BAS 290 Clark’s senate election Welcome to Butte, America’s Story. I’m your host, Dick Gibson.

Copper King William Clark’s long-standing political ambitions came to a head in the election for US Senator in 1899. It was also the climax of his long-standing feud with his primary competitor in Butte, Marcus Daly.

In 1899, US Senators were chosen by the legislatures of each state rather than by popular vote. In the face of Daly’s Anaconda company rapidly expanding its control of Montana, Democrats and anti-Anaconda Republicans prevailed upon Clark to run for the senate, but his election depended on the make-up of the Montana legislature and whether or not its members could be convinced to vote for Clark. Consequently the first fight was in the November 1898 legislative election. In Dublin Gulch in Butte, strongly anti-Clark, a precinct judge was shot and killed while counting ballots, but nonetheless Democrats took that election.

But the Democratic party was fractured, with Daly Democrats elected in Butte and Anaconda, and Clark Democrats elsewhere. According to historian Michael Malone in The Battle For Butte, even before the legislative session began in January 1899, rumors of expected bribes to legislators abounded in Helena. As the legislature convened, one lawyer for the Daly camp wrote, “The purchase of votes was talked about almost as freely as the weather. The morning salutation of everyone was, What’s the price of votes today?”

The price escalated from a few hundred dollars to $10,000, a fortune in those days, to $30,000 for Senator Fred Whiteside’s vote. The balloting went on for 18 days, and the bribery did too. In the end, on January 28, 1899, Clark was elected, after spending an estimated $431,000 cash in bribes, not counting another $200,000 offered but not accepted, and not counting mortgages paid and businesses financed.

Fast forward to December 1899. Clark presented his credentials to the Senate in Washington, which initially accepted them, but also immediately began an investigation into bribery charges. In April 1900, the investigating committee found that Clark was not entitled to a seat in the US Senate. Just before the full Senate officially refused to seat Clark, on May 15, 1900, Clark resigned from the Senate. This was part of an outrageous strategy: Clark men got Montana Governor Robert Smith out of the state on a ruse, so that he could not appoint a successor to the now vacant Senate seat. The plan was for Lieutenant Governor Spriggs, a friend of Clark, to appoint the successor, which he did. He appointed Clark himself to the seat Clark had just vacated. The ploy did not work, and Clark was deprived of his goal.

But a year later, a new legislature convened in Helena in January 1901, just two months after Marcus Daly died. This time, there were no allegations of corruption, although it was obvious that Clark had provided financial support to many of the legislators. Clark was elected to the Senate again, and this time he was seated. He served one term, from 1901 to 1907.

As a result of the machinations of Clark and candidates in other states in the same time frame, the laws were changed so that today, US Senators are elected by popular vote rather than in state legislatures. We call that change the 17th Amendment to the Constitution, and it went into effect in 1913. Montana was the 11th of the required 36 states to ratify the proposed amendment.

As writer Edwin Dobb has said, "Like Concord, Gettysburg, and Wounded Knee, Butte is one of the places America came from." Join us next time for more of Butte, America’s Story.