
"To Prevent a Calamity Which Is Imminent"

Governor Frazier and the Fuel Crisis of 1919

by Thomas Shilts

Some thirty-four unionized lignite coal mines were operating in North Dakota in the autumn of 1919. All were privately owned. The state had no experience with publicly owned mines—that is, until Governor Lynn J. Frazier issued an executive proclamation in November announcing the seizure of all mines under martial law provisions.¹ He justified this unprecedented action on a fuel crisis sufficiently acute to invoke the public interest. The state's newspapers found much drama in Frazier's action—one, for example, called it "a thunderbolt of defiance hurled into the teeth of the industrial autocracy of the states and the nation" but, according to another, "the rule of the people has been supplanted by the reign of the soviets."² While any martial law declaration would seem to possess inherent tension, the nature of the mine seizure was generally obscured, as political meaning was attached to the basically apolitical project of supplying people with fuel. At issue was the control exerted over North Dakota by the Nonpartisan League (NPL), to which Frazier and many state officials belonged. Both friendly and hostile media depicted the mine seizure as an expression of expanding NPL strength and therefore a victory for the increasingly controversial "great socialist experiment" of the NPL administration.³ Despite such enthusiasms, however, evidence suggests that a threatening fuel shortage was indeed at hand in the fall of 1919, and, regardless of its motivations, the seizure was only the most visible of several pragmatic measures taken to prevent it.

North Dakota found itself in a worrisome situation as the fall of 1919 approached. Coal was the principal fuel for industry, transportation, and home heating, and limited quantities were available. Approximately two-thirds of the state's coal needs were met by importing bituminous and anthracite

coals from the eastern United States through the Great Lakes ports of Duluth, Minnesota, and Superior, Wisconsin, but a late summer dockworkers' strike had delayed shipments.⁴ The *Fargo Forum* treated the availability of eastern coal as front page news on September 21, and on September 30, Fargo coal dealers were reportedly "swamped" with orders.⁵ Other regions of the state reported similar news. As late as November 30, less than 31 percent of the state's imported coal needed for the winter had been shipped.⁶ While the supply of eastern coal was problematic, it was unlikely that native lignite from the western half of the state could easily make up for the shortages. There were no great stockpiles of the soft coal on which to depend since, in the words of State Fuel Administrator Isaac P. Baker, "domestic lignite does not stock well, [and] . . . it deteriorates very rapidly when exposed to the elements."⁷ Elsewhere in the United States, the coal supply was similarly precarious, due in part to the volatile nature of the soft coal industry.⁸ The U.S. Fuel Administration warned the public of a possible autumn coal shortage as early as June.⁹ While such warnings had occurred other years and were, "not unusual . . . the forewarning of a coal shortage was particularly grave in 1919."¹⁰

The prospect of labor trouble in soft coal fields across the United States was also at hand. Largely because of dissatisfaction with wages, the United Mine Workers of America (UMW), at their September convention, developed a list of demands to be presented to bituminous operators, the most immediate item of which was a provision declaring all its contracts in the bituminous fields cancelled as of November 1.¹¹ Negotiations involving the UMW, the mine operators, and federal government officials ensued. In North Dakota there was a sense of cautious optimism that lignite miners would not take part

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GERMAN NAVAL OFFICER PUT ON THE STAND

German War Officials Want to Know Why Submarines Failed.

Berlin, Tuesday, Nov. 11.—By the Associated Press.—Vice Admiral Bernhard von Sahlbein, former minister of the navy, was bombarded with questions today as to why more submarines were not built so as to have made the submarine campaign more successful.

Hecklers at the national assembly sub-committee's investigation into the war, having failed to get much information as to why the submarine campaign was not avoided, changed their tactics in questioning the former minister of navy on submarine construction. The admiral replied succinctly in an endeavor to show who submarine construction was retarded in 1916, and why it jumped enormously in 1917 and 1918.

General Fraser is Ordered to See That Mines Are Operating

MINE OWNERS AND OPERATORS' SCALE COMMITTEE WILL MEET FRIDAY TO DISCUSS NEW WAGES

PALMER MAY INTERFERE IN NORTH DAKOTA

Reported That He Will Take Action in Connection With Strike.

Minneapolis, Minn., Nov. 12.—A dispatch received here today from W. B. Washburn, Minneapolis, one of the

ALL BIG MINES OF THE STATE ARE TAKEN OVER

State Will Continue Control Until Workers and Owners Agree.

LEWIS REFUSES TO CANCEL N. D. STRIKE

Operators Take Stand That Contract Fixes Wages Until Next Year.

Bismarck, N. D., Nov. 12.—Martial law was in effect today in the

Headline from the Grand Forks Herald (top) announcing the seizure of North Dakota lignite mines by state officials during the coal strike of 1919. Frazier's executive proclamation on Monday, November 10, 1919, gave the operators and the miners little more than twenty-four hours to come to an agreement or face state seizure of the mines. The governor's deadline was transmitted to Walter P. Macomber, general manager of the Washburn Lignite Coal Company in Wilton, in a telegram (below). Lynn J. Frazier (inset) was first elected governor in 1916, but was recalled from office in his third term on October 28, 1921. G. Angus Fraser (right) became the commander of the militia ordered by Frazier to seize the mines. Fraser (standing, left) is pictured here with other soldier employees of the North Dakota capital in 1919: John Bowen and Lt. Sidney Mason (seated).



MINNEAPOLIS, ST. PAUL & SAULT STE MARIE RAILWAY CO. COMMERCIAL TELEGRAPH DEPARTMENT. NIGHT LETTERGRAM. Bismarck, N.D. Nov 10th 1919. W P Macomber. Wilton, N.D. Have issued proclamation to public that if no agreement is not reached between the miners and operators before six Pm Nov 11th that state will take over mines operate them until emergency has been overcome. That you confer with miners wire outcome my expense. Gov L.J.Frazier.

in a national soft coal strike. The state's lignite industry was enjoying a boom period, and, historically, good relations between management and labor had prevailed.¹² Unionization of the lignite fields by the UMW, which began about 1902, had proceeded "swiftly and easily."¹³ At the Washburn Lignite Coal Company, the largest in the state, miners were apparently willing to accept the operators' corporate paternalism.¹⁴ Moreover, the president of the state mine operators association and the secretary of the UMW Wilton local both indicated that the contract binding miners in North Dakota was separate from the Washington Agreement to which the national leadership of the UMW had objected. However, the secretary suggested that a sympathetic strike by North Dakota's miners remained a possibility.¹⁵

On October 30 Governor Frazier telegraphed acting UMW president John L. Lewis seeking a local exemption from the nationwide strike scheduled to occur in less than two days. Noting the disastrous effects a strike would have on his state, the governor requested "some working arrangement" to keep the mines open, if "not incompatible with the just demands of organized labor."¹⁶ Lewis referred the matter to UMW District 27 president Henry Drennan. Drennan, made aware of Frazier's proposal, sent out an order cancelling the strike in North Dakota and left his Billings, Montana, office for Bismarck and a week of conferences with state officials, labor leaders, and mine operators. On Saturday, November 1, the national strike began as some 425,000 miners stopped work. In North Dakota all mines but one were still running. The *Grand Forks American* interpreted Frazier's actions as a labor-friendly slap in the face to "Wall Street and . . . the great employing interests."¹⁷

Attempts to find a working arrangement to keep the mines operating began on Monday, November 3, in the governor's office. That meeting with administration officials and labor leaders featured a lengthy talk by Drennan in which the district president praised the state's NPL administration and the farmer-labor brotherhood it represented. "We know we are fighting the same battle as the organized farmers of this state and other states are fighting," he

said.¹⁸ Mine operators attended Tuesday's meeting, when real negotiations began. Among other demands, miners sought the same wage increase requested by the national UMW leadership—60 percent (although one paper reported that North Dakota miners would accept a 30 percent raise).¹⁹ Labor wanted the increase payable, not to the miners themselves, but to the union's benefit fund for the aid of striking miners elsewhere. The negotiators reached no agreement on Tuesday, and the meeting reconvened on Thursday. Events reached an impasse when operators balked at the demand to pay the wage increase into the UMW strike fund, fearing that it would violate a federal injunction against helping to further the national strike. The meeting ground to a halt in the early hours of Friday. The normally mild-mannered Governor Frazier angrily told reporters "in a stormy scene that [operators] were trying to make a 'goat of him.'"²⁰ Without a settlement in sight, Drennan issued a strike call for North Dakota that was posted in unionized mines the same day. Critics charged that the governor had brought on the strike by interfering in management-labor relations, and suggested that Frazier's ambition "to be the candidate of radical labor for president of the United States" had so motivated him.²¹ Immediately, however, neither North Dakota's miners nor operators had reason to be pleased. Attempts to avert a mine shutdown had failed.

While management, labor, and the Frazier administration pondered their options, nature lent a hand in hastening the turn of events. On Saturday, November 8, as the North Dakota miners' strike entered its first day, a powerful blizzard—"one of the worst ever experienced" so early in the season—slammed into the state and continued for several days.²² With 70 percent of North Dakota's lignite production halted due to the strike, and in the face of severe weather threatening to isolate rural communities already suffering from fuel shortages, Frazier took a momentous step. Abandoning his previous role as mediator, the governor issued an executive proclamation late Monday, November 10, stating that if no agreement between operators and miners were reached by 6:00 p.m.

1. "Governor's Proclamation For Martial Law is Followed by Supplementary Order That Gen. Fraser Place State Troops in Charge," *Grand Forks Herald*, November 13, 1919, p. 2.

2. The first quote is from "Our Coal Strike Victory," *Ward County Farmers Press*, November 20, 1919, p. 8; the second, an example of the vehement opposition to Frazier's action, is from "Frazier and the Big Stick," *Bismarck Tribune*, November 15, 1919, p. 4.

3. Elwyn B. Robinson, *History of North Dakota* (Lincoln: University of Nebraska Press, 1966), p. 327.

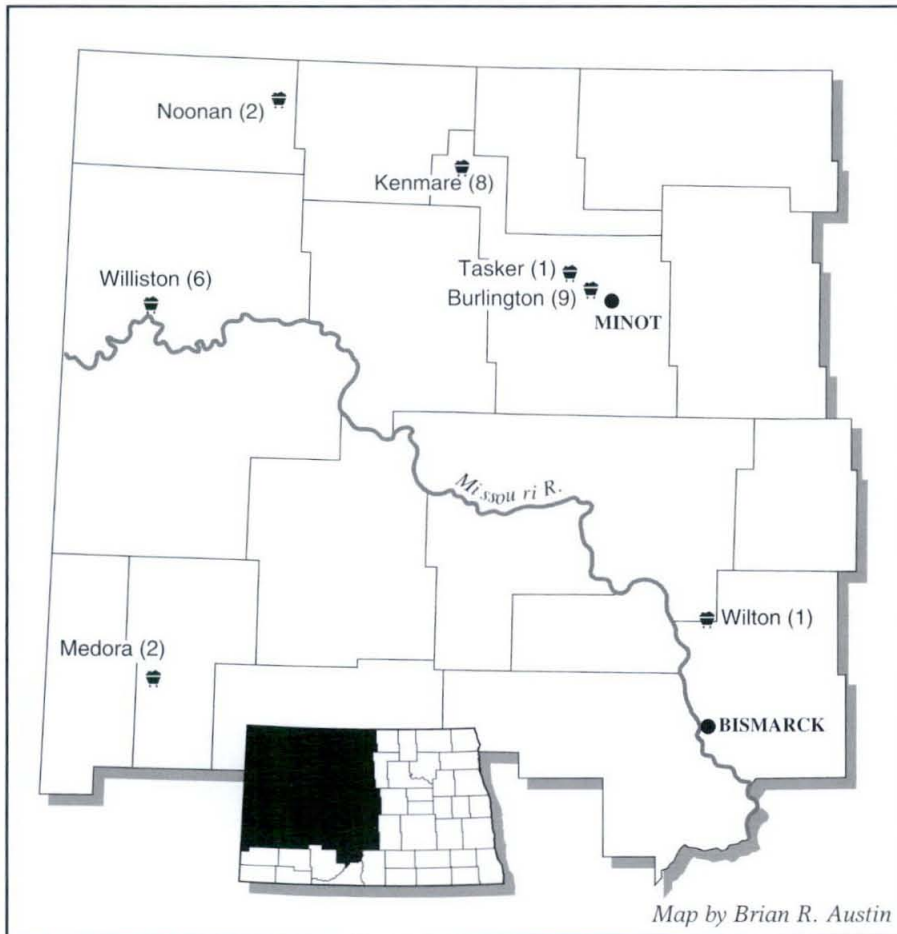
4. Lynn J. Frazier to J. P. Tumulty, November 5, 1919, Frazier Papers, Collection 212 file 1-3, Elwyn B. Robinson Department of

Special Collections, Chester Fritz Library, University of North Dakota, Grand Forks [cited hereafter as "Frazier Papers"].

5. "Coal Dealers Swamped as Weather Turns Cold," *Courier-News* [Fargo], September 30, 1919, p. 2.

6. "Frazier Saved State by Quick Action on Coal," *Grand Forks American*, December 26, 1919, p. 3.

7. United States Fuel Administration, Administrative Division, *Report of the Administrative Division, 1917-1919. Part I: Reports of the Bureau of State Organizations and of the Federal Fuel Administration for the Various States and Districts*, ed. by George Edwin Howes, (Washington: GPO, 1920), pp. 273-277; *Ibid.*, "North Dakota," by Isaac P. Baker, p. 273.



Thirty-four mines owned by the mining companies were seized part of the state seizure in 1919:

- Washburn Lignite Coal Co., Wilton
- Red Trail Coal Co., Medora
- Little Missouri Coal Co., Medora
- Burlington City Coal Mine, Burlington
- Colton Coal Mine, Burlington
- Midway Coal Mine, Burlington
- Conan Coal Mine, Burlington
- Davis Coal Mine, Burlington
- Dakota Coal Co., Tasker
- Hummwell Coal Co., Burlington
- Lloyd Coal Co., Burlington
- Superior Coal Co., Burlington
- Wallace Coal Mine, Burlington
- National Coal Mine, Kenmare
- Clark Coal Mine, Kenmare
- Crosby Coal Mine, Kenmare
- Diamond Coal Mine, Kenmare
- Farmers' Coal Mine, Kenmare
- Thompson Coal Mine, Kenmare
- Hellon Coal Mine, Kenmare
- Rich Coal Mine, Kenmare
- Sanberg Coal Co., Noonan
- Lorbeski Coal Mine, Noonan
- Black Diamond Coal Co., Williston
- Star Coal Co., Williston
- Buyrn Coal Co., Williston
- Ellihorpt Coal Co., Williston
- Head Coal Co., Williston
- Williston Coal and Ice Co., Williston

Tuesday, November 11, the state would seize the mines and operate them "for and in behalf of the public, with justice and fairness to all, until the present emergency shall have passed."²³

While enacting measures to ensure operation of North Dakota's lignite mines, Governor Frazier also confronted the equally serious task of keeping non-native coal flowing into the state. Although coal

stockpiles in Duluth and Superior were generally regarded as plentiful, Frazier feared that shipments would be diverted from his state under orders from the Railway Administration or Fuel Administration, whose wartime control of fuel distribution had been reinstated following the nationwide strike. Accordingly, the governor fired off telegrams and letters to various federal officials, including Attorney

8. Maier B. Fox, *United We Stand: The United Mine Workers of America, 1890-1990* (n.p.: United Mine Workers of America, 1990), p. 169.

9. United States Fuel Administration, *Final Report of the United States Fuel Administrator, 1917-1919*, by Harry A. Garfield. (Washington: GPO, 1921), p. 15.

10. Nancy Hesseltine Balazadeh, "The Process of Power and the Relative Autonomy of the State: Nonpartisan League in North Dakota, 1915-1922" (Ph.D. dissertation, Southern Illinois University at Carbondale, 1988), p. 217.

11. "Wage Demands Adopted by Cleveland Convention: Submitted to Operators at Buffalo Conference," *United Mine Workers Journal* Vol. 30, No. 19 (October 1, 1919), pp. 11-14.

12. Colleen A. Oihus, *A History of Coal Mining in North Dakota, 1873-1982*. (Bismarck: North Dakota Geological Survey, Education Series 15, 1983), p. 13.

13. Fox, p. 66.

14. Frances Wold, "The Washburn Lignite Coal Company: A History of Mining at Wilton, North Dakota," *North Dakota History*

Vol. 43, No. 4 (Fall 1976), pp. 10-14.

15. "Strike of North Dakota Miners to Hit N.D. Hard," *Grand Forks American*, October 28, 1919, p. 1.

16. "Suggests State Take Charge of Lignite Mining," *Grand Forks American*, October 31, 1919, p. 1.

17. "Inside the News and Out," *Grand Forks American*, October 31, 1919, p. 1.

18. "Workers' Demands to be Submitted Tuesday," *Courier-News* (Fargo), November 2, 1919, pp. 1-2.

19. "Frazier Calls Operators and Miners Together," *Grand Forks American*, November 4, 1919, p. 1.

20. "Operators Fail to Meet Demands; Frazier is Firm," *Grand Forks American*, November 7, 1919, p. 1.

21. "Frazier Forces Strike of Lignite Miners," *Minneapolis Morning Tribune*, November 10, 1919, p. 5.

22. "North Dakota Wakes in Blizzard to Find Mining at Standstill in All Mines Controlled by Unions," *Bismarck Tribune*, November 8, 1919, p. 1.

23. For a further discussion of the significance of Frazier's role



<table border="1"> <tr><td>CLASS OF SERVICE DESIRED</td></tr> <tr><td>Telegram</td></tr> <tr><td>Day Letter</td></tr> <tr><td>Night Message</td></tr> <tr><td>Night Letter</td></tr> </table> <p><small>Patrons should mark an X opposite the class of service desired. OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM</small></p>	CLASS OF SERVICE DESIRED	Telegram	Day Letter	Night Message	Night Letter	<h1>WESTERN UNION TELEGRAM</h1> <p>NEWCOMB CARLTON, PRESIDENT GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT</p>	<table border="1"> <tr><td>Receiver's No.</td></tr> <tr><td>Check</td></tr> <tr><td>Time Filed</td></tr> </table>	Receiver's No.	Check	Time Filed
CLASS OF SERVICE DESIRED										
Telegram										
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<p>Send the following message, subject to the terms on back hereof, which are hereby agreed to</p> <p style="text-align: right;">Nov. 11, 1919 191</p> <p>To: <u>Gov. L. J. Frazier</u></p> <p>Street and No. _____</p> <p>Place <u>Bismarck, N.D.</u></p> <p><u>You have seen the order of Pres. Lewis calling off the strike- in view of this fact we protest against your taking over the mines of the state.</u></p> <p style="text-align: right;"><u>W.F. Macomber</u></p>										



A flurry of telegrams ensued following the state seizure of the mines. When the state militia arrived in Wilton to enforce the governor's order, Walter Perkins Macomber surrendered the Washburn company's mine, but not before registering a formal protest in this telegram (top, right). Macomber, known as "the father of Wilton," (top, left) served as general manager of the Washburn Lignite Coal Company for many years. Macomber wired Senator Porter J. McCumber in Washington, D. C., (left) to appeal for his assistance in this "desperate" situation, referring to both Governor Frazier's action and the terrible winter weather, which exacerbated the coal shortage. McCumber (above) was a Republican who won four six-year terms in the U. S. Senate. Ironically, he was defeated by Lynn J. Frazier in the election of 1922.

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<p>Send the following message, subject to the terms on back hereof, which are hereby agreed to</p> <p style="text-align: right;">NOV. 12, 1919</p> <p>To: <u>Hon. P. J. McCumber</u></p> <p>Street and No. _____</p> <p>Place <u>Washington, D.C.</u></p> <p><u>We are in desperate condition here on fuel situation. Held up by strike. Our property in danger of being taken over by State. Henry Drennan Pres. of District No. 27 U.M.W. of A. has not issued release to miners. He is in consultation with Gov. Frazier to-day. State interrible shape. deep snow and severe weather. No stock of fuel on hand at any station. Will you take this matter up with proper authorities and act quickly. The situation is desperate.</u></p> <p style="text-align: right;"><u>W.F. Macomber</u></p>						

General A. Mitchell Palmer, Fuel Administrator Harry Garfield, regional Railway Administration Director Richard H. Aishton, and Joseph P. Tumulty, President Woodrow Wilson's personal secretary, protesting any such diversion. On November 8, Frazier sent former State Fuel Administrator Baker, who had experienced shipping troubles with the Port Cities' coal dock companies during the war, to Washington to further alert the federal government of North Dakota's plight. He sent letters to Palmer, Garfield, and Tumulty, urgently requesting that Baker be given a hearing. Baker apparently met with some success. His telegram of November 12 to Frazier reported "the situation well in hand." All dock companies would "give preference in loading to North Dakota" for the next twenty-four hours.²⁴ While Frazier attended to keeping eastern coal coming into the state, the North Dakota Railroad Commission reiterated its intention to prevent allocation of native coal to other states.²⁵

Events in the national bituminous strike were

reaching a climax as Governor Frazier's November 11 deadline for settlement of the North Dakota walkout neared. On November 8, a federal court ordered the UMW to rescind its bituminous strike call by November 11, and the United States waited. Frazier also adopted something of a wait-and-see attitude. In a letter dated November 7, he acknowledged that his attempts at conciliation between North Dakota operators and miners were probably destined to fail, but remained hopeful that federal efforts would carry positive local implications.²⁶ When the deadline arrived and the strike was ordered cancelled by the national UMW leadership, United States officials expected much to be resolved. Attorney General Palmer, having received notice of Frazier's proposed mine seizure, wired U. S. Attorney M. A. Hildreth in Fargo to the effect that the cancellation would "avoid the difficulty" of a state mine takeover.²⁷ Yet most miners across the country stayed out, perhaps due to technicalities in the cancellation order, and, in North

Dakota, Drennan did not rescind his strike call. The strike was still on despite last-minute negotiations at mines across the state.

Wednesday, November 12, was the first day of state control of the mines. Frazier issued a martial-law declaration effective at 2:00 p.m. "to prevent a calamity which is imminent." The governor requested Adjutant General G. Angus Fraser to "take charge of and assume control over" thirty-four unionized mines, ordering him to "call to his assistance such male persons between the ages of 18 and 45 as he may deem necessary" and to arrest anyone interfering with the mines' operation.²⁸ He named J. W. Deemy, manager of the People's Power, Fuel, and Clay Products company in Kenmare, as state mine manager.²⁹ It was expected that miners would return to work at the old wage scale, and that, under state management, coal would be sold at production cost plus a profit of fifteen to twenty-five cents per ton for the mine operators. Frazier wired Attorney General Palmer, North Dakota Congressman John Baer, Fuel Administrator Garfield, Secretary Tumulty, and Railroad Administrator Hines, notifying them of his action, and trusting that it would receive "the hearty and full co-operation of the Federal Government and Rail road [sic] administration."³⁰ Although federal intervention had been expected, none occurred.

Nowhere is the cleavage between the pro- and anti-administration media expressed more clearly than in two basic interpretations offered in the wake of Frazier's martial law declaration. Both centered around the Nonpartisan League. The NPL had come to power in North Dakota in 1916, appealing primarily to farmers and successfully endorsing candidates for office who supported the League's program, which featured state-owned enterprises to counteract

the power of big-business interests that supposedly controlled the banks, railroads, mills, and grain elevators. Corollary to this producer-class ideology was an evolving belief in the necessity of a farmer-labor alliance to promote the League's program.³¹ An increasingly vocal opposition had arisen, however, which insisted that the NPL had forsaken its membership and instead offered a haven for socialistic opportunists among its leadership ranks. The *Grand Forks Herald*, perhaps the Frazier administration's most articulate media critic, offered this analysis: "The thing foremost in [Frazier's] mind was not the production of coal, but the infliction of more socialism on the state."³² Nor did the friendly press eschew finding higher meanings, insisting that North Dakota's NPL administration had a lesson to teach the rest of the United States. "If the federal authorities at Washington had followed the same tactics as the governor of North Dakota," stated the *Nonpartisan Leader*, "they might easily have averted the walkout November 1."³³

Governor Frazier may have stopped to consider his actions in the context of NPL political philosophy, but if so, he had little time for such speculation. By the morning of November 13, state control had become a reality. The governor and General Fraser sent telegrams to the affected mines, informing them of the takeover and asking mine managers to remain in their positions as agents of the state. The UMW ordered North Dakota miners back that same day. Soldiers, dispatched to most lignite districts on November 13, generally reached their destinations a few days later.

The implementation of state control over North Dakota's lignite mines was entirely peaceful and employed few guardsmen, despite initial indications to the contrary. "I have five home guard companies

as mediator, see Balazadeh, pp. 201-259; "The Governor's Proclamation," *Courier-News* (Fargo), November 11, 1919, p. 1. This includes the full text of Frazier's statement.

24. Isaac P. Baker to Lynn Frazier, November 12, 1919, Frazier Papers, file 1-1.

25. "North Dakota's Miners' Ultimatum Demands Advance of 60 Per Cent or Else Immediate Walk-out Will Result; Operators Ask Time," *Grand Forks Herald*, November 5, 1919, p. 1.

26. Lynn Frazier to M. H. Akers, November 7, 1919, Frazier Papers, file 1-3.

27. M. A. Hildreth to Lynn Frazier, November 12, 1919, Frazier Papers, file 1-1.

28. "Governor's Proclamation For Martial Law," p. 2.

29. A week earlier, the company had offered to turn its mine over for state operation, which the *Minot Daily News* considered a blatant political maneuver, since the People's Power mine, controlled by the NPL, was "heretofore practically unknown" in the lignite industry. "Burlington Miners Return to Work Today; Conference at State Capitol Tomorrow," *Minot Daily News*, November 3, 1919, p. 1.

30. Lynn Frazier to A. Mitchell Palmer, John M. Baer, H. A.

Garfield, J. W. Tumulty, and Walker D. Hines, November 12, 1919, Frazier Papers, file 1-1.

31. H. G. Teigan, "The National Nonpartisan League" in *The American Labor Year Book, 1919-1920* (New York: Rand School of Social Science, 1920), p. 289.

32. "A Flat Fizzle," *Grand Forks Herald*, November 14, 1919, p. 4.

33. "North Dakota Will Get Its Fuel Supply," *Nonpartisan Leader*, November 17, 1919, p. 3.

34. "Governor's Proclamation," *Grand Forks Herald*, November 13, 1919, p. 2.

35. Jerry Cooper and Glenn Smith, *Citizens as Soldiers: A History of the North Dakota National Guard* (Fargo: Institute for Regional Studies, 1986), p. 220.

36. "Martial Law Proclamation Creates Unusual Situation; Wilton Mine Owners Will Hold Conference Relative to Court Procedure," *Grand Forks Herald*, November 16, 1919, p. 1.

37. "Nobody Runs Mines, But They Still Operate as Union Men Take Places," *Williston Herald*, November 13, 1919, p. 1.

38. "Local Mines are Again Operating," *Noonan Miner*, November 13, 1919, p. 5.



This photograph of the Washburn Lignite Coal Company appeared in an ad on the front page of a special edition of the *Business Bulletin*, devoted to coal promotion. The *Business Bulletin* was published by the Minot Association of Commerce and is dated January 15, 1918.

fully equipped with Springfield rifles and ammunition," warned General Fraser on November 12, "and I will call out every one of them if necessary."³⁴ As events progressed, it became clear that neither violence nor mass troop call-ups would be necessary. Fraser's military force would comprise about thirteen men, "not much larger than a corporal's guard," mostly members of the Quartermaster Corps who had been employed at the capitol.³⁵ This discrepancy between expectation and reality led to a somewhat comic incident when the mine seizure became national news. On November 15, a moviemaker arrived in Bismarck with camera equipment, hoping to capture action footage of massive troop movements. But "when he found there was nothing doing," according to press accounts, "he hired a few men and boys to do a 'riot' scene and took the next train for the Wilton coal area."³⁶ The would-be journalist had been misinformed about numbers, not location, for lignite mines in the districts of Wilton, Minot, and Williston would be the trouble spots during the state's five weeks in the coal business, although none would witness columns of marching soldiers.

The state's intention was, wherever possible, to use soldiers as regional supervisors rather than as on-site mine bosses. The general absence of an immediate state presence in the lignite fields confused miners and operators, and was reflected in media coverage from the coal districts. The *Williston Herald* said that men reporting to the mines on November 13 did not know for whom they were working, and operators were "waiting for the state to take over their mines."³⁷ The *Noonan Miner* believed that state control would last for eight days, to be followed by more

negotiations between management and labor.³⁸ On November 20 the *Minot Daily News* reported that, with one exception, "The mines are still in the possession of the operators who are conducting their business in mining coal just as before the strike."³⁹ This was well after all affected sites were under nominal state control. Confusion about the mechanics of state operation might be attributed to the contrast between the relatively weak state presence in outlying lignite districts and the rather dramatic events in the state's first, and major, mine takeover at the powerful Washburn Lignite Coal Company in Wilton.

The Frazier administration had good reason to expect trouble from the Washburn company, as the governor had received a sternly worded message from the company's general manager, Walter P. Macomber, on November 11, protesting any attempt at state control. The state reacted decisively. On the morning of November 13, when other militiamen were en route to their postings, Captain LaRoy Baird arrived in Wilton to assume the mine's management. Baird's credentials seem to indicate that he had been carefully chosen for this delicate assignment. Baird, a member of the National Guard since 1907, had become a prominent land and bank attorney in Dickinson. He had served in General John Pershing's punitive expedition in Mexico in 1916-1917, and was a property and disbursing officer with the Quartermaster Corps in World War I.⁴⁰ Many of the other soldiers involved were young World War I veterans from the Bismarck area. For example, Baird's associate, Captain Joe Underwood, was a twenty-six-year-old Bismarck auto salesman.

As expected, the Washburn company did not will-

ingly surrender its property. Company attorney Andrew Miller and the general manager, Macomber, met Captain Baird in the Washburn offices. After an exchange between Miller and Baird in which the captain expressed his readiness to employ force to seize the property, Macomber formally surrendered the company's mines, but not before tendering a written statement declaring that he had yielded only under duress.⁴¹ The statement reserved the company's right to take legal action against the seizure. Despite Macomber's formal protest to the state, the company's administrative staff remained on the job, and would remain until November 17, after which Baird would act as mine administrator, employing a new, apparently civilian, office staff. Mining did not resume until the next day, however, because Washburn management, in anticipation of state control, had cancelled the train that transported miners two miles from Wilton, where most of them lived, to the shaft site.

The manager of the Dakota Coal Company also opposed the seizure, calling it "wilful [sic] criminal trespass and a violation of our constitutional rights."⁴² Despite this protest, it was reported that the state had taken control of the Dakota Company's mines in Tasker and Midway by November 15. The issue of whether the state was actually in possession of the mines in that region, at least in the opinions of some operators, remained unclear.

The Williston district saw a unique reaction to the coal strike. Before the governor's takeover became fact, the *Williston Herald*, on November 6, reported that mining conditions in the area were so bad that several regional operators actually welcomed the prospect of state control as a relief. Williston took steps toward preventing a fuel crisis locally when the city commissioners passed a resolution on November 8, taking control of coal distribution and supplying non-union workers to area mines idled because of the strike. The *Grand Forks Herald* praised the citizens of Williston, who took "such actions . . . as befits their dignity as men," compared to "the miserable exhibition made by Governor Frazier."⁴³ Feeling the heat of battle, the *Grand Forks American* offered this version: "Seven prominent citizens . . . went to the mines very

confidently . . . but got their shoes muddy upon entering the tunnel and decided they had enough digging. They all retired in dismay after being in the mine less than fifteen minutes."⁴⁴

As mines across the state resumed full operation, a crescendo of pleas for coal reached the governor's office. Between November 5 and November 27, requests came in from local officials as well as private citizens. In Arthur there was "not a pound of coal or a stick of wood." Mohall reported only a week's coal supply available, while Doyon found "not a pound to be bought or borrowed." To a correspondent in Bucyrus asking permission to dig coal on public land, Frazier's secretary (the governor was out of the office for approximately four days around this time) wrote, "[I do] not know who would object if you were to dig some for your own use."⁴⁵ One writer struck a pro-NPL note and commented that, while bituminous was being imported into the state, it was difficult to get "good old N. D. coal." Conversely, a farmer in Flaxton reported that while lignite was available locally, he owned "a big hard coal heater" that could not burn soft coal.⁴⁶ Not only did a coal shortage exist, but shortages of each coal type compounded the problem. To best ameliorate the fuel crisis, the state required a steady supply of lignite, bituminous, and anthracite.

As the national bituminous strike entered its third week, fuel shortages rippled across the country. In Duluth it was acknowledged that the situation in the Dakotas was most urgent, and the federal sub-regional coal committee in that city reported that every effort was being made to supply coal to those in need. In a moment of finger-wagging, the committee also suggested that many communities had not "anticipated their winter needs by laying in the necessary supply" of coal, despite early advice from the government.⁴⁷ Governor Frazier continued to pressure federal officials to keep coal flowing into his state, sending Bismarck attorney Benton Baker to Minneapolis on November 19 to work with the regional fuel committee. Two days later Frazier telegraphed Fuel Administrator Garfield protesting another anthracite holdup at the Lake Superior docks. Dealers refused "to sell anthracite unless buyer takes double quantity

39. "Court Actions Develop Fact That Only One Mine in State Has Been Taken Over; Federal and District Court Halt State," *Minot Daily News*, November 20, 1919, p. 1.

40. "Officers of Ability," *Wilton News*, November 28, 1919, p. 1; see Lewis C. Crawford, *History of North Dakota* (Chicago: American Historical Society, 1931, 3 vols.), Vol. II, pp. 496-497, for Baird's biographical profile.

41. "Seizure of Mine is Formally Protested," *Bismarck Tribune*, November 14, 1919, p. 2.

42. "Coal Stocks Are Bound For State," *Courier-News* (Fargo), November 14, 1919, p. 2.

43. "Well Done, Williston!" *Grand Forks Herald*, November 11, 1919, p. 4.

44. "No Coal Mined At Williston," *Grand Forks American*, November 13, 1919, p. 6.

45. Secretary to the Governor to O. E. Roe, November 18, 1919, Frazier Papers, file 1-3.

46. Assorted correspondences to Lynn Frazier, November 5-27, 1919, Frazier Papers, file 1-2.

47. "Fuel Situation in Dakotas of Serious Aspect," *Duluth News-Tribune* (Minnesota), November 16, 1919, p. 1.

48. Lynn Frazier to Harry Garfield, November 21, 1919, Frazier

bituminous," he claimed. "This is discrimination against domestic consumers who can not use other than anthracite."⁴⁸ Meanwhile, a flurry of litigation erupted over the lignite mine seizures.

On November 16, the Washburn Lignite Coal Company petitioned the state district court in Burleigh County for a restraining order to prevent General Fraser from holding and operating the company's mines. As a result, Judge William L. Nuessle ordered representatives of the state to appear before him on November 19 to show cause why he should not order the Washburn property returned to its owners. Three days later mine owners from the Burlington district near Minot and the Williston Coal and Ice Company jointly took legal action. Appearing before State District Court Judge Frank E. Fisk in Minot, attorneys secured a temporary injunction, with an order for representatives of the state to appear on November 26 and show cause why the injunction should not be made permanent.⁴⁹ Simultaneously, representatives of the Dakota Coal Company, who had vigorously protested the mine seizure, secured a similar temporary injunction and show-cause order, this time for November 24, from U. S. District Court Judge Charles F. Amidon in Fargo.

The first judicial test of the mine seizure was on November 19. Attorney Seth Richardson appeared for the state. Attorney General William Langer, who was increasingly distancing himself from the NPL leadership, apparently took no role in this or ensuing litigation. Richardson, in making his case against the Washburn company's action, argued that General Fraser and Captain Baird were obliged to respect orders from Governor Frazier, who was acting as commander-in-chief of the state militia. Furthermore, Richardson contended that the district court had no jurisdiction over Frazier when he was performing his military functions. Andrew Miller, counsel for the Washburn company, contended that Frazier had no justification for proclaiming martial law, since neither civil disobedience nor crisis were

in evidence, and, even if there had been, the governor had no right to seize private property and use it for commercial purposes. Nuessle ruled in favor of the Washburn company, warning that unmitigated executive power was tantamount to anarchy. He ordered that the state release the property, but allowed time for the decision to be appealed to the state supreme court.⁵⁰ By delaying the ordered release date, Nuessle avoided a direct confrontation with the administration, since Frazier intended to hold the mines, regardless of the judge's decision.⁵¹

The state went beyond ignoring Judge Nuessle's decision, at least in the war of words. The *Grand Forks American* noted that Governor Frazier could "summarily deal with W. L. Nuessle for his unlawful interference with the military forces."⁵² No such thing was attempted, although some of the media seem to have relished the thought. The district court's decision was immediately appealed to the state supreme court, with attorney William Lemke, vice president of the Nonpartisan League, representing the administration. Also, a writ of prohibition was requested by the state, which, if granted, would forestall any action taken by other mining companies, such as those involved in the Minot district litigation. Again the ruling went against the Frazier administration. In his November 21 decision, Justice James E. Robinson reiterated the opinion that Frazier had no jurisdiction to declare martial law. Furthermore, he blurted, the mine seizure was a case of calculated "pandering to the labor vote."⁵³ Thus, the supreme court let Nuessle's decision stand, ordering the Washburn properties returned to their owners.

Although having received a setback in state court, the Frazier administration was supported in federal court by Judge Amidon, a Progressive. Citing the right of the people as "absolute," Amidon observed that the coal strike crisis was an actual threat to public safety, and that in such situations the rights of the public were primary to any concerns of capital or labor. He further concluded that the strong opinions surrounding the mine seizure were manifestations of political feelings:

Papers, file 1-3.

49. State district courts had been reorganized by legislative action during the 1919 session. Nuessle now sat in District Four, Fisk in District Five. Secretary of State, *North Dakota Centennial Blue Book 1889-1989*. (Bismarck: Secretary of State, 1989), p. 473.

50. "Nuessle Grants Injunction to Restore Mines," *Bismarck Tribune*, November 20, 1919, p. 1.

51. "U.S. Court Upholds Governor Frazier," *Courier-News* (Fargo), November 27, 1919, p. 2.

52. "Writ to Stop Meddling of Judge Nuessle," *Grand Forks American*, November 21, 1919, p. 1.

53. "Fear Plan to Cut Off Coal," *Grand Forks American*, November 24, 1919, p. 1.

54. "Right of the People to Coal Absolute," *Nonpartisan Leader*, December 15, 1919, pp. 5, 13, 15.

55. Irwin Kenneth Smemo, "Progressive Judge: The Public Career of Charles Fremont Amidon," (Ph.D. dissertation, University of Minnesota, 1967), pp. 332, 340.

56. "Wilton Mine Turned Back to Operators," *Wilton News*, November 28, 1919, p. 1.

57. "Officers of Ability," *Ibid*.

58. "Coal Production Gets Back to Normal," *United Mine Workers Journal*, Vol. 31, No. 1 (January 1, 1920), p. 10.

59. "Coal Reserve Law; Permit System Off," *Minneapolis Morning Tribune* (Minnesota), November 28, 1919, p. 1.

60. "Restrictions Court Action and State Control Features of

In 1901 the Fargo Record reported activities at the Washburn Lignite Coal Company's mine at Wilton, noting the use of electricity provided by lignite from the mine. Miners pictured here are using picks to trim the walls and ceiling of an area in the mine that had first been cleared with dynamite.



I can not believe that just men, if their minds were not influenced by the political passions which exist in this state at the present time, would think of characterizing the peaceful operation of the coal mines by the chief executive as an act of anarchy.⁵⁴

This was not Amidon's first decision supporting the Nonpartisan League's reformist programs. Earlier that year, he had ruled for the state in a case challenging North Dakota's 1918 law establishing the eight-hour day for coal miners. Although Amidon's decision in favor of the mine seizure would be overturned by the Eighth Circuit Court in 1920, the Frazier administration immediately read it as a vindication.⁵⁵ Action on the show-cause order in Minot district court, which had been scheduled for approximately the same time, had apparently been delayed. It was not until December 16 that Judge Fisk would render his decision in favor of the operators.

By the time of Judge Amidon's ruling on November 26, the high tide of state control of the lignite industry had already receded. On Saturday, November 22, two days before the supreme court's announced deadline, the Washburn company recovered its property after management came to a contract agreement with the local union. Miners would return to work immediately, to receive whatever pay increase, retroactive to November 1, was agreed upon at the settlement of the national strike. This would turn out to be 14 percent. Although relations between the Washburn management and the state had been strained, as the mines returned to their owners, the *Wilton News* had only good things to say about the state contingent. Captain Baird "was eminently fair in all his actions, giving all parties concerned a square deal in every respect." Some of the praise was even extended to Bismarck: "Adjutant General Fraser is to be commended in placing such a competent man in

Present Coal Situation," *Grand Forks Herald*, December 4, 1919, p. 1.

61. "State in Grasp of Cold Wave," *Wilton News*, December 5, 1919, p. 1.

62. "Frazier Saved State by Quick Action on Coal," *Grand Forks American*, December 26, 1919, p. 3.

63. "Dock Coal Diversion to Chicago Halted by Definite Order," *Minneapolis Morning Tribune* (Minnesota), December 7, 1919, p. 1.

64. John M. Baer to Lynn Frazier, December 14, 1919, Frazier Papers, file 1-2.

65. Lynn Frazier to W. H. Groverman, December 8, 1919, Frazier Papers, file 1-3. Further information on Montgomery could not be located.

66. "Applications for Fuel Swamp Administrators," *Duluth News Tribune* (Minnesota), November 15, 1919, p. 1.

67. R. J. J. Montgomery to Lynn Frazier, December 13, 1919, Frazier Papers, file 1-2.

68. Lorbeski Coal Company to Lynn Frazier, November 16, 1919, Frazier Papers, file 1-1.

69. "Wilton Mines in Operation Again; Workers Return is Held General," *Fargo Forum*, November 14, 1919, p. 1.

70. R. R. Rutledge to Lynn Frazier, November 19, 1919, Frazier Papers, file 1-2.

71. Resolution, Local 3796 UMWA, December 11, 1919, Frazier Papers, file 1-2.

72. "Medoras Department," *Billings County Pioneer*, November

charge."⁵⁶ The *News* provided brief biographical sketches of Baird and Captain Underwood, adding that the officers had "made many friends during their short stay here."⁵⁷ After the peaceful resolution in Wilton, nearly all other coal properties in the state would be back in the hands of mine owners within about three weeks' time.

The fuel situation in North Dakota and the rest of the United States remained critical. Although the nationwide strike had been called off on November 11, most miners had not returned to work, and further negotiations that month failed to reach a solution. Bituminous production for the week of November 23 through 29 was only 47.4 percent of normal, after having been as low as 29.6 percent for the first week of the strike.⁵⁸ Late November and early December brought fuel shortages and curtailed business and industry in the Midwest. William H. Groverman of the sub-regional coal committee in Duluth said the situation was so serious that the committee could not "allow a pound of coal to get out of [its] control."⁵⁹ While miners remained off the job, other soft coal states joined North Dakota in seeking a solution to the fuel crisis. Governors of several mid-western states proposed various measures in this regard, but the situation in Kansas, where the state oversaw mining operations by order of the state supreme court, was most closely analogous to that in North Dakota.⁶⁰


By the end of November, coal was coming in from Duluth and out of North Dakota's lignite fields. Yet difficulties continued in the mines and at the docks. Soon after the Washburn company's property was handed back, the tippie used to load railroad cars burned in an apparently accidental fire, causing shortages around the Wilton district. According to the *Wilton News*, "the salvation of this immediate territory is the number of small so-called country mines" which took up the production slack until the Washburn tippie could be reconstructed and full car loading could resume.⁶¹ Coal from Duluth was also a concern; by November 30, less than 31 percent of the state's imported coal had arrived, leaving North Dakota with less than a twelve days' supply.⁶² The specter of coal diversion again loomed, and for once North Dakotans, including many farmers who customarily saw themselves as pawns of the grain-milling interests in Minneapolis and St. Paul, had something to share with Twin City residents, who were equally concerned about a steady coal supply. This concern was justified, for during the two weeks prior to December 7, about 1,200 cars of coal had been diverted to Chicago away from the Duluth region, which was composed of Minnesota, Wisconsin, much of the Dakotas, part of Iowa, and Michigan's Upper Peninsula.⁶³ Residents of Minneapolis vigorously protested this diversion, as did Governor Frazier.

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Miners and Shippers of

Paradise Lignite Coal

It is the Standard Lignite Coal for All Uses



View of Tippie of Lloyd Coal Company's Mine

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PARADISE LIGNITE the Next Time You Order.

Address all inquiries to

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The Public Cordially Invited to Inspect Our Mine

Burlington - - - - - North Dakota

The tippie was featured in this photograph of the Lloyd Coal Company's mine in Burlington, North Dakota, in an ad from the Business Bulletin special edition, devoted to coal promotion and published by the Minot Association of Commerce on January 15, 1918.

In response, the U. S. Railway Administration (to which the Fuel Administration's distribution powers had been delegated) regional headquarters in Chicago agreed to stop diverting coal. Frazier received three messages assuring him that coal would not be diverted, all dated December 11, from Fuel Administrator Garfield, Regional Railway Administrator Aishton, and Henry B. Spencer, chairman of the emergency central fuel committee of the Fuel and Railway Administrations. Frazier also received support from Congressman Baer, who brought "pressure upon [the] Rail Road [sic] Administration to stop using coal cars rightfully due to North Dakota traffic."⁶⁴ Clearly, Frazier demonstrated that more than the lignite supply needed supervision.

Earlier in December, Frazier sent a semi-permanent representative to Duluth. In a letter to Groverman, the governor introduced R. J. J. Montgomery of Kidder County as "a special representative of the State Administration" charged with "cooperating with you and looking after the shipments of coal into North Dakota."⁶⁵ This formalized a method for making emergency fuel requests, which theretofore had been rather irregular; in November the sub-regional coal committee had indicated that applications for emergency fuel in the region should be made to them. Consumers appealing instead to federal officials in Chicago or Washington would only waste precious time because those requests were sent

back to the Duluth committee.⁶⁶ In North Dakota the procedure called for consumers to make requests of the state Railroad Commission, which would then route requests to the sub-regional committee in Duluth via Montgomery's office. Duluth officials welcomed this move, so that by December 14, Montgomery was able to report that the coal situation had improved and that all emergency orders had been handled.⁶⁷

Fraser's guardsmen were still overseeing mining operations in most of North Dakota's lignite mines at the turn of December. Soldiers encountered a variety of attitudes, ranging from official hostility at the Washburn and Dakota Coal Company mines to total cooperation at the Lorbeski Coal Company. In the early days of state control, Lorbeski's owner wrote the governor: "Am certainly trying my best to have things running."⁶⁸ Perhaps the most difficult posting, other than at the Washburn mine, was in the Williston district. There, Sergeant Ambrose Gallagher and two other sergeants, Hedlan and Okert, had to deal with the effects of litigation initiated by the Williston Coal and Ice Company, the region's largest mine.⁶⁹ Office staff remained at Williston Coal and Ice until November 25, when Judge Fisk's injunction was issued restraining the state from operating its properties and those of ten other companies in the northwestern counties. Gallagher ignored the injunction, and continued to run the mine without its regular managers. The Williams County deputy sheriff alleged that the company's managers had been "putting on day laborers for unnecessary work . . . to make state control a fizzle." Despite such problems, the deputy opined that the soldiers were doing a good job.⁷⁰ Gallagher also made a positive impression on the miners, for the Williston Local 3796 passed a resolution, dated December 11, thanking the sergeant for his commendable performance.⁷¹ In contrast to the situations in the Williston district and at the Washburn complex, where the activities of Sergeant Gallagher and Captain Baird made front page news, Sergeant

Alfred Dale's posting in the Medora district proved relatively quiet. Reports on Dale were brief, confined to the Billings County newspaper's folksy local news section.⁷²

Events in the Burlington district are somewhat hazier, as two different, but related, legal actions were pursued almost simultaneously, and the seemingly simple question of whether or not the state had taken possession of the mines, and what constituted possession, remained a point of contention. It certainly was not clear to the workers, for when Judge Amidon had issued his temporary injunction on November 21, miners at Burlington and at the Dakota Coal Company's mines in Tasker and Midway staged a wildcat strike when they found out they were not working for the state.⁷³ The Burlington miners returned the following Monday, but work did not resume at Tasker and Midway until several days later.⁷⁴ Amidon's final ruling in favor of Governor Frazier's action allowed the state to continue operation of the Dakota Company's properties, although another ten mines in the region were still under Judge Frank Fisk's state district court injunction, and would remain so until after the state began returning the mines in December. Another disagreement resulted, because, from the operators' point of view, North Dakota could not relinquish what it had never controlled and, consequently, had no right to perform a final audit of the company's records. The Equitable Audit Company's examination would prove to be another difficulty in reaching a final settlement between the mines and the state.

From the time of his proclamation, Governor Frazier always maintained that mine property would be returned upon a settlement between operators and the UMW. The first such agreement had been between the Washburn mine and the local union, but it was not until December 5, less than a week before the national strike would be resolved, that saw the beginning of the end for state control. In Minot on that day, the North Dakota Coal Operators

21, 1919, p. 3.

73. "New Strike Order in North Dakota Lignite Fields Issued Today," *Fargo Forum*, November 21, 1919, p. 1.

74. "Mines Are Busy at Burlington," *Ward County Farmers Press*, November 27, 1919, p. 1.

75. "Operators and Miners Settle Differences at Meeting Held Yesterday; Miners Get Raise," *Minot Daily News*, December 6, 1919, p. 1.

76. C. F. Stoddard, "The Bituminous Coal Strike," *Monthly Labor Review* (December 1919), pp. 77-78.

77. "Coal Production Gets Back to Normal," p. 10.

78. "Operators See Desire on Part of Frazier to Obtain Permanent Possession of Mines for State," *Bismarck Tribune*, November 14, 1919, p. 1.

79. "Martial Law's Reign in State Virtually Ends," *Bismarck*

Tribune, December 23, 1919, p. 1.

80. *Ibid.*

81. W. S. [sic] Patrick to Lynn Frazier, December 16, 1919, Frazier Papers, file 1-2.

82. E. F. Lovejoy to Lynn Frazier, December 29, 1919, Frazier Papers, file 1-2.

83. Ambrose Gallagher to Lynn Frazier, December 13, 1919, Frazier Papers, file 1-2.

84. "Burlington," *Ward County Farmers Press*, December 25, 1919, p. 4.

85. "Local Items," *Noonan Miner*, November 20, 1919, p. 5.

86. *Ibid.*, November 27, 1919, p. 5.

87. *Ibid.*, December 25, 1919, p. 3.

88. Robert Condon to Lynn Frazier, January 3, 1920, Frazier Papers, file 1-2.

Association signed a contract with a miners' representative for the Williston, Burlington, Kenmare, and Noonan districts. The miners would receive a raise of 14 percent immediately and reinstatement of the January 1919 North Dakota contract until a settlement of the bituminous strike was reached.⁷⁵ The agreement also specified that no miners would be discharged because of their actions during the strike, which was significant, because correspondence to Frazier would allege that some operators had used the state seizure as a pretext in an attempt to break the local unions. An agreement to settle the national strike was reached on December 9 after much negotiation between the national UMW leadership, operators, and the federal government. The government did not present a united front in this effort, and finally President Wilson himself submitted a proposal that the miners return to work immediately with a 14 percent wage increase, with a provision for the appointment of a special committee to investigate conditions leading to the strike.⁷⁶ This was accepted by the national union, and miners gradually returned to work, with bituminous production for the week of December 14-20 almost double what it had been the previous week, and approximately 86.4 percent of normal.⁷⁷ That same week, most mines in North Dakota were returned to their owners, although it had been suggested, not surprisingly given that the NPL openly endorsed publicly owned mines, that "Governor Frazier's temporary seizure of the North Dakota lignite mines, under the pretext of martial law, is merely preliminary to their permanent confiscation."⁷⁸ Deemy, the state mine manager, contacted operators and arranged for the final bookkeeping examination by the Equitable Audit Company.

The state's release of the mines was less dramatic than their seizure. The governor did not "regard it necessary" to officially rescind martial law.⁷⁹ All major news stories about the release report it as being a more or less accomplished fact. It must be assumed that especially in the northern districts, where there was a perception of limited militia presence, the release was accomplished without ceremony. Although some militiamen remained in the lignite districts well beyond December 5 when the North Dakota settlement was reached, according to the *Bismarck Tribune*, all lignite mines in the state had been returned by December 23.⁸⁰ In the Noonan district, Sergeants Patrick and McPhee were still present as late as December 16 when Patrick wired the governor asking if the two might be allowed to spend Christmas in Bismarck.⁸¹ Sergeant Okert (who had been part of the Williston delegation) was on duty near Kenmare after December 5, as one mine owner, in a letter to the governor, reported discussions with Okert on whether the new 14 percent wage increase would be retroactive to December 5.⁸² Sergeant Gallagher remained in Williston until after December 13, when he informed the governor that he would soon be returning that region's mines.⁸³ The Christmas Day issue of the weekly Ward County paper reported that soldiers in that region would be recalled shortly.

As Fraser's men closed up shop in the lignite districts, local newspapers responded in much the same way as had the Wilton paper at the return of the Washburn Lignite Coal Company mines. State guardsmen were not only praised as capable mine managers, but were also given warm farewells as if they were departing hometown boys. "Lieutenant



Loading coal at Columbus, North Dakota, 1908. The horse teams are pulling coal sleds.

Boyd expects to be relieved of his duties here soon," said the *Ward County Farmers Press* on December 25: "We will miss the Lieutenant when he leaves, for he is a big man in stature, a big man as a soldier, and a big man as an American citizen."⁸⁴ In Noonan Sergeant Patrick seems almost to have been adopted by townsmen. During his stay, he expressed his appreciation to "Landlord Glasco [who] puts up three good squares a day, while Landlord Gits keeps the lobby at the Travelers nice and cozy."⁸⁵ When an auditor from Bismarck appeared to inspect the books of local mines, the *Noonan Miner* took it as an insult toward Patrick. It "seems funny," complained the *Miner*, since Patrick "is an experienced accountant from the bank examiner's office."⁸⁶ When the sergeant was recalled to the capitol, the paper sadly bade him farewell. "During his sojourn in Noonan," it reported, "'Pat' made many friends here, all of whom are well satisfied with the way he handled the situation."⁸⁷

One of the final aspects of state control involved inquiries to the governor from mine operators, local union representatives, and the UMW district headquarters as the state removed itself from relations between miners and operators. An example of this is the case of the Red Trail Coal Company in the Medora district. The UMW district office wrote that Red Trail operator H. A. Hellhake would not grant his miners the 14 percent increase and that the state was still in control of his mine.⁸⁸ The Medora Local 4253 insisted that Hellhake would only grant the increase for two weeks in November, and that Hellhake was trying to close the mine and break the local union.⁸⁹ Hellhake also wrote to the governor, protesting the allegations of bad faith. "I am with you in everything," he wrote, adding that he could not afford to give miners the raise they were requesting.⁹⁰ The Equitable Audit Company later called into question the Red Trail's poverty. It found that the mine had cleared \$649.02, the second largest profit in the state, and that Hellhake owed the state \$352.27.⁹¹

Elsewhere, Equitable Audit confirmed that, with few exceptions, little profit had been made during

state management. The company's report is a useful source of information not reported in the press. For example, only three operators besides the Washburn mine refused to settle—the Midway Coal Company, the Red Trail Coal Company, and the Vadnais Mine in Kenmare. Also, although E. C. Pratte of the Dakota Coal Company, which lost the injunction case in Fargo district court under Judge Amidon, had early in the crisis refused to cooperate, when the audit sheet was drawn, he signed as having been agent of the state (which, technically, all operators who remained on the job became during that period). The report includes more on the Washburn Lignite Coal Company, which refused to accept the state's royalty allowance of twenty-five cents per ton of coal produced. However, Washburn did include in its list of expenses the legal fees incurred by a law firm in taking action against the state. The auditors, not surprisingly, recommended that this expense be disallowed.⁹²

Although the fuel crisis began to ease by mid-December, the strike had significantly lowered North Dakota's total coal production, with 783,694 tons produced for the year, or nearly 30,000 tons less than 1918 and more than 90,000 tons less than 1920.⁹³ In the Upper Midwest, drastic fuel-saving measures, including a reduction in rail service out of Chicago and called "the most sweeping . . . in history," were adopted on December 8.⁹⁴ But by December 13, with the bituminous strike being resolved, such restrictions were gradually lifted, at least in the region, despite reports that resumption of mining would not affect fuel supplies for approximately sixty days.⁹⁵ From the governor's perspective, the fuel crisis was abating. In a letter dated December 23, Frazier told a constituent in Crystal, North Dakota, that "we have had no reports of shortages in the last few days," and "I trust that supplies will be sufficient from now on to take care of all demands."⁹⁶ Less than two weeks later, another North Dakotan was reassured that "the mines may be behind with their orders but I think they could fill orders within a few days at least."⁹⁷ As 1920 dawned, it appeared that the fuel crisis had

89. United Mine Workers Local 4253 to Lynn Frazier, January 27, 1920, Frazier Papers, file 1-2.

90. H. A. Hellhake to Lynn Frazier, January 30, 1920, Frazier Papers, file 1-2.

91. Equitable Audit Company, *Statements of Operations of Mines Under State Control for Period November 14th to December 5th 1919. And Comments Thereon*. Frazier Papers, file 1-4, p. 7.

92. *Ibid.*, pp. 2-8.

93. *Third Annual Report of the State Mine Inspector, Period Ending October 31, 1921*, by John Hanwell, (n.p.:n.p.), n.p.

94. "Governors Take Steps to Speed Up Production," *Bismarck Tribune*, December 8, 1919, p. 1.

95. "Ban of Fuel for Heat, Light, Power Off in Northwest Today," *Minneapolis Morning Tribune* (Minnesota), December 13,

1919, p. 1; "Fuel Ban Will Last at Least Three Weeks," *Minneapolis Morning Tribune* (Minnesota), December 11, 1919, p. 1.

96. Lynn Frazier to Guy M. Jamison, December 23, 1919, Frazier Papers, file 1-3.

97. Lynn Frazier to Frank Hanggi, January 2, 1920, Frazier Papers, file 1-3.

98. For more on the political struggle between the NPL and its opposition, see Robert L. Morlan, *Political Prairie Fire: The Nonpartisan League, 1915-1922* (St. Paul: Minnesota Historical Society Press, 1985), pp. 262-361, and D. Jerome Tweton, "The Anti-League Movement: The IVA," *The North Dakota Political Tradition*, ed. by Thomas Howard (Ames: Iowa State University Press, 1981), pp. 93-122.



Coal miners and horses from the Washburn Lignite Coal Company's Wilton mine in an underground chamber. This photograph appeared in the Fargo Record (1901). While the Washburn mine had electric power, other underground mining operations relied solely upon horses or mules to haul carloads of coal.

effectively ended, although the state would still have dealings with mine operators whose property had been seized.

Yet, even if, as the sympathetic media suggested, the successful resolution of the fuel crisis was a triumph for the Nonpartisan League, the League was not in a position to capitalize on that victory. By the beginning of 1920, the NPL's power in North Dakota was already crumbling, as evidenced by the "defection" of three League-endorsed members of the state administration, the rapid rise of the anti-NPL Independent Voters Association, and the general antagonism of the state's major newspapers.⁹⁸ The organization was increasingly put on the defensive; during the depths of the fuel crisis, Governor Frazier had seen fit to spend several days in Towner County stumping for NPL-endorsed candidates in a bitterly contested election. Within two years, a special recall election would remove Frazier from office.

A genuine emergency prompted Governor Frazier to seize the state's lignite mines. He took immediate action in the public interest, regardless of NPL inclinations favoring state ownership or NPL visions of forging a farmer-labor alliance. Whether the union

would have struck without state intervention cannot now be known, but Frazier rejected the risk, given the combination of bitter weather and a looming national coal shortage. This explains his relentless fight for North Dakota's share of eastern coal, which was never imputed as a political maneuver. Indeed, his effort to secure imported coal was equally, if not more, significant in ameliorating the fuel crisis than the controversial lignite initiative. Frazier's leadership, far from having been politically motivated, successfully rescued the public from a perilous ordeal.

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About the Author

Thomas Shilts is currently pursuing a master's degree in American history at the University of North Dakota in Grand Forks, North Dakota. His research interests include agrarian radicalism and labor movements of the early twentieth century. He holds degrees in English literature and library science and has worked in public libraries since 1990.

