Frontiers of the Northwest, p. 82; Kingsbury, History, 1:509-60; An Act to Provide a Temporary Government for the Territory of Dakota, and to Create the Office of Surveyor General Therein, 239-44; Loundsbury, North Dakota History, 1:262-68; Compendium, pp. 89-92.

CHAPTER IV
THE STATEHOOD MOVEMENT IN EARNEST

After the turbulent early years, 1861-1870, Dakota settled down to developing its vast land. Under the territorial status established by Congress, Dakota was able to build a solid economy and stable government carefully. Pacification of the Indians assured setters unhindered access to the land, population boomed with the arrival of European immigrants, political party organization evolved, and a decrease in federal expenditures resulted in a less colonial relationship with Washington. Now that the territory was in order, Dakotans could afford to direct their attention toward petitioning Congress to admit them to the Union as an equal state.\(^1\)

It was natural that Dakotans became interested in bringing the territory into the Union. Citizens started to ask for statehood as early as 1871, when a memorial was initiated and adopted by the Territorial Assembly and relayed to Congress, asking for territorial division on an east-west line at the 46th parallel of north latitude (roughly along the current line dividing North and South
Dakota). But no action was taken. Similar resolutions were adopted in Dakota territory in 1872, 1874 and 1877; all met with the same dismal disregard. These requests were repeated frequently until statehood in 1889. Congress received petitions, memorials, and individual pleas from the territory regularly.

It was apparent from the early days of the territory that a unique situation developed in Dakota. The citizens did not wish to remain a single large territory and ultimately become a large state. They decided, at an early date, that their interests would be better served if they were two separate entities. Each time a memorial was submitted, they made a request for separate territories, permission to write two constitutions, establishment of two state governments, and finally, the grant of statehood for two states with all of its privileges and rights.

However, Dakota's actions were futile. At this early date in the history of the territory, neither the Republicans nor the Democrats in Washington were interested in the least in a distant territory. The slightest notion that the territory was dissatisfied with being too large or the fact the residents did not particularly like associating with other members from distant parts of the territory caused Congress to dismiss the entire Dakota issue. Washington politicians were not interested in
forming new territories or admitting any new states—much less two. There was no considerable discussion in Congress at this time about bringing in new states and any deliberations were, more than likely, negative towards two states. Upon hearing that Dakota wanted to divide and become two states, Republican Senator William M. Stewart of Nevada observed, "there is not sufficient good land in the whole of Dakota Territory to make more than one state. We are making too many small territories which could never become states. It would be better to consolidate rather than divide."^4

This preoccupation with dual statehood therefore caused problems for the young territory, ultimately prolonging the prospect of joining the Union for many years. The reason stemmed from an appearance of disunity within the territory. Congress had a perfect opportunity and right to put aside the wishes of a disorganized territory, noting that even Dakotans were unclear about what they really wanted.

Division of the territory was always a vital consideration to the Dakotans. They were not satisfied remaining a large, clumsy territory with pockets of settlement. All elements agreed the territory was too extensive, and that sheer size would prevent government from operating properly.^5 Distance hindered travel and
communication between population centers, causing intense isolation and sectionalism.\textsuperscript{6}

Considering the fact that the first colonists occupied the conservative, southeastern area, fanning out from Yankton, it is no surprise that they regarded themselves as the political center of the territory. They never fostered any affection for the north. They considered that "part of the territory north of the 46th parallel [to be] a barren and desolate waste and believed it would never support any considerable population and would always be a burden to the southern half if they were tied together."\textsuperscript{7} The southeastern section felt totally self-contained, practicing diversified farming on a small scale supplemented by a strong, well-established business community. Its trade centers were Chicago, Sioux City, Milwaukee and, to a lesser degree, Minneapolis/St. Paul.\textsuperscript{8}

The second major center of population in the territory, the Black Hills, was located in the southwestern corner of southern Dakota. It was given slight consideration by the Yankton group, for it was completely unsettled until the gold rush of 1874. Official opening of the area occurred after the Indian and settler claims were resolved in 1877. The discovery of gold at approximately the same time prompted thousands to flood into the region with gold fever.\textsuperscript{9} Transient miners and
minimal agriculture gave the Black Hills an uncertain reputation. Speculation was the key to this region. The Hills tended to be less organized politically than Yankton, thereby posing no immediate threat to Yankton's supremacy. Throughout the territorial period the Black Hills more or less followed the political lead of the southeastern section of Dakota. The question of division of the territory was between the northern half of the territory and the southern half; there were no other fragmented groups in other parts of the territory that were politically important.

Naturally, as the population expanded throughout the northern section and a budding economy emerged, southern Dakota came to view its backward neighbor with apprehension. It watched the growing power of the great railroads and influence of eastern corporations in the northern half and feared domination by them.¹⁰ This third region, northern Dakota, possessed a predominantly wheat growing and grazing economy, including the famous Bonanza farms of the Red River Valley. Their trade centers were Minneapolis/St. Paul, Duluth and Winnipeg.¹¹ The completion of the Northern Pacific Railroad to Bismarck in 1873 attracted significant numbers of settlers from Minnesota and Canada to northern Dakota. Population spread north and south along the Red River Valley and east and west on the right of way of the
Northern Pacific. Northern Dakotans rather enjoyed the benefits of the railroad and additional population. They soon realized the potential political and commercial advantages. 

Southern Dakotans, on the other hand, were not delighted with a growing northern economy. They vigorously clamored to Washington for separate territories. They felt their potential strength was threatened and they were unwilling to share their political power with the northern section of the territory, nor were they intending to follow economically. It is not surprising, therefore, that over the years, the Dakota Territory established most business, professional, and religious organizations with dual operations. In the early 1880's, penal, charitable, and educational institutions were also organized with future division in mind. Institutions were set up in pairs, including the insane asylums, north 1883, south 1879; penitentiaries, north 1883, south 1881; universities, north 1883, south 1883; agricultural colleges, north 1883, south 1881; normal school, north 1883, south 1881. It seemed each half of the territory was determined to have as little contact as possible with the other, which accentuated the problem.

In summary, there were two unique, segregated sections in Dakota with different economic, political,
even social views. Neither of the section's trusted the other and whatever powers or influence already possessed were jealously guarded. Fellowship and helpfulness was not extended from one part of the territory to another, resulting in years of discord. Regionalism later proved to be a serious problem when the push for statehood needed unity and a common goal.  

Southern Dakota's anxiety about the north was increased by the capital removal issue. The decision to transfer its location from the southern stronghold, Yankton, to the northern part of the territory was viewed with displeasure. A possible loss of the capital to the North obviously indicated a decline in political importance both for Yankton as well as the southern half of Dakota. Since this area had, up to now, dominated the political arena, one can readily understand the alarm. Early in the 1880's, Governor Nehemiah G. Ordway developed the plan to move the capital from Yankton to another part of the territory. He reasoned that this action would strengthen the territory, believing that Dakota could eventually be admitted into the Union as one powerful, large state. In 1883, he secured the removal of the capital from Yankton to Bismarck, claiming the population had shifted northward and a centrally located capital would be more accessible to the entire territory. Besides, Yankton was in an inconvenient
location and, according to Ordway, the amenities of official and social life were being entirely ignored since it was so distant from the social hubs in the larger cities. Bismarck, on the other hand, hardly qualified as a center of social activity in 1883. This sentiment indicates Ordway seemed willing to attach any issue to the capital removal situation.

Governor Ordway believed in the bidding system. This called for interested towns and cities to submit a bid if they were serious about becoming the new territorial capital. In his Governor's report of 1883 he stated that it was the "propriety and duty of the governor and legislative assembly to secure proper capitol buildings without cost to the Territory."  

The bids were to be submitted to the Executive Committee: Alexander McKenzie, Alexander Hughes, John P. Belding, George A. Mathews, Burleigh F. Spalding, Milo W. Scott, Charles H. Myers, Henry H. DeLong, and M.D. Thompson.

The bids were to include the following: amount of money, description of the land, twenty percent of the cash donated, a bond for the amount of the proposal, an abstract, and free title to the land. The Commission stated that the following bids were received: Aberdeen, $100,000 and 160 acres of land; Pierre, $100,000 and 250 acres; Bismarck, $100,000 and 320 acres; Mitchell, $160,000 and 160 acres; Redfield, $100,000 and 240 acres;
Ordway, $100,000 and 320 acres; Canton, $100,000 and 160 acres; Frankfort, $100,000 and 160 acres; Huron, $100,000 and 160 acres; Odessa, $200,000 and 160 acres; and Steele, $100,000 and 160 acres. It soon became obvious that Bismarck was the favorite choice for the capital. Although other cities matched or exceeded Bismarck's bid, the officials who were in a position to vote on the issue, clearly wanted Bismarck regardless of the other bids. It was necessary the Committee meet in Yankton, the current capital, however, so Ordway conveniently arranged the party to be aboard a train that whisked it through the city, thereby fulfilling the requirements but omitting the unpleasant necessity of hearing serious objections. Eventually all the sites were visited by the Commission and final selection was voted on in Fargo, June 1, 1883. Bismarck was chosen on the 5th ballot.17

In the final analysis, the single-state advocates were victorious when it came to the capital removal bill. Ordway, confident from the support given by the Northern Pacific Railroad, powerful political boss Alexander McKenzie, and many newspapers, singlehandedly postponed the dual territory-statehood proposition. Ordway, along with his backers, represented the strongest political bloc in the territory. Whereas the majority of northern Dakotans heretofore supported dual statehood,
they were now thrilled with their new importance and many, in turn, supported Ordway's one-state plan.18

There were other strong supporters of the single state plan. Among them were railroads and eastern investors who preferred the territorial system with its indulgent officials and legislature. Friends and lobbyists in Washington could also exercise effective influence that would be felt in the territory both in legislation and appointments. By supporting Ordway, they believed statehood would be delayed because the inhabitants of the territory would disagree, thereby splitting any organized effort to achieve statehood and necessitating a continuance of the territorial system.19

Local Democrats also defected from the divisionists. President Grover Cleveland, elected in 1884, was the first Democrat to be elected President since Dakota Territory was organized. New Democratic appointees soon found it difficult to support earlier ideas of division and statehood, for these moves would curtail their command of local affairs.20 In addition, the Democratic party, in Washington, naturally believed that one state was better than two, considering the Republican affiliations of the inhabitants. It believed it could influence the Republican territorial residents if the Democratic officials were to retain local control for a few years.21
The removal of the capital and Ordway's single state plan both further alienated southern Dakota from the north and led to an intense campaign for immediate division and statehood for the southern half. The south believed it was unjustly treated by the Ordway government and felt a territorial government was totally inadequate. In the end, it almost became an anti-Ordway campaign with more vigor than the dual statehood quest. Leaders in the southern section felt he exemplified the typical inadequate, corrupt territorial official. Hatred for Ordway brought strength to the south. Both parts of the territory at least agreed that transplanted officials did not understand the needs of the people, much less regional politics. Many officials capitalized on lenient laws and increased their own fortunes with little regard for the people they were serving. Political feuds revolved around select charismatic men who manipulated the government to serve their needs. It is no surprise that appointees, often referred to as "carpet-baggers," were targets of much criticism. One territorial delegate, William Stewart of Nevada, spoke for many of his colleagues in Congress, when he contended the territories were "treated as alien land; as a sort of Botany Bay for the rest of the United States to which to banish broken-down politicians and needy individuals." Dakotans, especially those from the southern part of the
territory after the settlement of the capital removal issue, felt their individual rights were not protected under this system of government.

Political grievances were numerous under the territorial system of government and received the most verbal criticism from the people. Yankton resident Joseph Ward clearly expressed his opinion:

To hold any part of our country as a Territory, is a violation of the fundamental principles of our growth, is contrary to our history, and is dangerous to our national life. Local self-government is the characteristic of our national life. It is the one feature that distinguishes us from other nations. . . . Hence we see that the territorial system is a dangerous part of our national life, because it is a constant menace to the fundamental principle of our life, and at the same time is building into dangerous proportions the centralizing tendency that is already too strong. Specifically it is dangerous, because it takes away from large bodies of citizens the privilege and the duty of self government. Often these groups of citizens are more numerous than those that have a State government. Always they are equal in virtue and intelligence. They may in some cases excel in enterprise and sturdy vigor. They are loyal to the nation, obeying all her laws. In times of peril they quickly respond to her call for help. They have borne the first shock of savage uprisings; they have patiently endured the ills that are inseparable from the developing of new lands. No part of our people exceed them in loving reverence for the Fathers of the Republic. None are more loyal to the fundamental principles of our national life than those who are shut out from a full share in our common inheritance until—until when?

Dakotans wanted to gain control of the political structure. Foremost in their minds was the ability to
elect their own officials, those they knew and trusted. Elections would presumably bring officials to office on the basis of merit, not through the national spoils system. Citizens resented the influx of alien appointees from Washington with incompatible views. By establishing normal political representation, Dakotans felt they would bring the government closer to its inhabitants, thereby promoting more responsible officials. Local representation would improve the local legislature, which would devote itself to state projects and bring about more effective utilization of money and time. The political organization of the proposed state would not be burdened by the Washington bureaucracy which, up to now, held veto power on every proposition. Furthermore, members of the Dakota community would be able to send their own people to Congress as voting members and they themselves would have the right to vote in all national elections. Local elections would also improve the judiciary. An increase in the number and the quality of judges would contribute to speedier trials, more timely decisions, and hence a superior judicial system.26

Secondary to political oppression, financial restrictions were imposed by the ineffective territorial government. Dakotans felt that independence would advance a stable, prosperous economy. A principal injustice was the subject of taxation, dictated by Washington. The
inhabitants of the territory felt they were taxed without representation, considering the fact there were no voting members from the territory in Congress. Governor Arthur C. Mellette, in his address to the Territorial Assembly in 1885, summed up this frustration: "Citizens of Dakota," he said, "inherit the right of self-government from the Pilgrim Fathers and the Huguenot exiles. The blood of their ancestors in the revolution cries out against taxation without representation, while their own blood and limbs left on freedom's battlefields entitles them to freedom." A system would be authorized to curb county and municipal indebtedness; and in all likelihood, salaries for elected state officials would be lower than for appointed territorial officers. The formation of a new state would also enhance the value of property within its boundaries, and stabilize the state's credit.

One economic and political problem, school lands, was a major concern to Dakotans. According to the Organic Act, two sections (16 and 30) were set aside in each township for schools. Over years of territorial neglect, these school lands were whittled away by squatters, land speculators, and land companies. Not only was the land being sold for ridiculously low prices, but the territory was not receiving the revenue. In addition, there was a decrease in school taxes, further
compounding the difficulties. Through the efforts of the vigilant General William Henry Harrison Beadle, the scandal was exposed. His constant crusade at every level of government was instrumental in saving the remaining lands. However, this problem remained a persistent concern throughout the territorial period. Dakotans believed only a state government would effectively end this destructive situation.29

Thus, Dakota Territory, subject to an increasingly intolerable colonial status, felt compromised by false promises from Washington. Considering that many Dakotans were former residents of eastern states, they were keenly aware of the principles of self-rule and were eager for all Dakotans to enjoy the same privileges. They compared themselves with the colonial dependency the United States experienced under George III. Dakotans agreed with the Utah Territorial Democratic delegate of the 1860's, Mr. John F. Kinney, who compared the territories to mere colonies, occupying much the same relation to the General Government as the colonies did to the British Government prior to the Revolution. You give them the form of government, but withhold from the people the right of elective franchise. You appoint their Governor, their secretary, their judges, their marshal, and their district attorney, and too often impose these officers upon them from a class of men who have no interest in common with the people, and know nothing of the trials and struggles of their infant settlement.30
They wanted to be free from alien rule and economic exploitation, to be in control of their own destiny. Proponents of statehood also claimed that it would bring not only political and economic freedom, it would initiate increased immigration and possibly attract money to the new state.

Impatience with the situation in Dakota Territory thus grew intolerable as the years passed by. Numerous delegations traveled to the nation's capital; they received excellent treatment and grand promises from Washington politicians. However, when the statehood question came up for vote in Congress, political promises absolutely fell through. Time and time again Dakota's hopes for statehood were frustrated.

A perfect opportunity for passage came during the Forty-Seventh Congress, 1882-1883. Dakotans optimistically viewed this as the perfect opportunity because the Republicans controlled both the House and the Senate, and they had historically been sympathetic to the cause. The statehood bill was once again brought before Congress, and the results were expected to be favorable. Senators confidently pointed to the plight of Dakota Territory.

As Republican Senator John J. Ingalls of Kansas stated,

I believe that all the objections which have been hitherto urged against the passage of that [statehood] bill are purely partisan and malignant. . . . I have no doubt that if the population of Dakota was not well known to be
distinctively Republican, and that its admission into the Union as a State would result in an accession of two Republican Senators to this body, that [statehood] bill would have been long ago acted upon.\textsuperscript{31}

Hopeful Dakotans were soon to be disappointed, however, for a previously unpublicized problem surfaced. Yankton County was involved with bonds issued through the First National Bank of Brunswick, Maine. In 1872, the county floated railroad bonds in the amount of $200,000 to secure the construction of the Dakota Southern Railroad from Sioux City, Iowa, to Yankton. This was the first railroad to serve Yankton County. For several years, Yankton County levied a tax for payment of the interest on the bonds; their payment schedule was prompt. In 1881, however, Yankton stopped payment on the bonds, claiming the railroads did not keep their contract and the Territorial Legislature had issued the bonds unlawfully in the first place. Needless to say, the bank brought suit against Yankton, going all the way to the United States Supreme Court.\textsuperscript{32} The Court decided that Yankton was responsible for the obligation previously contracted. The county then appealed to the Territorial Assembly to assist in payment of the bonds. The end result of this untidy situation was that between Yankton County and the Territorial Assembly, there was still approximately $100,000 overdue in unpaid interest by the year 1883.\textsuperscript{33}
Needless to say, this repudiation of the bonds was enough to cause quite an uproar in the press and in Congress. Newspapers across the country reported Dakota's failure to pay on these bonds. The New York Independent reminded "the people of Dakota that public honesty is a cardinal qualification for both the right and the capability of self-government." Another negative report came from the Philadelphia Press: "there is no hurry about Dakota anyway, and in ten years or more perhaps enough people who believe in paying debts will have settled there, to enable the Territory to come before Congress and the country with clean hands, and not as now, dark with the stain of dishonesty." Similar statements came from Congress. In 1883, Republican Senator Eugene Hale of Maine was so disgusted that he promised Dakota would not be admitted to the Union until it paid its debts.

The opposition to the admission of the Territory of Dakota, so far as I was concerned, had neither in it "partisanship" nor "malignancy." I objected because an important part of that Territory in its record in dealing with its creditors was tainted with the worst and most inexcusable form of repudiation. I objected further because that action of the county of Yankton, an important part of the Territory of Dakota, had been participated in and sanctioned and indorsed by the Territorial Legislature.
On the other hand, Preston B. Plumb, Republican Senator from Kansas, had a slightly different point of view of repudiation.

The town of Elizabeth, in New Jersey, and the town of Rahway, in the same State—I mention these because they are conveniently near; I do not need to go west of the Mississippi River for illustration—had defaulted in their interest and in their creditors during a long period of years... [it] was a great deal less than the people west of the Mississippi River [Dakota] voluntarily and cheerfully take upon themselves not only for purpose of discharging their current obligations but for the purpose of paying their debts... I want to take the towns in New Jersey and in Maine and all over the country, and ascertain just exactly how much the practice of repudiation proves the unfitness of a people for republican government. There should be no reflection upon Dakota until the communities now in the Union are thoroughly purged.37

The Yankton bond issue helped defeat Dakota's bid for statehood in 1883. Although Dakota had the support of the Republican Party, statehood was not achieved because of problems caused by the territory itself. Both the House and the Senate were reluctant to bring in Dakota, after the territory was tainted with repudiation. Reports were also submitted to Congress outlining the economic problems of the period, which were compounded by the fact that the railroads were not complete across the territory.

At the same time, Dakota Governor Nehemiah Ordway vetoed the necessary constitutional convention. He again
demonstrated the strength of his political machine, which was backed by the powerful railroads and newspapers. He did not want statehood because he was satisfied with keeping things the way they were, under his control. Ordway dominated the single-state issue during his term as governor (1880-1884). After his appointment ended, he moved to Washington where he continued to support Democratic policies. When he left the territory, the single-state advocates were left without their most vocal leader; however, they were still strong enough to keep the agitation active until statehood in 1889. Between the Yankton bondholders and Governor Ordway's veto, Dakota was unable to gain statehood during the meeting of the Republican dominated Senate and House. What appeared to be the most opportune moment, turned to failure. The result was predictable, and the second session of Congress ended without a vote on statehood.38

Led by Hugh C. Campbell and Joseph Ward, many territorial residents now felt they had a right to establish a state, with or without congressional approval. Their strongest argument, expressed in 1883 and continued until 1889, stemmed from their belief that at least southern Dakotans felt like citizens of the United States. Philosophically, the people were "already a state;" therefore, it was a mere formality for Congress to make it legal. They extended their arguments to point
out historical precedents, for twelve states had heretofore been admitted to the Union without an enabling act or Washington endorsement. Dakota inhabitants felt they were entitled to statehood by fulfilling the requirements of population and size, and according to the following qualifications, which they believed had been met:

1. Ordinance of 1787, Article V.: Whenever any of the said states shall have 60,000 free inhabitants therein, such State shall be admitted by its delegates into the Congress of the United States, on an equal footing with the original States, in all respects whatever, and shall be at liberty to form a permanent Constitution and State government.

2. Treaty with France regarding the Louisiana Purchase, 1803: the inhabitants of the ceded territory shall be incorporated in the Union of the United States and admitted as soon as possible . . . to the enjoyments of all the rights, advantages and immunities of citizens of the United States.

3. Dred Scott v. Sandford: There is certainly no power given by the Constitution to the Federal Government to establish or maintain colonies bordering on the United States or at a distance, to be ruled and governed at its own pleasure; nor to enlarge its territorial limits in any way, except by the admission of new States. . . . no power is given to acquire a Territory to be held and governed permanently in that character. . . . but to be admitted as soon as its population and situation would entitle it to admission. It is acquired to become a State, and not to be held as a colony and governed by Congress with absolute authority; and as the propriety of admitting a new State is committed to the sound discretion of Congress, the power to acquire territory for that purpose to be held by the United States until it is in a suitable condition to become a
State upon equal footing with the older States, must rest upon the same discretion. 42

Despite Governor Ordway, the Territory of Dakota was extremely anxious to enter the Union as two manageable states, not one large cumbersome state. (Earlier discussion pinpointed the numerous reasons the two sections of the territory wanted independence from each other.) Thus, citizens were finally provoked, after years of rejection, to take matters into their own hands. The southern part of the territory organized an association under the title of the Dakota Citizens' League; two conventions were called, in 1883 and 1885. The 1883 results included, for southern Dakota, a constitution, capital in Yankton, restriction on the sale of school lands, organization of a state government, adoption of a prohibition platform, election of members to Congress (Alonzo J. Edgerton and Colonel Gideon J. Moody) and nomination of a host of state officials (Arthur C. Melette, governor). Under the League's plan northern Dakota would be reorganized into the Territory of Lincoln. Submitted to the residents of the entire Dakota Territory, the respective proposals were overwhelmingly approved, by a vote of 12,336 for and 6,814 against. Critics of the plan claimed there was an extremely light vote, since 30,000 settlers did not bother to go to the polls. 43
Many apathetic nonvoters saw the referendum as a futile gesture, since it was taken without legal authorization. The Republican Senate approved the plan, but after the Democratic House ignored it, southern Dakota tried again in 1885 with a revision of the 1883 plan. The only outstanding new feature included a clause (Section 32) promoted by moderates Alonzo J. Edgerton and Colonel Gideon C. Moody, denying any unauthorized persons or assemblage from launching a new government without Congressional approval:

Nothing in this Constitution or Schedule contained shall be construed to authorize the legislature to exercise any powers except such as are necessary to its organization, to elect U.S. Senators, to provide and pass means and measures necessary, preliminary and incident to admission to the Union, and to assemble and reassemble, and adjourn from time to time; neither to authorize any officer of the executive or administrative departments to exercise any powers of his office except such as may be preliminary and incident to admission to the Union; nor to authorize any officer of the judiciary department to exercise any of the duties of of his office until the State of Dakota shall have been regularly admitted into the Union, except such as may be authorized by the Congress of the United States. 44

This proviso was intended to placate Congress and remove a radical taint from the action of the Dakota Citizens' League. The 1885 program was approved by the territorial inhabitants on a vote of 25,138 pro and 6,527 con. 45

In compliance with the technical qualifications, the territory claimed in its own behalf an appropriate size,
the proper size, adequate resources to sustain itself, stable educational and religious organizations, numerous newspapers, and sturdy, outstanding citizens with full understanding of the virtues of statehood. According to the 1885 Journal of the House of the territorial assembly,

Dakota has a population of 500,000; larger than two Colorados, five Delawares, three Floridas, twelve Nevadas, two New Hampshires, three Oregons, two Rhode Islands or two Vermonts. It has a territory of 150,932 square miles, equal to the combined area of Maine, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, Maryland, Ohio and West Virginia, less 1,954 square miles. . . Dakota pays more Internal Revenue than four states; Delaware, Florida, Nevada, Vermont; . . . more post office revenue than thirteen states; New Hampshire, Rhode Island, Delaware, West Virginia, North Carolina, South Carolina, Florida, Alabama, Mississippi, Arkansas, Oregon, Nevada, District of Columbia; [and] . . . has more banks and bank capital than five states. Therefore, it is demonstrated beyond contradiction that we have the territory, the population, and the resources to entitle us to two states.46

The Republican Senate approved the statehood plan but the Democratic House, pretending to be appalled by such revolutionary action, rejected the southern Dakota constitution. Those Democrats added that the small vote in the territory certainly did not represent the feelings of the entire population.47 In the long run, Dakota's actions were fruitless. The territory was denied statehood and even reprimanded for insolence. The constitutional conventions of 1883 and 1885, although
approved by the Dakota Legislature, failed to receive the recognition necessary to secure statehood.\(^48\)

Dakotans, ever impatient, decided to try to direct their future themselves. They started to consider the possibility of taking Section 32 out of the document, which presumably would allow them to establish a state government without Congressional approval. Territorial reactions were mixed; many did not want to remove Section 32 as this would only aggravate Congress.

Needless to say, the doubters were correct. When congressmen got wind of this plan, they thought Dakota was acting senselessly. Benjamin Harrison, who had introduced the original Senate bill, was unhappy with the possibility of changing the constitution because it would force the already approved bill to be re-submitted again for approval in the Senate. He wrote Moody, who had been "elected" to Congress under the 1883 constitution, "I do not need to say to you, for you know my views fully, that an attempt to set up a state government in opposition to your present Territorial government would be illegal and ill advised. I could not defend that course in the Senate. I believe it would alienate many of your friends, and I would not be surprised if it ended forever the proposition for the dis-union of Dakota."\(^49\)

Harrison also presented this question to Hugh J. Campbell, one of the leaders of the illegal movement. "I
believe it would be a grave mistake to rescind Section 32 of your Ordinance, as far as it relates to Congressional action. Would it not require a re-submission of the Constitution, as amended, to Congress and a new bill for admission under your Constitution as amended? If your people shall modify the Constitution, which is referred to and accepted in the bill which has passed the Senate, that legislation it seems to me would fail.  Three days later he again wrote to Moody, "it seems to me it puts us in an attitude of insincerity. We defended the action of your people in the Senate last winter, chiefly upon the provisions of Section 32, and insisted that they did not intend to set up any state government until Congress gave its consent. To repeal that section now looks like insincerity and, besides, it seems to me that if the Convention modifies the Constitution which has been submitted to Congress, and which the Senate has accepted, the whole matter would have to be begun anew. The instrument would be different." Dakota was duly reprimanded and the issue gradually diminished over the next few years.

By now, 1886, Dakotans were discouraged and apathy replaced the once vigorous desire to become a state. Even former strong divisionists were giving up on their goal to make Dakota Territory into two separate states. The Grand Forks Plaindealer lamented to its readers that
"the longer the territory remains undivided, the less opposition there will be found to admission as a whole." One memorial, of uncertain origin, complained that "we are tired of living in a political graveyard. We are tired of walking among political skeletons. We long for newer fields and greener pastures upon the same ground but would have no 'divisions of the farm'."

The reason for the decline in activity in the push for statehood was not totally due to political discouragement. Granted, Dakotans were tired of submitting unheeded memorials, and up to this point it made little difference whether they advocated one or two states. However, more personal, financial problems occupied the average Dakotan. The economy was in decline in the late 1880's. The great depression of 1886 crippled the economy nationally, causing a marked loss of investment capital and a loss of confidence in business. Each of these factors affected Dakota Territory, still dependent on eastern investors and markets. In addition, Dakota experienced crop failures from 1886 to 1889 because of severe drought. This situation was coupled with a decline in the extensive railroad programs in the territory; projected branch lines used to promote settlement were simply not built because a lack of sufficient investment capital and depressed markets. This factor
seriously damaged the Dakota farmers' situation because they were not only unable to grow healthy crops, but they had great difficulty getting the crops to market. It is no surprise that joining the Union as one state, two states, or even becoming a state at all, became a secondary issue to farmers and businessmen who were struggling to survive in a depressed economy.\textsuperscript{54}
1Schell, "Politics-Palaver and Polls," in Dakota Panorama, p. 189.

2U.S., Congress, House, Committee on Territories, View of the Minority, Admission of Dakota, 49th Cong., 1st sess., 1886, H. Rpt. 2577 (serial 2442), pp. 8-9. R. M. Black, "History of the State Constitutional Convention of 1889," Collections of the State Historical Society of North Dakota 3 (1910):111-23. Black offers a chronological account of all the memorials, petitions and resolutions that passed through the Congress between 1871 and 1889. Everett W. Sterling, "The Bumpy Road to Statehood," in Dakota Panorama, p. 363, hereinafter referred to as "Bumpy Road" in Dakota Panorama, points out that a longitudinal division along the 100th meridian was proposed. Altering the boundary to run along the Missouri River was also considered. Various names suggested for the northern part of the territory were Pembina, Algonquin, and Lincoln. Southern Dakota selfishly claimed the name Dakota. Lamar, Dakota Territory, pp. 368-69; Kingsbury, History, 2:1612; Crawford, History of North Dakota, 1:321; Loundsberry, North Dakota History, 1:368-69.

3Loundsberry, North Dakota History, 1:366; Crawford, History of North Dakota, 1:321. Along with the petitions, a variety of names for northern Dakota were suggested. Pembina, an all-time favorite, was offered in 1873, 1874, 1875, 1876, and 1879. U.S., Congress, House, Congressional Record, 43rd Cong., 1st sess., 1874, 2, pt. 5:4331-32; U.S., Congress, Senate, Congressional Record, 46th Cong., 3rd sess., 1880, 1, pt. 1:11-12, 34; Cong. Record, 46th Cong., 3rd sess., pt. 2:1199. Northern or North Dakota received the most attention and approval. It was petitioned in 1880. The northern half did not wish to relinquish the name of Dakota. U.S., Congress, House, Journal, 46 Cong., 2nd sess., March 18, 1880, p. 804.

4Cong. Record, 43rd Cong., 1 sess., pt. 5:4331-32. There was an interesting discussion by Representative Stewart about the question of female suffrage. The bill concerning the establishment of the Territory of Pembina (northern Dakota) allowed women to participate in politics. Mr. Stewart is quoted:

The question of female suffrage is a question that is being seriously considered by a large portion of the people of the United States. . . . Here is a new Territory to be created and it is a good opportunity to try
this experiment. If it works badly, when the
Territory becomes a State there is nobody
committed. . . . If it works well, it may
spread elsewhere. It certainly can do no harm
in that country. There are very few people
there. . . . There is certainly no pressing
necessity for the establishment of this
Territory. I doubt the propriety of it very
seriously. As I said before, we are making too
many Territories. We are dividing this country
up into small subdivisions that never can
become States. But if we are to make this
Territory, it affords us an opportunity to try
a fair experiment on the subject of female
suffrage. This Territory is up in the far
North where people have to work pretty hard to
live. It will be inhabited by a frugal and
industrious people necessarily, if it be
inhabited at all, and let this experiment there
be tried.

5 Kingsbury, History, 2:1412-13; Hunkins, South
Dakota, pp. 115-15.

363. Traditionally traffic crossed the territory in an
east-west mode. Railroads, major roads, trade routes,
even the telegraph followed the common trails. Even
after the railroads had advanced to the Missouri, north-
south travel was so inferior that persons commonly had to
go from northern Dakota to southern Dakota by way of St.
Paul, Minnesota. It is interesting to note that travel
has changed very little since the territorial period.
Railroads and most roads still do not run north-south.
There are only a few exceptions. Lamar, Dakota
Territory, p. 190.

7 Burleigh F. Spalding, "Constitutional Convention,
1889," North Dakota History 31 (July 1964):151. This
article was originally written late in the nineteenth
century. Spalding witnessed the events leading up to
statehood. However, North Dakota History gives no indica-
tion as to exactly when the article was written nor where
it was found.

8 Green, "The Struggle of South Dakota," pp. 504-
508; Kingsbury, History, 2:1600. A powerful group of
men, commonly known in the territory as the Yankton
Oligarchy, were established in Yankton, southeastern
portion of southern Dakota Territory. They dominated
politics throughout the territorial period, declining
after the capital was moved from Yankton to Bismarck in 1883. They favored dual statehood for the territory during the entire territorial period. The most prominent were: General D. M. Frost; J. B. S. Todd; Governor Newton Edmunds (territorial governor, banker, land speculator); Judge Gideon C. Moody (lawyer, Associate Judge of Dakota Supreme Court, United States Senator); Governor A. J. Faulk (territorial governor, businessman, clerk of the United States District Court at Yankton, United States Court Commissioner); Judge W. W. Brookings (lawyer, land speculator, Associate Judge of Dakota Supreme Court, representative of railroad interests); George H. Hand (United States District Attorney for Dakota, lawyer, territorial secretary); General W. H. H. Beadle (Dakota School Superintendent, territorial surveyor general); Reverend Joseph Ward (founder of Yankton College, leader of the Dakota Congregational Church); Moses K. Armstrong (editor Yankton Dakota Herald, congressional delegate); Judge Jefferson P. Kidder (lawyer, Associate Justice of the Dakota Supreme Court, congressional delegate, railroad speculator); Enos Stutsman (land speculator); Judge Bartlett Tripp (lawyer, land and railroad speculator, Chief Justice of the Dakota Supreme Court); W. S. Bowen (editor, Yankton Press and Dakotan); George W. Kingsbury (publisher of the Press and Dakotan); Judge Alonzo J. Edgerton (lawyer, United States Senator, Chief Justice of the Dakota Supreme Court, railroad interests); Doctor W. A. Burleigh (congressional delegate, Indian agent); and Hugh J. Campbell (United States District Attorney, lawyer). Kingsbury, History 1:598-660; History 2:1020-1476, 1760-95; Robinson, History of North Dakota, pp. 197-216; Schell, "Politics-Palaver and Polls," in Dakota Panorama, pp. 186-205; Schell, History of South Dakota, pp. 200-315; Loundsberry, North Dakota History, 1:211-13; Lamar, Dakota Territory, pp. 247-48; John Davis Unruh, "South Dakota in 1889" (Ph.D. dissertation, University of Texas, June 1939), pp. 191-92; Armstrong, Early Empire Builders, pp. 53-54.

9Crawford, History of North Dakota, 1:319.


13 U.S., Congress, Senate, Congressional Record, 50th Cong., 1st sess., 19, 3:3000. "Division Points," Grand Forks Herald, 9 August 1887, p. 2, col. 3. In addition to the above institutions, enjoyment was also segregated by two annual territorial fairs. U.S., Congress, Senate, Committee on Territories, Admission of Dakota, 50th Cong., 1st sess., 1888, S. Rept. 75 (serial 2519), pp. 1-3. John Davis Unruh, "South Dakota in 1889," p. 179. Payment of bonds, used to raise the money to build the institutions, was deemed the obligation of the respective section where the institution was located. Sterling, "Bumpy Road," in Dakota Panorama, pp. 365-67; Loundsberry, North Dakota History, 1:366; Green "Struggle of South Dakota," p. 506.


16 Ibid., p. 527.

excellent example of a public notice on the Capital can be found in the Daily Argus, April 11, 1883. These articles were found in the Dakota Territorial Papers, Roll 70; see also within the same source, Supplement; Dakota Affairs, An Address from the Executive of Dakota in Defense of His Administration, March 30, 1883, Roll 83. The Report of the Board of Capitol Commissioners to the Governor and Legislative Assembly, of the Territory of Dakota; January 24, 1885 (Bismarck, Dakota: Tribune, Printers and Binders, 1885), contains details of all bids and considerations in the capital issue.

After the bids were submitted and Bismarck was accepted as the new capital, the Commission authorized the sale of 994 platted lots, anticipating $250,000. However, only 245 lots sold, generating only $38,849 in revenue. In constructing the capitol building, expenses amounted to $138,849. The $38,849 in lot sales plus the initial $100,000 from Bismarck citizens paid the bills; however, the whole capital removal issue caused financial problems for many years.

Loundsberry, North Dakota History, 1:366-75; Robinson, History of North Dakota, p. 201; Kingsbury, History of Dakota, 2:1475; Lamar, Dakota Territory, pp. 202-41; Paxson, "Omnibus States," p. 83; Schell, "Politics-Palaver and Polls," in Dakota Panorama, pp. 193-94, 211; Green, "The Struggle of South Dakota," pp. 513-14. Ordway also wanted a seat in the U.S. Senate and he believed his chances were excellent, provided the territory entered the Union as one state. It was also rumored that Ordway received $30,000 from the Northern Pacific Railway for assisting in the capital removal. A close friend of Ordway, Alexander McKenzie, was one of the most visible Northern Pacific political agents in the territory. A frequent traveler between Bismarck and Minneapolis/St. Paul (Northern Pacific headquarters), McKenzie carried on most of the negotiations pertaining to the capital issue. Often called the "Boss of North Dakota," he was a natural leader.

Eastern investors had invested millions in Dakota and they were unwilling to have their debtors control the loans. The railways enjoyed the flexible territorial railroad laws which could be controlled in Washington. Lamar, Dakota Territory, pp. 208-209, 250-51.

Kingsbury, History of North Dakota, 1:413-15; Sterling, "Bumpy Road," in Dakota Panorama, p. 368.
Hatred of the territorial officials was understandable for these restless people. However, Pomeroy, Territories, pp. 107-8, presents a clear picture of the officials, pointing out that although there were some corrupt individuals, most appointees were dedicated persons who faced many obstacles. A harsh climate, inhospitable neighbors, a critical legislature, and poor payment for service were realistic barriers. Pomeroy believed that territorial governments would have faced even more severe problems without the assistance of these officials.

Inhabitants of the territory viewed the national political arena with more enthusiasm than local politics. Colonial dependence made Dakotans acutely aware that national issues and individuals directly affected the territory. A weak voice and no voting power frustrated territorial settlers, who desperately wanted to be on the same footing with other states. Pomeroy, Territories, pp. 99-100; Robinson, History of North Dakota, pp. 199-201.


The territorial superintendent of public instruction, General William Henry Harrison Beadle, thought school land should be sold for no less than ten dollars per acre. The proper authorities, Congress and the Territorial Assembly, were negligent in their protection of school lands. More could have been done if these bodies would have taken a firm stand. According to the Organic Act, two sections in each township were set aside for future schools. Laws of Dakota, 1862, pp. 21-28.

See also General William Henry Harrison Beadle to Alvin Sanders, U.S. Senate, January 18, 1882, Papers Relating to Dakota Territory, Manuscript Division, National Archives, Washington, D.C.

31 U.S., Congress, Senate, Congressional Record, 47th Cong., 2nd sess., 1883, 14, pt. 1:870.
34 New York Independent, 6 April 1882, p. 2.
36 Cong. Record, 47th Cong., 2nd sess., pt. 1:870.
Opinions of the Press contained choice articles from major newspapers across the country. Just the titles of the articles give adequate reflection of the public opinion of the issue: "Most Remarkable Exhibition of Financial Juggling on Record," Buffalo Express (Republican), April 1, 1882; "The Repudiation of These Bonds Is An Act of Flagrant Dishonesty Which Congress Should Openly Condemn By Refusing To Admit The Territory As State Until The Last Cent Of Debt Is Paid," Indianapolis Times (Republican), April 3, 1882; "Let Dakota Wait For A Century If Need Be Until Its People Are Ready To Pay their Debts," New York Tribune, March 23, 1882; "The Dakota Conspiracy--Party Lines," New York Herald, March 24, 1882; "It Seems As Though The Repudiation Chickens Were Coming Home To Roost," Chicago Inter-Ocean (Republican), March 22, 1882; "There Is No Valid Reason For Making This Territory Into A State Anyway; But If She Must Come In, Let It Be With Clean Hands," New York Sun, March 21, 1882.

The twelve states were: Vermont, Kentucky, Maine, Michigan, Arkansas, Florida, Iowa, Wisconsin, California, Kansas, Oregon, and Nevada. Campbell contended that the power to frame a constitution and state government was sanctioned by the Ordinance of 1787. The government could be operating before the state was admitted to the Union. Cong. Record, 50th Cong., 1st sess., pt. 3:2999; Kingsbury, History, 2:1657, 1765; Robert F. Karolevitz, Challenge: The South Dakota Story (Sioux Falls: Brevet Press, Inc., 1975), hereinafter referred to as Challenge, pp. 171-75; Unruh, "South Dakota in 1889," pp. 190-91; Green, "Struggle of South Dakota," pp. 521-22; Memorial to Dakota Legislature 1885, pp. 4, 7-8; P. C. Shannon, The State of Dakota: How It May Be Formed; Replies to the Pamphlet of Hon. Hugh J. Campbell, U.S. Attorney of Dakota, Treating Upon the Above Subject (Yankton, D.T.: Herald Printing House, 1883), hereinafter referred to as The State of Dakota, pp. 4-5. Campbell tended to be the most radical of the territorial statehood advocates. He consistently demanded that the territory had a right to be brought into the Union; he was impatient with the drawn-out political process. Goodspeed, The Province and the States, 6:314-19.


Dred Scott v. Sanford, 19 Howard (U.S.), 446-51 (1857).


Schell, History of South Dakota, pp. 213-19; Robinson, History of North Dakota, pp. 197-202. Opposition to the 1883 and 1885 documents was strong, including from the governor, Ordway; railroad boss, McKenzie; powerful eastern and territorial newspapers;
and of course the Democrats, locally and nationally. In addition, failure to get the constitution accepted indicated a decline in the power of the Yankton Oligarchy. Recent immigrants were less politically minded and were not inclined to support radical programs to be admitted to the Union. The Citizen's League was still confined to selected individuals and had not identified itself with the settlers in the territory. Lamar, Dakota Territory, pp. 234-36; Sterling, "Bumpy Road," in Dakota Panorama, p. 363; Shannon, The State of Dakota, pp. 3-58.


50 Benjamin Harrison to Hugh J. Campbell, June 5, 1886, Harrison Papers, Roll 7.

51 Benjamin Harrison to G. C. Moody, June 8, 1886, Harrison Papers, Roll 7. Many individuals in the territory were uneasy about the steps taken to set up the state government without first receiving permission from Congress. Benjamin Harrison wrote to several leaders in the territory about the problem. Also in the Harrison papers, see Benjamin Harrison to John A. Owen, May 27, 1886, Roll 49; Benjamin Harrison to A. C. Mellette, May 27, 1886, Roll 49; Benjamin Harrison to V. V. Barnes, June 5, 1886, Roll 49; and Benjamin Harrison to A. C. Mellette, December 6, 1886, Roll 50.

52 Grand Forks Plaindealer, 11 March 1886, p. 4; also see 15 July 1886, p. 4, and 10 August 1887, p. 4. Another northern newspaper, the Grand Forks Herald, was very clear in its feelings about the possibility of remaining one large state. It listed the numerous dual institutions and associations from doctors and lawyers to the fireman's organization. The article indicated there was nothing common in the territory except "an inadequate and inefficient government organization." Grand Forks Herald, 9 August 1887, p. 2.

53 Memorial, State of Dakota, 1885. I have no information about this document, who wrote it or where it
came from. I found it in the New York Public Library in a group of pamphlets.

54Briggs, Frontiers of the Northwest, p. 428.
In the mid-1880's, Dakotans faced a seemingly hopeless situation. Congress had steadfastly ignored their pleas for statehood; and although Dakotans looked to the Republican Party for support and leadership, a single champion of the cause had yet to emerge. Finally Benjamin Harrison, senior senator from Indiana and chairman of the Senate Committee on Territories, filled the role of Dakota's most active and influential backer for division and statehood. It was because of his interest that a bill admitting southern Dakota into the Union finally passed the Senate in 1886. His devotion to southern Dakota is readily apparent in his speeches and his letters to the territory. He did not necessarily reject northern Dakota as much as he simply ignored that section of the territory. However, his fiery speeches underlined the unfair delay of statehood for 300,000 deserving people. He contended they had the proper resources and population sufficient to support both a state and congressmen in Washington. He eloquently defended the position of dual statehood:
I repeat that when Senators spend their time in arguing such propositions and then offer amendments that are not calculated to test the popular support of this constitution or to test the popular opinion in Dakota as to division, but assuming those questions themselves, the one dividing the Territory upon the Missouri River and the other denying the division altogether, they are not sincere when they put their opposition upon the ground that there is not a popular acquiescence in this movement. The Senator from Vermont [Mr. Edmunds] asks me if there have been any memorials remonstrating against the division. Not a popular convention, not a meeting of agriculturists, not a religious association of any kind, no body of men met together in North or in South Dakota have ever protested against this division. On the other hand, before it could be a question of politics, before any man could know what the politics of the States to be formed out of that Territory could be, her people settled upon the idea of division, and by memorials from their Legislature to Congress, by legislative enactments which assumed it for eleven years, have poured in upon Congress one uninterrupted and uniform expression in favor of division.

Harrison's efforts were frustrated in the Democratic controlled House of Representatives under the leadership of Democrat William M. Springer of Illinois, member of the House Committee on the Territories and Chairman of the House Committee of the Whole. Springer did not particularly want to bring in any new states at that time, much less two with Republican tendencies. Realizing, however, that the prospective new states could not be kept out indefinitely, he devised and introduced on December 13, 1886, the Omnibus Bill, "a bill (H.R. 10225) to enable the people of Dakota, Montana,
Washington, and New Mexico to form constitutions and State governments, and to be admitted into the Union on a legal footing with other States... Springer's Omnibus bill proposed to admit four states, undivided Dakota, Montana, Washington, and New Mexico. Dakota and Montana were expected to Republican, while Washington and New Mexico were expected to be Democrat. This would mean each party got two states, and party advantage would remain unchanged, if Dakota remained undivided.

Representative Springer, who up to now was against any new states, therefore introduced the bill to admit Dakota as one state. He realized that he had no alternative but to follow the change in the political climate and within the Democratic Party. The public was better informed about the western territories and was much more verbal about keeping deserving citizens out of the Union. It is no surprise that Washington politicians, keenly aware of this development of public opinion, were not interested in making the territorial situation an issue in the next election. Springer was more or less following the new Democratic policy, to bring in new states as soon as they fulfilled the proper requirements; privately, however, the party supported the the program which brought in states in pairs to keep the parties in the same relative position in the House and Senate. Springer ended up the voice of the single-state plan, now
apparently a strong supporter for statehood for the territories. It was an ironic switch in events.

Nevertheless, it seemed that Democrat support for a single state was in some ways another way to prolong the statehood issue. The old program of ignoring the territories, listing fabricated reasons why they were not ready for statehood, could now be traded for a new delaying tactic, one that argued whether or not the Territory of Dakota should come in as one or two states. This new plan could delay the possibility of statehood once again. Springer gained strength with his one-state plan, in part by an event which occurred in the territory.

In November 1887, the territorial legislature submitted a referendum to the people of Dakota on the question of whether or not division was desired. Although the measure passed and division was agreed upon, the majority of the northern Dakotans voted against division. The one-state supporters in Dakota and in Washington were elated after the returns were analyzed. They claimed that even though the divisionists won the referendum, the margin was very narrow, indicating that non-voters were either against division or did not care one way or another. Springer therefore declared it was the duty of Congress to protect the "existing union" rather than divide the territory against the will of so
many of its inhabitants. "I have earnestly desired," Springer continued, "and still desire, the admission of Dakota, and will continue to oppose, her dismemberment while some of her citizens, perhaps interested in localities that may be affected by division, may criticize my course at this time; yet I feel assured that hereafter those who have insisted on single admission will be regarded as benefactors of the Territory."  

Observers in the territory had another explanation of the results. Counties influenced by the Northern Pacific Railroad, which desired only one state, were inclined to vote against division, indicating the pressure of the railroad. On the other hand, counties served by the Manitoba and Great Northern lines produced votes favoring division. Thomas Niell, resident of northern Dakota, claimed that single-state backers were working in the counties before the election and convinced voters that if they were insistent on division, South Dakota would go in as a state, leaving North Dakota a territory with no promise of statehood in the near future. This was not exactly the slant of the statehood bills; however, most Congressmen were inclined to establish southern Dakota as a state and to allow northern Dakota to come in at a future time, generally believed to be within a year or so.
Single-state advocates were persuasive in their arguments supporting one large state. They believed the state could be run less expensively as a single large state rather than two small ones. One efficient bureaucracy was preferable since it could draw the most qualified individuals from the total area. The large state would also have more weight in Washington, putting it into a better position to deal with older and larger states. Washington's Democratic politicians claimed that support for dual statehood was simply not there; they could not take it upon themselves to grant the wishes of the so-called fragmented group of southern Dakotans, they needed to look after the interests of the entire population. Senator George G. Vest, Democrat from Missouri, stated in Congress:

I pledge my word and honor here, and I believe that every Democrat present will do the same, I will vote for the admission of Dakota as one State; but I will not vote for the division of Dakota, because I believe that no consideration of public policy demands it. I believe that State will not be too large, considering its climate and soil. We have heard the most extravagant panegyric on the soil, the climate, the people of Dakota. Notwithstanding what we know of that region we have heard here of roses and flowers and cloudless skies and balmy zephyrs. We have heard of a people so elevated, so honest, so civilized, so Christianized that hardly any population in this country can be brought in safe comparison with them.

Democrats proclaimed they were looking out for the interests of the entire population. Besides, prospects
seemed brighter if Congress could bring in one state expeditiously whereas two states would take more time. Washington Democrats reflected that Dakotans should be willing to go this route, as it was preferable to indefinite territorial status. The final results proved that the members of the House became side-tracked once again; they were reluctant to bring the state into the Union because of its internal disagreements. The bill granting statehood was shelved, and support for the measure dissolved. Dakotans again felt statehood, either as one large state or two smaller states, was in the distant future. However, the Presidential election of 1888 was awaited with great anticipation. Perhaps a new Republican administration would fulfill the statehood dream.

Benjamin Harrison, the Republican Presidential candidate, who had been a firm supporter of the Dakotans in the Senate, suspected partisanship rather than lack of readiness prevented Dakota territory from entering the Union. "Democrats in the House are determined to control government at any cost," he remarked in 1887," and they will not consent to the admission of the new territory which might by any probability cast its electoral vote for the Republican Presidential ticket. Republicans emphasized their support when they put the statehood issue in the 1888 Republican Presidential platform, which
called for South Dakota statehood and enabling acts for North Dakota, Montana, and Washington. They were, in effect, advocating the admission of three Republican states and only one Democratic, which would change the party balance by providing Republicans a net gain of two states. It was not difficult for Democrats to see through that this plan.

Victory in 1888 for Republicans therefore meant victory for Dakota Territory as well. As it turned out, the Republicans swept the election, capturing the Presidency and a majority in both the House and Senate of the Fifty-first Congress. They were determined to fulfill their platform promises to the long-suffering territories. Lame-duck Democrats, on the other hand, were anxious to salvage something of their Omnibus Bill, and they tried to compromise by admitting two Dakotas plus Montana, Washington, and New Mexico, three potentially Republican states and two potentially Democratic states, for a Republican net gain of one state. Realizing the President could call a special session in the spring, and pondering the complexion of the Fifty-first Congress, they decided to try to bring in the territories, including southern Dakota, during the lame-duck session of the Fiftieth Congress; after all, a small Democratic victory was certainly preferable to a total Republican triumph. As for North Dakota, it would
simply have to wait its turn. Charles H. Grosvenor, Republican Representative of Ohio, declared it was "too late for the Democratic party to shield themselves from the wrath of the people due to their betrayal of their trust in the matter of the Territories, for lo these four full years of Democratic administration the Territory of Dakota has been ready for admission to the Union. . . . She has been kept out of the Union because she is not barbarous and treacherous, nor Democratic . . . with the hope that the power of the Democratic party might be protected for four more years."  

The Democrats called a caucus in December 1888 to plan their strategy. After much debate, a plan was agreed to that called for one Dakota, unless its people demanded two; provided for rapid admission of Washington, Montana and New Mexico as states; and allowed the admittance of Utah in the future.  

On January 15, 1889, Representative Springer, still Chairman of the Committee of the Whole in the lame-duck session, introduced the Omnibus Bill to the House and opened the floor to discussion. The majority of the speakers repeated the major arguments in defense of Dakota, with little time spent discussing Montana and Washington. However, New Mexico presented a problem. When its merits were investigated, many members felt this territory was not ready to become a state because New
Mexicans did not have sufficient resources, nor did Congress feel the "half-breeds" were choice candidates for members of the Union. Other members, however, agreed with Representative William Warner, Republican of Missouri. "I honestly doubt—the propriety of admitting New Mexico as a State," he announced, "yet if I am driven to vote for New Mexico in order to get in the Dakotas, Montana, and Washington, I would rather err on the side of favoritism to the people of New Mexico than to longer continue this burning outrage upon the people of the other Territories." Representative Byron M. Cutcheon, Republican from Michigan contended, "I am utterly, positively and forever opposed to tying this carcass of New Mexico upon the living body of Dakota. Let it stand on its own basis. Let each stand upon its own merit." Although many Republican members tried to eliminate the comprehensive Omnibus Bill, with the undesirable New Mexico included, it passed the House in its Democratic form on January 18, 1889.

The Senate version of the Omnibus Bill then traveled through the Senate Committee on the Territories, no longer chaired by Senator Harrison, only to be rejected by the Republican-dominated full Senate because of the statehood provision that included New Mexico. A conference of the two houses was called but proved temporarily unable to break the dead-lock between the Republican
Senate and the Democratic House. Finally, when the session was almost over, House Democrats conceded everything the Senate wanted. In fact, Congressman Springer changed his stand completely. He stated, "As the course of empire is rapidly moving westward, let us prepare our territories for the coming tide of population. Let us clothe them with all the habiliments of statehood. Let us extend to their people all the rights which we of the states enjoy." As one unidentified observer remarked, "the Democrats seemed to be ready to give up everything for which they have held on, and even implore the Republicans for permission to give up more, in order to make the new states a feature of this Congress instead of the next." The final Omnibus Bill that emerged from the House was fully satisfactory to neither party. On January 18, 1889 the House passed the Senate version of the statehood bill, S. 185, changing it in the process to fit House requirements.

A Committee of Conference, including Springer, then met to reconcile conflicting House-Senate versions of the bill, and both Houses agreed to back down, agreeing to the final Senate bill, which, however, now looked something like the House Bill. Springer still fought to include New Mexico so that Democrats might anticipate two new states; however, in the end he failed, and the
final bill proposed statehood for three potentially Republican states and only one potentially Democratic state. (As it turns out, the Democratic defeat was even worse, for Washington elected a Republican delegation to the Fifty-first Congress. Springer, a Democrat, sponsored a House bill that finally gave the Republicans four new states.) The Moderates and some other Democrats felt they were forced to accept the situation, and they voted accordingly, helping, for example, to exclude New Mexico. Springer and the majority of Democrats, however, fought to keep in New Mexico, and when that effort failed, they attempted to defeat the proposal (item 12) and postpone the admission of North Dakota, Montana, and Washington by allowing them to write a constitution and form state governments, then requiring further congressional approval. This would postpone admission at least for a time; if apathy developed, it might be a long time. On the other hand, Moderates and Republicans successfully overcame this challenge; on February 15, 1889, they secured House passage of an amendment bringing in North Dakota, South Dakota, Montana, and Washington on "equal basis", requiring only a Presidential proclamation that a proper constitution had been written and approved by the people and that state governments were formed before the territory actually became a state. The bill dropped New Mexico; and it admitted two Dakotas without a
new vote on division by the people of the territory.\textsuperscript{24} When Republicans forced the exclusion of New Mexico, the balance read three potential Republican states (the Dakotas and Montana) to one potential Democratic state (Washington), a Republican gain of two states. For Dakota, the long struggle ended when President Cleveland, a Democrat, signed the bill on February 22, 1889, during his last weeks in office.\textsuperscript{25}

It is interesting to note the sequence of events during the early months of 1889. One can readily see the pattern of the Democrats. They changed from being totally against statehood for Dakota, to backers of the single-state plan, finally trying to emerge as the final champions, bringing four new states into the Union. They only changed their plans when they were forced by the Republicans. Dakotans finally entered the Union as two states, something most of them had tried to do for eighteen years.
1U.S., Congress, Senate, Congressional Record, 49th Cong., 1st sess, 1886, 17, pt. 2:1165.

2For a complete outline of the statehood movement, see U.S., Congress, Senate, Committee on Territories, Admission of Dakota, 49th Cong., 1st sess., 1886, S. Rept. 15 (serial 2355), pp. 1-75. This report includes a history of the movement, the Constitution of 1885, the Ordinance of 1787, plus detailed statistics of Dakota. See also the complete report of U.S., Congress, House, Committee on Territories, Minority Report, Admission of Dakota, 49th Cong., 1st sess., 1886, H. Rept. 2577 (serial 2442), pp. 4-9 and U.S., Congress, House, Committee on Territories, Minority Report, Admission of Dakota, 50th Cong., 1st sess., 1888, H. Rept. 1025 (serial 2601), pp. 27-145.

3U.S., Congress, Senate, Congressional Record, 49th Cong., 2nd sess., 1886, 18, pt. 1:121.


5Springer submitted several reports to the House from the Committee on Territories which lists the numerous reasons for retaining Dakota as one state. The most useful is U.S., Congress, House, Committee on Territories, Admission of Dakota, 50th Cong., 1st sess., 1888, H. Rept. 1025 (serial 2601), pp. 1-26. Parallel reports are found in U.S., Congress, Senate, Committee on Territories, Minority Report, Admission of Dakota, 47th Cong., 1st sess., 1882, S. Rept. 271, (serial 2004), pp. 1-10; U.S., Congress, House, Committee on Territories, Admission of Dakota, 49th Cong., 1st sess., 1886, H. Rept. 2578 (serial 2443), pp. 1-5; and U.S., Congress, House, Committee on Territories, Admission of Dakota, 49th Cong., 1st sess., 1886, H. Rept. 2577 (serial 2442), pp. 1-3.

6Territory of Dakota, Proclamation by the Governor, Dakota Territorial Papers, Roll 69. The total vote on the issue was 70,702; for division, 37,784; against division, 32,913. See Appendix number 1 for a map of the voting records.

7Statehood for Dakota, Proceedings of the Territorial Convention Held at the City of Aberdeen, Brown County, Dakota Territory, December 15, A.D. 1887 (Washington: Gibson Brothers, 1888), p. 32. Within the above source, see also Address of H. C. Preston, of
Davison County, Temporary Chairman, pp. 11-14. U.S., Congress, House, Committee on Territories, Admission of Dakota, 50th Cong., 1st sess., 1888, H. Rept. 709 (serial 2600), pp. 6-7. The year 1887 brought forth another territorial convention that was held in Aberdeen. It was this body that received the infamous "Springer letter." The letter was sent to L. G. Johnson, Aberdeen, D.T., from William M. Springer, House of Representatives, Washington, D.C., December 6, 1887. The letter basically stated that Congress was aware the majority of the territory wanted to come into the Union as one state. Springer quoted the Constitution of the United States, Section 3, Article 4: "no new state can be formed or erected within the jurisdiction of any other state without the consent of the legislature of such state as well as of the Congress." Springer went on to say that those who wanted two states would postpone statehood entirely.

\[8\] Kingsbury, History, 2:1810; for similar reports, see U.S., Congress, House, Committee on Territories, Admission of Dakota, 50th Cong., 1st sess., 1888, H. Rept. 710 (serial 2600), p. 7; U.S., Congress, House, Committee on Territories, Admission of Dakota, 50th Cong., 1st sess., 1888, H. Rept. 1025 (serial 2601), pp. 23-27. The National Democratic majority was still hostile toward statehood. Their influence was felt in the territory. Lamar, Dakota Territory, pp. 366-70.

\[9\] Cong. Record, 50th Cong., 1st sess., pt. 4:3042.


\[11\] Grand Forks Plaindealer, 15 November 1888, p. 4. The Dakota issue in Washington was in and out of debate throughout the session; however, there seems to be no reason why support was not strong enough to see statehood successfully through to the end.

\[12\] Karolevitz, Challenge, p. 175.

\[13\] Kirk H. Porter and Donald Bruce Johnson, National Party Platforms: 1840-1964 (Urbana: University
of Illinois Press, 1966), p. 81. The Republican Platform stated:

The government by Congress of the Territories is based upon necessity only to the end that they may become States in the Union; therefore, whenever the conditions of population, material resources, public intelligence and morality are such as to insure a stable local government therein, the people of Such Territories should be permitted as a right inherent in them to form for themselves constitutions and State government, and be admitted into the Union. Pending the preparation for Statehood, all officers thereof should be selected from the bona-fide residents and citizens of the Territory wherein they are to serve. South Dakota should of right be immediately admitted as a State in the Union under the constitution framed and adopted by her people, and we heartily indorse the action of the Republican Senate in twice passing bills for her admission. The refusal of the Democratic House of Representatives, for partisan purposes, to favorably consider these bills is a willful violation of the sacred American principle of local self-government, and merits the condemnation of all just men. The pending bills in the Senate to enable the people of Washington, North Dakota and Montana Territories to form constitutions and establish State governments, should be passed without unnecessary delay. The Republican party pledges itself to do all in its power to facilitate the admission of the Territories of New Mexico, Wyoming, Idaho and Arizona to the enjoyment of self-government as states, such of them as are now qualified, as soon as possible, and the others as soon as they may become so.


16 U.S., Congress, House, Committee on Territories, Admission of Dakota, 50th Cong., 1st sess., 1888, H. Rept. 1025 (serial 2601), pp. 36-40.

17 Cong. Record, 50th Cong., 2nd sess., pt. 1:903. Lord James Bryce, observer of the territorial problems Dakota was having, later wrote that even a "rotten borough" such as Nevada was brought into the union just to tip the vote on the Thirteenth Amendment of the Constitution. He further stated that Nevada was, and is, a "group of mining camps, some abandoned, population unworthy of the privilege to send men to Senate, a rotten borough, controlled and purchased by silver." Bryce felt Dakota was a more advanced territory, therefore statehood was well deserved. Lord James Bryce, The American Commonwealth (New York: The MacMillan Co., 1889), pp. 589, 594-95.


19 Cong. Record, 50th Cong., 2nd sess., pt. 1:949. Throughout the debates which preceded final passage in the House, the territories gained two Democratic supporters who spoke up in defense of immediate statehood. S.S. "Sunset" Cox of New York and John L. MacDonald of Minnesota frequently spoke on the merits of all the territories, concentrating on the Dakotas especially. They both condemned the delays and even renounced the Omnibus Bill for being a retardant to statehood. It is interesting that both of these men, however vocal in the Congressional Record, voted against statehood issues in at least 75 percent of the statehood-related roll-calls. Representative Cox is quoted as saying,

"I meant to say this, that gentlemen who are really patriotic, who desire to help these people in their enterprises, who are proud of the progress of our people in all that makes up modern civilization, might defer a little to the general sentiment of the country just now, and if we cannot get all that we want in any one measure, let us refer certain matters of a local character to those amendments which come in organic legislation, and to the Legislatures
of the Territories to be established in these States.

Cong., Record, 50th Cong., 2nd sess., pt. 1:938.

Mr. MacDonald was also very verbal on the territorial question for the Dakotas.

Now, I know personally that the Territory of Dakota is ready for admission as two States, and that we understand to be South Dakota and North Dakota are each of them separately anxious to be admitted as free and independent States, and are each in favor of division almost (if not actually) unanimously. But sir, as I said before, I am desirous to have action taken by this Congress, and especially of seeing Dakota admitted soon as two States. A great injustice has been done the people of Dakota by their admission being delayed so long. It would do no good to discuss the causes of this delay. I hold that it has been because other measures were given preference, to its exclusion, and not because of political bias, as has been claimed. But let that pass. Let us act, and by respecting each other, aim to secure the passage of a bill as the majority desires.


20 Cong., Record, 50th Cong., 2nd sess., pt. 1:951.

21 Kingsbury, History, 2:1870.


25 Kingsbury, History, 2:1873. He reported that President Cleveland signed the bill with a quill pen that was plucked from the wing of an eagle killed in North Dakota. It was also reported that when the bill for
statehood was finally passed there was great enthusiasm in the halls of Congress. Papers and books were thrown in the air in celebration.
CHAPTER VI
CONGRESSIONAL ALIGNMENTS

Ironically, the Democrats, who were responsible for the ultimate achievement of statehood for the two Dakotas, were also (as most sources used indicate), responsible for the long delay. Using Rice-Beyle cluster-bloc analysis, this conclusion can be tested precisely by measuring the extent to which each Representative voted with every other Representative, grouping together in a bloc those whose voting behavior tended to be similar. In order to qualify for membership in a particular bloc, each legislator must vote the same as all other members of the bloc on at least eighty percent of the twelve pertinent statehood roll calls. Fringe members for each bloc are those who agreed on at least seventy percent of the votes, with at least fifty percent of the members of the bloc. A complete list of the relevant roll calls is in Appendix 2.

The members of the House divided into three blocs (see Table 1). The first, composed of members who were strong supporters of Dakota Territory, favored two states. Its membership included 132 Republicans and one
Democrat for a total of 133 members. The fringe consisted of six more members, five Republicans and one Democrat. These legislators will be called Divisionists.

**TABLE 1**

<table>
<thead>
<tr>
<th>BLOCS REPRESENTED BY PARTY*</th>
<th>STATEHOOD ISSUE</th>
<th>REPUBLICANS</th>
<th>DEMOCRATS</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIVISIONIST</td>
<td></td>
<td>132 (98%)</td>
<td>1 (1%)</td>
<td>133 (49%)</td>
</tr>
<tr>
<td>MODERATE</td>
<td></td>
<td>1 (1%)</td>
<td>14 (10%)</td>
<td>15 (6%)</td>
</tr>
<tr>
<td>ANTI-STATEHOOD</td>
<td></td>
<td>2 (1%)</td>
<td>119 (89%)</td>
<td>121 (45%)</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>135 (100%)</td>
<td>134 (100%)</td>
<td>269 (100%)</td>
</tr>
</tbody>
</table>

*In this, as in all tables, the fringes are not tabulated. Also not included are the members who did not have sufficient voting records. A complete list of these members can be found in Appendix 4.

The second, Moderate, bloc was a very small group with only 15 members, including 14 Democrats (with four more in the fringe) and one Republican (with none in the fringe). It is perhaps somewhat misleading to set this group aside as a separate bloc because it usually voted with the third bloc; the only difference was that the members were more or less willing to cooperate with
Republicans for the purpose of providing the Dakotas with statehood and evidently wanted to claim some credit for achieving it.

The third bloc disapproved of statehood for all of Dakota Territory. It continually voted against the measures that would facilitate speedy admission. Of the 121 members, only two were Republicans, while 119 were Democrats. The fringe, consisting of 10 members, was all Democrat. This is an anti-statehood bloc, in the sense that it opposed separate statehood for North Dakota.

Table 1 indicates that the Republicans were overwhelmingly in favor of the statehood question while the Democrats appear to be almost equally polarized against it. This general table cannot serve as our only basis for analysis because it does not indicate whether or not there was any sectional voting.

Table 2 indicates that both North-South and East-West splits, showing most northerners (69 percent) supported statehood, while southerners were closer to unanimity on the opposite side of the issue (84 percent); however, some of this heavy southern influence is explained by the behavior of the Democratic solid South. Of the 92 representatives from the States of the Confederacy plus Kentucky, Maryland, Delaware, and Missouri, 81 were Democrats and only 11 were Republicans. The East-West division is less defined,
indicating its basic irrelevance to the question. Westerners generally favored the issue and easterners split evenly. Conclusions at this point would indicate that Republicans, northerners, and westerners (in that order) supported the territories, while Democrats, southerners, and easterners opposed them.

**TABLE 2**  
**BLOCS REPRESENTED BY SECTION**  
**STATEHOOD ISSUE**

<table>
<thead>
<tr>
<th></th>
<th>NORTH</th>
<th>SOUTH</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIVISIONIST</td>
<td>122 (69%)</td>
<td>11 (12%)</td>
<td>133 (49%)</td>
</tr>
<tr>
<td>MODERATE</td>
<td>11 (6%)</td>
<td>4 (4%)</td>
<td>15 (6%)</td>
</tr>
<tr>
<td>ANTI-STATEHOOD</td>
<td>44 (25%)</td>
<td>77 (84%)</td>
<td>121 (45%)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>177 (100%)</td>
<td>92 (100%)</td>
<td>269 (100%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>WEST</th>
<th>EAST</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIVISIONIST</td>
<td>30 (61%)</td>
<td>103 (47%)</td>
<td>133 (49%)</td>
</tr>
<tr>
<td>MODERATE</td>
<td>2 (4%)</td>
<td>13 (6%)</td>
<td>15 (6%)</td>
</tr>
<tr>
<td>ANTI-STATEHOOD</td>
<td>17 (35%)</td>
<td>104 (47%)</td>
<td>121 (45%)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>49 (100%)</td>
<td>220 (100%)</td>
<td>269 (100%)</td>
</tr>
</tbody>
</table>
In order to underscore the partisan nature of the statehood issue, as indicated in Table 1, Table 3 indicates the assignable number of representatives in each region. Seventy percent of the northerners were Republicans, corresponding to the 69 percent northern pro-division vote in Table 2. The third table also shows 88 percent of the southerners were Democrats, which closely matches the moderate plus anti-statehood vote in Table 2. Since we associate Republicans with the pro-division vote and the Democrats with the anti-statehood vote, conclusions at this point confirm that the north-south split is actually a reflection of the Republican-Democratic split. Since most Republicans lived in the North, naturally the North would favor division; of course the reverse applies for the South. The eastern states, as shown on Table 3, show a relatively even split as far as party is concerned. This same statistic is reflected in Table 2, where the eastern vote is 47 percent for division and 47 percent anti-statehood. Western states' representatives voted slightly more often on the pro side, again corresponding to the higher number of Republicans in the western states.
Table 4 further emphasizes Republican favor for statehood and Democratic opposition. Sectionalism was hardly a factor concerning the territories. As reflected in Table 4, eastern Republicans, with 99 percent; western Republicans, with 94 percent; southern Republicans, with 100 percent; and northern Republican, with 98 percent;
### TABLE 4
BLOCS REPRESENTED BY SECTION, CONTROLLING FOR PARTY STATEHOOD ISSUE

<table>
<thead>
<tr>
<th></th>
<th>Western</th>
<th>Eastern</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Democrats</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Divisionist</td>
<td>0 (0%)</td>
<td>1 (1%)</td>
<td>1 (1%)</td>
</tr>
<tr>
<td>Moderate</td>
<td>1 (6%)</td>
<td>13 (11%)</td>
<td>14 (10%)</td>
</tr>
<tr>
<td>Anti-Statehood</td>
<td>16 (94%)</td>
<td>103 (88%)</td>
<td>119 (89%)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>17 (100%)</td>
<td>117 (100%)</td>
<td>134 (100%)</td>
</tr>
</tbody>
</table>

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Republicans</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Divisionist</td>
<td>30 (94%)</td>
<td>102 (99%)</td>
<td>132 (98%)</td>
</tr>
<tr>
<td>Moderate</td>
<td>1 (3%)</td>
<td>0 (0%)</td>
<td>1 (1%)</td>
</tr>
<tr>
<td>Anti-Statehood</td>
<td>1 (3%)</td>
<td>1 (1%)</td>
<td>2 (1%)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>32 (100%)</td>
<td>103 (100%)</td>
<td>135 (100%)</td>
</tr>
</tbody>
</table>
TABLE 4 (Continued)

<table>
<thead>
<tr>
<th></th>
<th>DEMOCRATS</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NORTHERN</td>
<td>SOUTHERN</td>
<td>TOTAL</td>
<td></td>
</tr>
<tr>
<td>DIVISIONIST</td>
<td>1 ( 2%)</td>
<td>0 ( 0%)</td>
<td>1 ( 1%)</td>
<td></td>
</tr>
<tr>
<td>MODERATE</td>
<td>10 ( 19%)</td>
<td>4 ( 5%)</td>
<td>14 (10%)</td>
<td></td>
</tr>
<tr>
<td>STATEHOOD</td>
<td>42 ( 79%)</td>
<td>77 ( 95%)</td>
<td>119 (89%)</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>53 (100%)</td>
<td>81 (100%)</td>
<td>134 (100%)</td>
<td></td>
</tr>
</tbody>
</table>

|                  | REPUBLICANS        |            |            |            |
|                  | NORTHERN           | SOUTHERN   | TOTAL      |
| DIVISIONIST      | 121 ( 98%)         | 11 (100%)  | 132 (98%)  |
| MODERATE         | 1 ( 1%)            | 0 ( 0%)    | 1 ( 1%)    |
| ANTI-STATEHOOD   | 2 ( 1%)            | 0 ( 0%)    | 2 ( 1%)    |
| TOTAL            | 124 (100%)         | 11 (100%)  | 135 (100%) |

all favored statehood. On the opposite side, Democrats in the east, west, south and north voted against it, with somewhat less unanimity. It made no difference whether a member was from the north, south, east or west. His vote shows his political affiliation was more important than
his sectional ties, underlining the partisan nature of the statehood question in an era when House and Senate majorities were often very narrow and each new Senator or Representative might change the complexion of Congress by altering the balance of party control. In the Fiftieth Congress, in which Harrison served on the Committee of the Territories (not as Chairman, as he did in the Forty-ninth Congress) the Republicans controlled the Senate by only 39 to 37. No wonder Democrats were suspicious of the political leanings of new states! 

Originally, I believed there would be some significant sectional split, especially east-west. Since the territories were located near the western states, I assumed the latter would feel some sympathy for the plight of their neighbors. However, roll call analysis confirms that a westerner voted his party line. This proved to be one of the most revealing aspects of my findings. Many times the members would state they were fellow westerners, and therefore in complete accord with the territories' efforts. Nevertheless, when the time came for the vote to be cast, their western pride turned to partisan obedience. One would also have expected that easterners would be skeptical about the admission of four new western states at once, for it would have the effect of further diluting their political power. This eastern reluctance to promote western expansion had been present
from the early days of the Republic. Perhaps easterners were resigned to the fact that this process would continue until all territories had become states; perhaps, also, their instinct for party survival was simply stronger than their sectional feelings.

Furthermore, and almost as significant, the Omnibus Bill, admitting North Dakota, South Dakota, Montana, and Washington, followed party lines even more strictly than the historiography of the period (which claims support, not unanimity) has implied. As pointed out earlier in this paper, it was ironic that the political party responsible for barring statehood for Dakota was indeed the same party that ended up granting the same in the end. Democrats, originally the strongest opponents of the admission of Dakota as a state, changed from total non-support to acceptance of a single-state plan. After the Republicans were unwilling to back down from their original dual-statehood proposition, sufficient Democrats finally agreed to this as well. Springer, one of the strongest Democrats, actually formulated the Omnibus Bill. His support, along with that of other Democrats, was only there at the last minute when they realized they had no other alternative. Democrats were indeed holding up statehood for the territories. Political control of the House of Representatives meant more to them than unenfranchised citizens. Dakota Territory was ready and
willing to become a state ten years prior to admission, but it had to wait until the Democrats were forced into the position of either fighting or joining a statehood movement which, after the 1888 national election, was clearly going to be successful.

A further study was conducted to investigate to what extent partisanship played a role in entire Congress of 1888-1889, both the House and the Senate. Using the identical program utilized to track the Dakota statehood issue in the second session of the Fiftieth Congress, and cluster-bloc analysis, I carefully analyzed the results of the pairwise comparisons of all voting that occurred in both sessions of the Fiftieth Congress. Since I had found partisan voting was the normal way of conducting business when I experimented with the statehood issue, I assumed the same would apply to other issues which passed through Congress. The results were predictable, yet surprising in their degree of agreement. Again to state the criteria of the blocs: in order to become a member of a bloc, a congressman must vote the same as all other members of the bloc on at least eighty percent of the roll calls. It is obvious from this statement that they did not vote exactly the same on each and every issue. However, it should be pointed out that eighty percent agreement is remarkable, considering the diversity and complexity of Congress.
The House of Representatives of the Fiftieth Congress contained 323 members (156 Republicans, 167 Democrats) in the 1888-1889 session, and they voted on a total of 320 roll calls (see Table 5 above). Using the cluster-bloc program, the group broke into two very distinct groups, directly along party lines. Beginning with the Democrats, only nine members (5.4 percent) voted with the Republican bloc. Basically, the Democrats voted cohesively on all of the issues brought before the House; however, they do not belong to "a" bloc with as much certainty as I found on the statehood question. They fragmented more within the bloc into sub-blocs or mini-
blocs, yet all voting a basic Democratic line. The Republicans, on the other hand, formed a solid group. Only two members (1.3 percent) voted with the Democrats at all. The Republicans' degree of agreement was also much higher, the majority of them paring with each other at 80 percent or more. Again, this group was, to some degree, less well defined than the corresponding bloc on the Dakota issue. It is of interest to note that both parties were able to command the solid allegiance of their rank and file in the House, for they voted with each other and not with the opposite party, at least at the 80 percent level used to define a voting bloc. The House of Representatives of the Fiftieth Congress was conclusively a partisan group of voting members, much more so than in our own time.

It should be noted that such intense partisanship also meant that a small group of as few as fifteen men could have a decisive role in the final vote. It was apparent that the statehood issue, although always firmly supported by the Republican party, finally was brought in by the House whose majority was Democratic. It was the action of a small group of Democrats who finally voted for the statehood bill, determining the final result. The motivation of these men is now lost to time; however, one can speculate that they either were men of conviction, willing to put aside the party voice, or, acting on
orders from the Democratic party, they were perhaps realistic about the fact that Republicans would bring in new territories regardless what they did in this Congress. In any case, the statehood issue was determined by this small group of Democrats.

Similarly, the Senate's complexion proved no less partisan. The Senate of the Fiftieth Congress had 77 members. The political breakdown was about even, with 37 Democrats and 39 Republicans. The Senate voted on 389 roll calls in the 1888-1889 session. It is striking to discover that like the House, it broke into two blocs along strict party lines. The matrix, with its text-book archetype, is perfectly set, with the 37 Democrats voting together in one bloc, and the 39 Republicans voting in the other bloc. The Senate was decisively partisan in character. It voted according to party standing on all of the issues regardless of content or apparent personal reflection. It can only be speculation whether or not the party dictated the vote on a particular issue; however, it would be most remarkable if each and every member of either the Republican or Democratic party were absolutely devoted members with identical beliefs and convictions.
1Because fringe members only voted with their bloc 70 per cent of the time, they have been eliminated from the following statistics. The complete list of all blocs and fringes may be found in Appendix 3.

The objective of this thesis was to discover the reasons why statehood for Dakota Territory took twenty-eight years to accomplish. I found there were several issues in the territorial period that delayed statehood, including bond repudiation, an effort to change the constitution after its submission to Congress and approval by the Senate, the efforts of Governor Ordway to keep Dakota under his control, and uncertain results of key referendums. Dakota was, at times, its own worst enemy. Splitting into fragmented groups, it often did not have a comprehensive and organized program to follow. This apparent disorganization was viewed in Washington with apathy, causing politicians to ignore the distant territory. In addition, the territory was insistent that it wanted to enter the Union as two states and not one large, clumsy state. This too caused delay, as it was somewhat out of the ordinary to split territories into more than one state, both of which would be admitted immediately.
Washington politicians were also partially to blame for the long delays. The House and Senate were controlled by the same party only for a short time after 1875, leading to an intense partisan struggle over the territories between the Republicans and the Democrats. The Republicans were supportive of the Territory of Dakota and were willing to bring it into the Union by 1886. The Democrats, on the other hand, blocked statehood time and time again. The key to the entire issue was partisan politics, leading to constant and extended delay. Dakotans were delayed by their own disorganization, they were delayed by politics of their era, and they were delayed by one political party, the Democrats. It is no surprise that the statehood movement was riddled with problems the entire time.

My hypothesis was correct in attributing to the Democratic Party the long delay in statehood for Dakota. Even though this point was strongly supported by the historiography of the period and by modern historians, this study carries this fact one step further. I found that it was indeed true that Democrats were unreceptive towards the territory and chose to ignore it for many years. Nevertheless, they were the party which finally brought Dakota into the Union in 1889.

At this point cluster bloc analysis was especially useful. I have noted that on occasion a legislator's
opinion as expressed in his speeches was not reflected in his voting record. One could not determine exactly who supported North Dakota statehood and who did not, simply by looking at the vote on final passage, for that was a voice vote. Furthermore, most of the roll calls really involved more than one question; the simplified discussion in the text and appendix 2 does not reflect that. There were, in fact, no single roll call issues that were clearly indicative of support for North Dakota and no other issue, although there were two clear-cut votes on the New Mexico issue, which might help some other historian. By comparing voting behavior on a number of issue-related roll calls, however, I could pinpoint congressmen whose attitudes were Divisionist, Moderate, or opposed to immediate statehood for North Dakota.

For example, Representative Springer led Democrats in the House of Representatives in the fight to pass the Omnibus Bill, which would have admitted North Dakota promptly. But when the votes were counted, Springer was sometimes found in the Anti-Statehood block. How is this to be explained?

First of all, many of the key votes on the Omnibus Bill were voice votes; they must remain outside our scope. Also, Springer was not in the Moderate Block of Democrats because (like the vast majority of Democrats) he was not as willing as the Moderates were to vote with
Republicans on all of the various parliamentary maneuvers prior to passage of the Omnibus Bill, nor was he willing to grant more than a two-state advantage to the Republicans. Note in Appendix 2, which lists the twelve relevant roll calls, that some of them are procedural and none of them is a vote on final passage. Springer was determined to have some bill passed under the sponsorship of the Democrats. With the help of the bloc of fifteen, the Moderates, all Democrats except one Independent Republican, he succeeded. In January 1889, Springer secured the passage of his substitute in the House; this bill provided for the division of Dakota Territory and the prompt entry of North Dakota and the other states into the Union. The fifteen Moderates supported him in this effort and, in four of the five roll calls pertaining to the issue, they provided the margin of victory. (The four fringe Moderates, all Democrats, were also supportive).

Once his substitute became the House bill, however, Springer and the Moderates were no longer in agreement. On six of the remaining seven roll calls, Moderates opposed Springer (on the roll call number ten only five Moderates voted, and they were split). The Democratic leader fought to bring in New Mexico, which would have been a Democratic state. The Moderates opposed him,
evidently in the belief that insistence on the New Mexico question would endanger the entire package.

The Moderates voted against Springer and their party in February 1889. These roll calls are more difficult to classify. Two were votes to adjourn, and the moderates split on one of them. But this small bloc seems to have been more insistent than Springer and the other Democrats that South Dakota should come in with the Sioux Falls Constitution of 1885 if it wished, and that North Dakota be admitted without delay due to submission of the division question to a local referendum or due to any further required action by Congress. Perhaps this is indicative of a commitment to democratic ideals; perhaps it indicates pragmatic acceptance of the political power of the Republican Party. The Moderates were not the swing vote on these roll calls, but the fourteen Democratic Moderates who were present and voting did vote against their own party leadership.

It was interesting to discover the inner workings of the Democratic Party at that time. My research indicates that from 1861 to 1886, Democrats were adamantly opposed to bringing in any new states. However, in December 1886, Springer first introduced the Omnibus Bill, which indicated a change in Democratic strategy. The new plan called for Democratic support of the western territories and stressed the need to bring not one, but four states
into the Union. Activity was intense as the party tried to make this statehood issue something it could capitalize on instead of ending up labeled as the party that did not support the admission of new states.

A great deal of trading went on in the second session of the Fiftieth Congress, the Senate passing one bill, which traveled over to the House only to be rejected, amended, and then returned with variations. The actual votes in the committees were not recorded in either the House or the Senate, therefore it was difficult to pinpoint who exactly was supporting certain issues or bills. But it is clear that Democrats quickly realized that if they failed to bring in the states, including some with Democratic tendencies, the Republicans would bring in Dakota for sure the following congressional session, and might leave out altogether the territories that were Democratic.

Democrats realized that a trade of sorts could be arranged to guarantee at least some Democratic states. They never lost sight of their original party goal, which was to keep out any territories that were not of their party unless, if all else failed, they must be brought in by pairs to insure that Republican and Democratic states joined the Union together. The last few months of the Fiftieth Congress saw the emergence of a moderate bloc of Democrats who, by their presence, softened the issue
sufficiently to permit statehood for Dakota along with the other territories. They apparently wanted to save something out of the party's inevitable defeat on the issue. It was because of their support for division of Dakota Territory that key votes on the Omnibus Bill permitted North Dakota to receive the necessary majority. The Moderate Democrats, even though they were small in number, actually made statehood possible for North Dakota, as well as supporting South Dakota, Montana, and Washington. It was indeed an ironic twist in events.

Equally partisan however, the Republicans happened to be on the correct side of the territorial issue for Dakota. They professed for many years that they were indeed the party of the territories, always willing to go out on a limb for the unenfranchised citizens. Again, knowing the political structure of the parties of the post-Civil War congresses, one wonders if they would have been so willing to go to the lengths they did if Dakota would have been controlled by Democrats. Probably not, for Republicans managed to keep out New Mexico, which would have elected Democrats to Congress. Republicans were just as partisan as Democrats were; however, most historians since statehood have overlooked that fact. In the end, statehood was attained for Dakota partially because of Republicans laboring to bring in the
territories as soon as possible, and partially because Democrats did not want to make the territorial issue a liability in the next election.

The final analysis of the Fiftieth Congress of the United States proves the hypothesis that the Democratic Party blocked statehood for Dakota Territory and the Republican Party tried for many years to assist the territory in joining the Union. It was quite revealing to note that political parties had such absolute control over their members. With the assistance of cluster bloc analysis, I was able to indicate the degree to which Democrats voted with Democrats, following party policy, and Republicans voted with Republicans.

Voting behavior during the 1888-1889 congressional year was revealing in two ways. First, the House broke into two specific party blocs. It was rather amazing that party voting was as strong as it was, considering 323 individuals were represented, indicating about as close to perfect party alignment as one will ever see. Second, it was exciting to note to what degree the Senate also voted along party lines; the blocs were even more distinct, indicating even greater party loyalty. As it turns out, partisanship was truly reflected in the Fiftieth Congress of the United States. This is typical of the voting behavior of Gilded Age congressmen and in sharp contrast to legislative alignments in a modern
Congress. Although findings do not indicate 100 percent adherence to party, evidence nevertheless supports the contention that Democrats voted solidly with Democrats, and Republicans with Republicans.

North and South Dakota each called constitutional conventions during the summer of 1889. The delegates agreed on the division line in the territory, disposed of all common debts and liabilities, divided the public buildings, and separated the respective debt. Voters approved both constitutions in October of 1889. President Harrison signed the proclamation on November 2, 1889, admitting North and South Dakota to the Union. He signed his name to the proper papers without revealing which state came in first. Harrison allegedly explained his action by saying, "they were born together, they were one, and I will make them twins."


APPENDICES
APPENDIX 1
REFERENDUM ON DIVISION, NOVEMBER 1887

Diamonds indicate against division
Circles indicate for division
White indicates no call for election

Source: U.S. Congress, House, Committee on Territories,
Admission of Dakota, 50th Cong., 1st sess.,

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APPENDIX 2
ROLL CALLS ON STATEHOOD ISSUE

The following roll calls were used in the analysis:

1. Measure is an amendment submitted by MacDonald to Springer's substitute for Senate Bill S. 185, "to provide for the admission of the State of Dakota into the Union, and for the organization of the Territory of North Dakota."

Vote is yea 117, nay 122, not voting 83. Amendment is rejected.

Issue is whether Dakota Territory should be divided and North Dakota admitted immediately with the other states (Springer), or whether Dakota Territory should be divided and North Dakota admitted in the future after writing a constitution and forming a government (MacDonald).

Result is to accept Springer's amendment in the nature of a substitute, thus proposing to admit North Dakota immediately.

Congressional Record, p. 934; Journal, p. 290; January 18, 1889.

2. Measure is an amendment in the nature of a substitute, offered by Springer to divide Dakota Territory and admit North Dakota immediately with South Dakota, Montana, Washington, and New Mexico.

Vote is yea 133, nay 120, not voting 69. Amendment is rejected.

Issue is whether Dakota Territory should be divided and North Dakota admitted immediately with South Dakota, Montana, Washington, and New Mexico (Springer), or whether Dakota Territory should be divided and North Dakota admitted in the future after writing a constitution and forming a government (Senate bill).

Result is to accept Springer's amendment in the nature of a substitute, thus proposing to admit North Dakota immediately.
3. Measure is motion by Baker to recommit the bill, which is now Springer's substitute, with instructions to report separate bills admitting South Dakota and proving enabling acts for North Dakota, Montana, and Washington.

Vote is yea 118, nay 131, not voting 73. Motion is rejected.

Issue is whether Dakota Territory should be divided and North Dakota admitted immediately with South Dakota, Montana, Washington, and New Mexico (Springer), or whether Dakota Territory should be divided and North Dakota admitted in the future after writing a constitution and forming a government (Baker).

Result is to continue consideration of Springer's amendment in the nature of a substitute, thus proposing to admit North Dakota immediately.

Congressional Record, p. 950; Journal, p. 295; January 18, 1889.

4. Measure is to pass the bill, which is now Springer's substitute.

Vote is yea 145, nay 98, not voting 79. Bill is passed.

Issue is whether to pass the bill in the form of the Springer amendment (which divides Dakota Territory and admits North Dakota immediately with South Dakota, Montana, Washington, and New Mexico), or to deliberate further the original Senate version (which divides Dakota Territory and admits North Dakota in the future after writing a constitution and forming a government).

Result is to pass the bill, thus proposing to admit North Dakota immediately.

Congressional Record, p. 951; Journal, p. 296; January 18, 1889.
5. **Measure** is the preamble to the bill, referring to the desire of the people of South Dakota to be admitted under the constitution adopted in 1885.

Vote is yea 91, nay 108, not voting 123. **Preamble** is rejected.

**Issue** is whether to revise the preamble to include referenced to the 1885 constitution for South Dakota.

**Result** is to omit reference to the 1885 constitution for South Dakota in the preamble.

Congressional Record, p. 952; Journal, p. 297; January 18, 1889.

6. **Measure** is to accept that portion of the report of the Conference Committee that recommends that New Mexico be excluded from the bill.

Vote is yea 135, nay 105, not voting 83. That portion of the Conference Committee report is accepted.

**Issue** is whether to admit New Mexico to statehood.

**Result** is to refuse statehood to New Mexico.

Congressional Record, p. 1912; Journal, p. 497; February 14, 1889.

7. **Measure** is to table a motion to reconsider item six.

Vote is yea 136, nay 109, not voting 77. **Motion to reconsider** is tabled.

**Issue** is whether to admit New Mexico to statehood.

**Result** is to refuse statehood to New Mexico.

Congressional Record, p. 1913; Journal, p. 499; February 14, 1889.

8. **Measure** is Mr. Cox's motion to accept that portion of the report of the Conference Committee that South Dakota be admitted under the Sioux Falls constitution if the voters approve it, and that portion of the report of the
Conference Committee that provides a referendum on the constitution but not on division of the territory.

Vote is yea 137, nay 103, not voting 82. Motion is accepted.

Issue is whether to resubmit the South Dakota constitution to the voters, and whether to permit the division of Dakota Territory without further voter approval.

Result is that South Dakota's admission under the Sioux Falls constitution is approved if the voters desire it, and Dakota Territory will be divided without further voter approval.

Congressional Record, p. 1913; Journal, p. 500; February 14, 1889.

9. Measure is a motion to adjourn the House.

Vote is yea 82, nay 143, not voting 97. Motion is defeated.

Issue is whether to continue deliberation on the Conference Committee report on the Omnibus Bill.

Result is to continue deliberation on the Conference Committee report on the Omnibus Bill.

Congressional Record, p. 1914; Journal, p. 501; February 14, 1889.

10. Measure is a motion to adjourn the House.

Vote is yea 86, nay 120, not voting 116. Motion is defeated.

Issue is whether to continue deliberation on the Conference Committee report on the Omnibus Bill.

Result is to continue deliberation on the Conference Committee report on the Omnibus Bill.

Congressional Record, p. 1915; Journal, p. 502; February 14, 1889.
11. Measure is a motion to reconsider item eight and to table it.

Vote is yea 145, nay 110, not voting 67. Motion is tabled.

Issue is whether to resubmit the South Dakota constitution to the voters, and whether to permit the division of Dakota Territory without further voter approval.

Result is that South Dakota's admission under the Sioux Falls constitution is approved if the voters desire it, and Dakota Territory will be divided without further voter approval.

Congressional Record, p. 1939; Journal, p. 508; February 15, 1889.

12. Measure is motion that North Dakota, Montana, and Washington be admitted on the same basis and by proclamation of the President.

Vote is yea 135, nay 105, not voting 83. The motion is accepted.

Issue is whether North Dakota, Montana, and Washington shall be admitted by Presidential proclamation or after congressional approval.

Result is that North Dakota, Montana, and Washington shall not be required to risk further delay at the hands of Congress.

Congressional Record, p. 1940; Journal, p. 510; February 15, 1889.
# APPENDIX 3

## BLOCK STRUCTURE OF HOUSE OF REPRESENTATIVES

### ON 12 ROLL CALLS, 50th CONGRESS, 2ND SESSION

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APPENDIX 4

HOUSE MEMBERS EXCLUDED FROM ANALYSIS

The following members of the house of Representatives have not been included in the analysis because of an insufficient voting record.

Allen, John Mills    MI(D)
Belmont, Perry       NY(D)
Bowen, Henry         VA(R)
Breckinridge, Clifton AR(D)
Browne, Thomas       VA(R)
Brumm, Charles       PA(R)
Bryce, Lloyd        NY(D)
Bunnell, Frank       PA(R)
Burnes, James        MO(D)
Brunett, Edward      MA(D)
Cockran, W. Bourke   NY(D)
Collins, Patrick     MA(D)
Davenport, Ira       NY(R)
Felton, Charles      CA(R)
Fitch, Ashbel        NY(R)
Gay, Edward          LA(D)
Glover, John         MO(D)
Goff, Nathan         WV(R)
Granger, Miles       CT(D)
Greenman, Edward     NY(D)
Hogg, Charles        WV(D)
Houk, Leonidas       TN(R)
Hovey, Alvin         IN(R)
Laird, James         NE(R)
Lee, William         VA(D)
Lyman, Joseph        IA(R)
Lynch, John          PA(D)
Mattett, James       PA(R)
Mahoney, Peter       NY(D)
Mason, William       IL(R)
McShane, John        NE(D)
Morrow, William      CA(R)
Neal, John           TN(D)
Nutting, Newton      NY(R)
Rayner, Isidor       MD(D)
Snyder, Charles      WV(D)
Stahlnecker, William NY(D)
West, George         NY(R)
Whiting, Justin      MI(D)
Witthorne, Washington TN(D)
Wilkins, Beriah      OH(D)
Yost, Jacob          VA(R)

Total of 42 Representatives
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