

## REFORM AND RETALIATION: CORA DIEHL AND THE LOGAN COUNTY ELECTION OF 1891

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This is an account of the election of the first woman in public office in the new Territory of Oklahoma. The Logan County elections of 1891 pitted the majority Republicans against a fusion of the minority Democratic and People's parties. Cora Diehl was the People's Party nominee for County Register of Deeds. Later she was endorsed by a fusion convention for that office. This fusion proved successful and Diehl was elected. But elements within her own party, as well as the Republicans, challenged her election — a challenge that ultimately went to the Oklahoma Territorial Supreme Court which upheld Diehl's election. This article examines the elements that contributed to her defeat for re-election. Most significant of these was the adoption of the Australian ballot. The single ballot format, rather than the previously used partisan ballot, discouraged fusion. The new ballot had a specific impact on both Populist "mid-roaders" and on the expanding black voting population in Logan County. It is the assertion of this article that the Republican victory of 1892 was directly attributable to the antifusion nature of the Australian ballot and that the decline of the third party movement also resulted from the changed ballot format. As a result, women and blacks lost their political voice.

**On April 22, 1889**, settlers poured into Oklahoma Territory in a Darwinistic struggle that captivated the imagination of the Gilded Age. Many of these settlers brought with them the radical politics of the Populist movement. In the four years prior to the opening, 11,000 Kansas farm families had suffered foreclosure. Fully one-half of the farms in western Kansas had failed. Populists sought not only a fresh start but an opportunity to build an entirely new economic system — one that rewarded the laborer, the farmer, or, in their language, the "producer" of wealth rather than the landlord, the middleman, the banker, the speculator, the railroad tycoon, the capitalistic "Money Power."<sup>1</sup>

Among these first Oklahomans was the family of Hiram Diehl. Espousing the Populist cause, this family of Kansas reformers included a daughter, Cora Victoria. Her father had raised her to the work of reform, and she was already a seasoned campaigner in the Greenback Party and the Populist-based Farmers' Alliance. In 1891, at the age of twenty one, she won the unanimous nomi-

nation of the Logan County People's Party for the office of Register of Deeds.<sup>2</sup> She helped negotiate a fusion with the minority Democrats, and with her father as a chaperone, stumped the county in her quest for votes. Promoting the People's motto, "Equal Rights for All, Special Privileges for None," on February 3, 1891, Cora Diehl became the first woman to hold elective office in Oklahoma Territory (Willard and Livermore 1893). Her election provoked controversy, betrayal, legal action, and violent confrontation. Reaction revealed deep fissures in the People's Party and threatened Republican hegemony. Retaliation shortened Diehl's elective career. It would also threaten the Populist cause. Indeed, the response to the threat represented by Diehl would significantly alter the ability of the electorate to influence public policy through third party politics.

With its frontier quality, the political nature of Logan County in 1891 was inchoate and highly fluid. Guthrie was the Logan County seat and also the territorial capital. The 1890 county population was 12,770; growing daily, it would more than double in the next ten years (Logan County History 1980). County officials were Republican appointees of territorial governor George Steele, an appointee of President Benjamin Harrison. Steele called the first territorial elections in August 1890 to elect delegates to the initial legislature. Logan County had been settled predominantly by Kansans, and as expected, Republicans had dominated in that election. The elections of February 1891 were the first to elect county officials in the new territory. Most expected Logan County would post another Republican victory. While the southern counties in the new territory had been settled primarily by southern Democrats, they were few and despised in Logan County. The complicating element in the 1891 election proved to be the third party, established in Oklahoma in the summer of 1890 — the People's Party (Miller 1987).

The People's Party was the political embodiment of the Populist movement; as such it was composed primarily of two factions. Both factions were active in Kansas, and both spilled into Oklahoma Territory. The first was an extremely potent labor faction espousing the activist producerism of the Knights of Labor. In the wake of the Southwest Railroad Strike of 1886, the Union Labor Party assumed labor's political voice. Two years later, Kansas Republicans exposed the anarchist threat of the Secret Order of Videttes, an auxiliary of the Union Labor Party, and in that same year, a bomb attack on the railroad depot in Coffeyville, Kansas underscored the extremism of the labor movement. Strongly implicated were the Vincent brothers, Leo and Henry (Miller 1987; *Weekly Oklahoma State Capital* 6 June 1891). The Vincents, editors of the Kansas-based *The American Nonconformist*, provided a communication network between all Populist elements in the hopes of broadening the electoral base. However, they assumed the new People's Party was primarily a voice for

labor. Leo Vincent relocated to Oklahoma Territory (Miller 1987).

Matching the labor faction was an agrarian component whose organizational base was the Farmers' Alliance. Drought, falling commodity prices, and soaring interest rates had left farmers increasingly vulnerable to the sheriff's forced auctions. Alliancemen asserted that unrestrained free enterprise subverted rather than enhanced individual initiative. Alliance goals involved organizing farmers into cooperatives that might effectively fight the price-fixing railroads and commodity markets through the use of the boycott and coordinated buying and selling. Along with the laborers, the agrarian elements favored restructuring the monetary system by supporting government-managed fiat currency — so-called greenbackism, the monetization of silver, federal loans to farmers, income tax to redistribute the wealth, and the single tax plan to tax profit from property speculation.

While radical labor and agrarian activism often proved to be uncomfortable allies, a third element complicated matters further. Women were active in both the Union Labor Party and in the Farmers' Alliance, and they participated in the Populist cause with evangelical fervor. They sought to tie their own political interests with those of Populism. The Farmers' Alliance was particularly receptive to women's participation.<sup>3</sup> The original Alliances had modeled themselves after the Grange, which had been formed primarily as a social organization. Also, the Alliance was powerful in Kansas which had a long tradition of reform-minded women dating back to its pre-Civil War abolitionist origins. Reform crusades had included not only abolition but temperance and suffrage, with an extended speaking tour by Elizabeth Cady Stanton in support of a suffrage referendum. Suffrage had been on the ballot in Kansas in 1867 (Griffith 1984). But while unrest over women's issues might have simmered quietly for years, economic issues turned up the heat. In both the labor and agrarian wings of the Populist movement, women found a ready forum for their own issues of gender inequity including such broad reform topics as the sexual double standard, prostitution, the right to divorce, women's property ownership, the right to earnings, temperance, peace, and of course, suffrage. In the Alliance, women served as lecturers, organized new sub-alliances, penned tracts, ran newspapers, wrote incendiary novels, and served as local and state officers. Several ran for public office.<sup>4</sup> Neither the Farmers' Alliance nor the People's Party on the national level ever officially endorsed any women's issue, but unofficially most who endorsed the Populist movement also supported women's rights. The movement certainly used the reformist zeal of these women to spread the gospel of Populism. Similarly, women used the pulpit that Populism provided to urge the reforms they sought.

The cause of Populism appealed to more women beyond the zealous re-

formers. By far the most compelling reason why women participated in Populist politics was their visceral response to having their homes auctioned to the highest bidder. The capitalistic assault of the Money Power on the sanctity of their nineteenth century separate sphere motivated many ordinary women throughout the south and midwest to abandon their traditional role and attempt to influence politics. Their rhetoric was fervent:

Mothers of America! At a terrible cost our immortal sires purchased for us the grand inheritance of liberty. Shall not that glorious inheritance be transmitted to our children unimpaired? ... Shall we sit supinely by and not utter a voice of protestation... while this system of legalized robberies is going on which is to enslave those we hold most near and dear... we have fortunes wrecked; homes destroyed; hopes ruined; families severed and thrown into the streets; aspirations blighted; hearts broken; manhood de-throned; womanhood abandoned; soul and body barely held together, waiting for a pauper's burial. And the great throbbing, yearning, liberty loving heart of America cries out in judgment against it and like Rachel of old, weeping for her children, cannot and will not be comforted (Weaver 1882:303-4).

By 1891, young Cora Diehl was part of a movement that offered her not only reform-minded women to model herself after, but also a vocabulary that served her well in her Logan County campaign.

While the newly formed People's Party tried to juggle the diverse interests of radical labor, agriculture, and women, the Logan County Republicans had their own uneasy coalitions. The most significant of these was with a rapidly expanding population of southern blacks. During the decade of the 1890s the black population of Logan County grew from five percent to twenty-three percent.<sup>5</sup> Blacks were close to thirty percent of the voting population. It proved a challenging task to reconcile the *laissez-faire* boomerism of the early territorial Republican Party with the interests of blacks who still carried in their collective memory the idealism of the party of Lincoln. Throughout the south, the People's Party had successfully attempted coalitions with pre-Jim Crow black voters. In so doing, they temporarily abandoned the politics of race and instead realigned according to class interests. There, the threat was to Democratic hegemony, and the threat was extreme (Woodward 1951; Gaither 1977). But in Logan County, Republicans would suffer from the loss of a substantial voting bloc should the People's Party successfully lure blacks away from their traditional party.

While several surviving newspapers cover the election in Logan County, the only detailed coverage of the campaign itself can be found in the highly

partisan Republican *The Weekly Oklahoma State Capital*. As the 1891 election approached, the editor, Frank Greer, aggressively courted black voters. He warned blacks of a potential coalition between the People's Party and the loathed Democrats: "(Democrats) came to Guthrie to purchase Farmers' Alliance and Colored votes. On Wednesday this whining whelp in our midst placed his poisoned political pork in convenient smelling distance of the Farmers' Alliance and colored nostrils." Greer continued, "He represented himself to have \$2000 worth of political pork alive with disease germs. To Hades with such doubly damnable party plans. The breath of such a man is a stench to high heaven. A prating peon, a cringing cur..." (*Weekly Oklahoma State Capital* 24 January 1890).

The black leadership in Guthrie publicly pledged their continuing support to the Republican Party: "We, the colored citizens of Guthrie and Logan County take pleasure in affirming our allegiance to the Republican party... We hereby pledge our individual support and nine of every ten colored voters to... the whole Republican ticket" (*Weekly Oklahoma State Capital* 24 January 1890).

As the campaign of 1891 approached, the Republicans also tried to tempt the Populists back into the fold: "Would it not be better for those who think themselves grievously oppressed by unwarranted legislation to form an alliance with one of the two great political parties instead of forming into a separate organization" (*Weekly Oklahoma State Capital* 26 July 1890). Urging that the party be Republican, the editor continued, "All legislation of any importance that has gone to effect reform... has been framed and passed under the supervision of the Republican Party." But the majority party did not need the Populist votes enough to alter their own platform. To enact any of their reforms, the People's Party needed the leverage of a minority "fusion."

Greer had been correct when he warned of a People's Party-Democratic Party coalition. Republicans, with the crucial support of the black voters, formed the majority in Logan County. Along with courting the black vote, a majority of the Logan County People's Party actively sought to "fuse" with the minority Democrats. Fusion involved the process of two minority parties fielding the same set of candidates and thereby achieving a majority. Throughout the midwest and west, the People's Party would attempt this coalition. Just as eager to fuse were the Democrats who were trying to expand their own electoral base in the new territory.

On January 23, 1891, two weeks before the county election, the Democrats and the People's Party met in convention and nominated one slate of candidates for all county offices including County Clerk, Attorney, county commissioners, Sheriff, and Register of Deeds. Cora Diehl, who had served as deputy Register of Deeds in Great Bend, Kansas, was the unanimous selection

for the office of Logan County Register of Deeds. Though Democrats were represented on the combined ticket, People's Party candidates dominated. The People's Party endorsed the St. Louis platform of the Farmers' Alliance, the Industrial Union, and the Knights of Labor with their motto, "Equal Rights to All, Special Privileges to None." The Democrats declared: "That the difference between the two so-called parties are initial and that the farming and laboring classes have our full sympathy, and we pledge ourselves to aid and support their doctrines" (*Weekly Oklahoma State Capital* 24 January 1891).

The Logan County Republican press voiced the outrage of its party. Fusion was abhorrent to the system. The headlines ran: "The Alliance and Democrats Form a Combination to Defeat Republicans ... BUT IT WILL NOT WIN... 'you tickle me and I'll tickle you' is the motto of the Combine ... JUST LIKE A HORSE TRADE ... The Mongrel Ticket at Last In the Field ... Anything to Win" (*Weekly Oklahoma State Capital* 24 January 1891). In fact, it is difficult to recreate the outrage provoked by fusion in this historic period of extreme partisan politics. In Oklahoma Territory particularly, partisan politics took on not only its ideological arguments, but also old sectional animosity erupted. Roughly equal numbers of settlers from the north and the south confronted each other in what was, in fact, a very real territorial struggle. Fusion permitted southern Democrats — the secessionists — to challenge a slipping northern Republican majority.

The method of voting heightened the anxiety. This 1891 Logan County election still employed partisan balloting; that is, individual parties printed their own ballots which would then be handed out to be cast by the supporting voter. Partisan balloting proved ideal for fusion politics. Two parties could run the same slate of candidates; Populists could vote for them as Populists; Democrats could vote for them with a Democratic Party ballot. Voters could be completely unaware that their candidate also represented another party. Because of the highly partisan culture, fusion was far more difficult if either party had to vote another party's ballot. Partisan balloting greatly enhanced any third party's ability to impact the outcome of an election. In Oklahoma Territory, the party in control — the Republicans — had a great deal to lose from easy fusion, and while both parties urged election reform, it fell to the Republicans to orchestrate their own brand of "reform" (Argersinger 1980).

Significant members of the People's Party leadership opposed fusion with the Democrats. The state party itself was officially antifusion, finding that such a compromise with the Democrats was a threat to the ideological purity of the People's Party (Miller 1987). Nationally the People's Party revealed this same fissure. These antifusion, "mid-roaders" dominated the People's Party in Oklahoma Territory but not in Logan County. Nevertheless the issue was hotly — at

times bitterly — contested, and the Republican Party was quick to take advantage of the division. Calling attention to the sacrifice of Populist principle, the *Weekly State Capital* reported: “Lost, strayed, or stolen — the People’s Party; last seen in or near the democratic convention on last Saturday ... True men of the Alliance will submit to no such political business ... on the 3rd of February, the alects who concocted this diabolical scheme will be made to feel the people’s wrath” (24 January 1891).

Though Republican rhetoric turned to vitriol as the campaign intensified, press treatment of Diehl was restrained. In fact, the remarkable feature of the coverage is that it was completely lacking. The historic campaign warranted not one mention of Diehl’s sex or the fact that she was the youngest woman in the nation ever to mount a campaign on her own behalf. Perhaps the silence indicated a lack of any perceived threat. Her opponent, war hero M.D. Losey, brought only this modest endorsement: “Losey ... was a happy selection. No man in the county has more friends than Losey. All the old soldiers love him” (*Weekly Oklahoma State Capital* 24 January 1891). That was the extent of the editorializing about the campaign for Register of Deeds, an office that no doubt had more significance in a city where deeds of importance were being registered every day.

Far more controversial was the campaign for County Clerk waged by People’s Party candidate Henry H. Bockfinger. “What is he Bockfinger?” the *Capital* demanded (*Weekly Oklahoma State Capital* 24 January 1891). “The demo-alliance nominee for county clerk is a nice fellow now ain’t he?” The newspaper continued by accusing Bockfinger of cheating settlers out of their homes. A former Republican, Bockfinger had sought an appointment from Governor Steele, but Steele had rejected his overtures. Abandoning the Republicans, Bockfinger then joined the Knights of Labor and became a convert to the People’s Party. *The Weekly Oklahoma State Capital* reported that Bockfinger then “bobbed up serenely for a place on the mongrel ticket.” Further it accused him of being “a smooth schemer, and...one of the slickest gamblers in the territory. He is one of those blood suckers who have ... hung upon the community like so many vipers, harassing and impoverishing honest settlers...The people of Logan County...will lay him up, stark, and white on the beach of the political sea” (*Weekly Oklahoma State Capital* 24 January 1891). Rather than Diehl, for the Republicans, it was Bockfinger, the traitor to their own ranks, the embodiment of the evils of fusion, that threatened their power in Logan County.

As the People’s Party-Democratic Party fusion sought to bring its mid-roads into line, and the Republicans attempted to keep their black contingent from slipping into the Populist camp, election day approached. A Republican victory was anticipated. But on February 3, 1891, all ten of the fusion candi-

dates swept into office.<sup>6</sup> Cora Diehl polled 1475 votes to Losey's 1311, or a majority of fifty-three percent, becoming the territory's first woman office holder. Henry Bockfinger became county clerk (*Weekly Oklahoma State Capital* 7 February 1891).

The "nine of ten" votes that black leaders pledged to the Republicans never materialized. In two of three predominantly black townships, Losey did garner sixty per cent of the vote. But in the most populous, Antelope township with the still tiny black community of Langston, 130 voters turned in a sixty-six percent margin for Cora Diehl. In the races for other county offices, the majority was even more dramatic (*Weekly Oklahoma State Capital*, 7 February 1891). Clearly the People's Party message, one of unified class interests superseding old and obsolete party loyalties, penetrated the black community and partially influenced the black vote. Republicans had every reason to be concerned that they would lose the support of this crucial component of their constituency.

Previous Republican county office holders did not relinquish their power easily. Louis Laws had been the appointed County Clerk and Register of Deeds. He refused to acknowledge the legality of the election. On the day the new officers, including Cora Diehl, were to take control of the county's business, Laws locked all the records — even the county seal — in a vault in the Territorial National Bank in Guthrie. Apparently with the approval of District Judge Edward B. Green, the newly elected officers, along with their supporters, blasted their way into the vault. Mob violence broke out. Federal Marshall William Grimes intervened along with Sheriff-elect John W. Hixon. The Republican newspaper urged calm, and with embarrassment endorsed the will of the people. Bockfinger took possession of all county records and began to administer the county's business (*Weekly Oklahoma State Capital* 28 February 1891).

Louis Laws was still unwilling to accept defeat, and sensing the weak link, he challenged the legality of Cora Diehl's election. In the Logan County District Court, Laws claimed that the office of Register of Deeds did not exist independently of the office of County Clerk and because the election was illegal, the office belonged to him. He then claimed that Cora Diehl could not hold office because she was a woman (*Duvall v. Diehl* 1892).

Newly-elected fusion county commissioners, all nominated at the same convention that nominated Diehl, tried to reconcile the problem, at least temporarily. The three new commissioners, including two People's Party members, could not declare the election invalid without negating their own victories, but they did turn on Cora Diehl. Because of her sex, they declared her election illegal, and in her place they appointed Edward Duvall to complete her term (*Weekly Oklahoma State Capital* 21 March 1891). The editor of the Guthrie-based People's Party newspaper, *The Oklahoma State Journal*, endorsed the



action of the commissioners. The fusing faction of the Logan County People's Party completely abandoned the interests of their ally.

Not to be outdone, Bockfinger responded to the challenge of both Laws and Duvall. He claimed that Laws had been right in asserting that the office of Register of Deeds did not exist independently of the office of County Clerk, but he, not Laws, was the duly elected County Clerk. Therefore, the office of Register of Deeds belonged to him — Bockfinger (*Duvall v. Diehl* 1892). Remarkably, three men — two from her own party — challenged Diehl for the office to which the people of Logan County had elected her.

On March 28, 1891, while the contested election was being adjudicated, the non-fusing, mid-roaders of the Logan County Spring Valley Township Farmers' Alliance issued a manifesto on equal rights, openly challenging those in their party who had betrayed Diehl. The Alliance asserted: "...one of the cardinal principles of said organization is 'Equal rights to all, special privileges to none,' regardless of race, color, sex or creed and that a large majority of said members are in sympathy with and in favor of woman suffrage and their undeniable right to hold office in a county which compels them, to perform the most arduous kind of labor in order to earn a living. But compels them to pay taxes." The Alliance continued, "And we further believe all such laws are unjust and wrong and belonging to a barbarous age, which compels man or woman to pay taxes and deprives them of representation...We nominated and elected Cora Diehl (not as an ornament to grace the ticket) but a young woman having the necessary qualifications to fill the office by virtue of her ability and experience and that her election to said office would result in a benefit to the public at large and reflect credit on the wisdom and justice of the party who elected her" (*Weekly Oklahoma State Capital* 28 March 1891). Further, the manifesto condemned the county commission and the People's Party representatives. It lambasted George Duvall and Bockfinger and the editor of the *Oklahoma State Journal*. The Spring Valley Alliance sent copies of the manifesto to all area newspapers, to the Kansas press, and to the Vincent brothers' *Nonconformist*, a paper that had a national circulation.

Deciding the issue of who was to be the Logan County Register of Deeds was a task ultimately put before the Oklahoma Territorial Supreme Court. In one of its earliest opinions, in the case *Duvall v. Diehl*, the High Court ruled in favor of Cora Diehl (*Duvall v. Diehl* 1892). Rendering his opinion, Justice John C. Clark declared:

That said Cora V. Diehl...was duly elected to said office, and is qualified to hold same. That the office of Register of Deeds exists by virtue of the laws of Oklahoma. That the right of Louis H. Laws to exercise the duties of the office...expired when Cora V. Diehl was elected...That Henry H.

Bockfinger cannot legally exercise the duties of Register of Deeds...That the complaint of...Edward R. Duvall be dismissed and costs of this proceeding taxed against him...it is therefore considered, ordered and adjudged by the court that Cora V. Diehl have immediate possession of the office of Register of Deeds of Logan County, Oklahoma Territory...and that Edward R. Duvall, Henry H. Bockfinger, and Louis H. Laws at once surrender to her the possession of all books, records, instruments of writing, papers, desks, stationery, safes, vaults, and all things whatsoever appertaining to the office of register of deeds, and that each of them refrain from exercising any of the functions of said office in the future, or in any wise interfering with the said Cora V. Diehl in the exercise of the duties of said office.

The Territorial Supreme Court rendered its opinion in January of 1892, almost a year after Diehl's election. In March of that year, the reluctant Bockfinger turned over the relevant county records to Diehl. The following November, after serving seven months, she stood for re-election. During Diehl's abbreviated term of office, four distinct issues emerged to influence the 1892 election. The first of these was the publication of the final report of the Kansas legislative investigation of the Coffeyville bombing. In June of 1891, the Republican *Weekly Oklahoma State Capital* abandoned its usual practice of publishing serialized fiction and esoteric foreign stories on its front pages and instead printed the entire text of the Kansas Legislative findings. Though stopping short of implicating the Farmers' Alliance, the report found that the Secret Order of Videttes, the Vincent brothers, and the *Nonconformist* were "in full sympathy with the red flag anarchist of the Chicago stripe." *The Capital* was not so reticent. In his introduction, editor Frank Greer accused the Farmers' Alliance of complicity (*Weekly Oklahoma State Capital* 6 June 1891). Threats of anarchy resonated with the population of Logan County in these early days of the 1890s, and these implications could not help the cause of the People's Party. Greer, himself, planned to run for a seat in the territorial legislature.

The second factor to affect the 1892 election occurred six months later, in February of 1892, at the national convention of the Farmers' Alliance. Delegates buried the cause of women's suffrage. In an attempt at national compromise, the Alliance refused to endorse women's suffrage, along with the far more controversial tandem issue of temperance, in their national platform. The two issues had become irreparably intertwined, and women were told that both issues would fatally divide the Alliance (Brady 1984-5). Particularly painful for these reforming women was the abandonment of women's suffrage by black Alliancemen (Brady 1984-5). The work of reform had memorable roots in abolition; women felt betrayed. Alliance women had sensed the disaffection and

formed their own National Women's Alliance. The People's Party betrayal of Diehl's election illustrated what became a broader division in the national party. The loss of the unconditional, united, and enthusiastic support of women for the People's Party was incalculable.

Yet another factor determining voter sympathy was the rapidly expanding black population. Despite the importance Republicans clearly placed on this crucial component of their constituency, they simply would not adapt their platform to accommodate these voters. This became most evident with the issue of school segregation. The first territorial legislature failed to mandate segregation throughout the territory. Rather, legislators passed a provision for county option (Miller 1987). In the fall of 1892, immediately prior to the election, the Republicans endorsed segregation for Logan County public schools (*Weekly Oklahoma State Capital* 22 October 1892). Black citizens were irate and threatened to bolt the party.<sup>7</sup> The Republican press attempted to smooth over the issue with assurances that segregation was in everybody's best interests, but blacks remained unconvinced. With the election immediately forthcoming, the possibility of a massive continuation of the disaffection of 1891 loomed. The potential for a major party realignment caused the People's Party to rejoice at Republican ineptitude.

By far the most important influence on the re-election bid of Cora Diehl was not an issue at all, but rather the method of casting ballots. The Australian system of voting was instituted in Logan County for the first time in the April 1891 Guthrie city elections. According to the *Capital*, "The City (was) Rescued From the Hands of the Enemy...The Australian system was in force and met with the approbation of all...no hoodlums...no bulldozing..." (*Weekly Oklahoma State Capital* 1 April 1891). The Republicans might have added: no fusion. As part of Republican election reform, the Australian ballot guaranteed far more than secrecy. Because, for the first time, the ballot was public rather than partisan, the controlling party — the Republicans — could fashion a document that favored its candidate. This could be accomplished in several ways to discourage fusion. The most obvious way to manipulate the ballot was to make it difficult for a third party to be represented or to exclude it altogether. But a more frequently employed tactic was to prohibit a candidate from appearing on the ballot more than once. As a result a candidate could not be double-listed for the same office in both a Democratic and a People's Party column. Double listing replicated partisan balloting where the same candidate could have appeared on two different parties' ballots. With prohibitions against double-listing, a candidate's name would appear representing only one party. No name would appear under the column of the cooperating party. The electorate would simply need to know of the fusion; the ballot itself would offer no clue. Antifusion laws

— laws that prohibited double-listing — passed through legislatures in most states where the People's Party threatened the existing power structure and it passed the Oklahoma territorial legislature. But even without such laws the single ballot format with double-listing revealed any attempted fusion to all the voters. In this period of extreme partisanship, such knowledge would certainly influence a significant number of voters.<sup>8</sup>

In the case of the fusion candidacy of Cora Diehl and the election of 1892, no examples of the Australian ballot remain. Antifusion legislation prohibiting double-listing did not pass the Oklahoma Territorial legislature until 1895; thus, Diehl may have been double-listed as both a People's Party candidate and a Democrat, or, as the evidence strongly suggests, she may have been singly-listed as a Democrat. She was not singly-listed as a People's Party candidate.<sup>9</sup> Historians disagree about the effectiveness of Republican attempts to control third party politics through such antifusion devices as the Australian ballot. But, in the Logan County election of November 8th, 1892, using the Australian ballot for the first time, the Republicans reversed their previous defeat to recapture virtually all of the county offices, including the Register of Deeds. In that election Diehl failed to win a majority by 141 votes out of 4205 cast.<sup>10</sup>

Regardless of whether or not double-listing was employed, the Australian ballot itself put the candidacy of Diehl and the other fusion candidates at a distinct disadvantage. Those members of her party whose ideological purity did not entertain fusion would not cross over to vote for a candidate who represented the Democratic Party. The loss of this mid-road vote was formidable. But far more devastating to the Populist cause was the reluctance of disaffected blacks to vote for their old antagonists, the Democrats. Experiencing increased tenancy, removed from the immediacy that had fostered their old party loyalties, angry at their traditional Republican Party over the issue of segregation, this voting population was clearly ready to move into the People's fold. The previous election had revealed the opening wedge of realignment. As the campaign of 1892 progressed, the Republican press scurried to respond to the threats of bolters. At the same time they published story after story about the lynching of blacks in the south, as if to remind the renegade Republicans of their previous oppression at the hands of the southern racist Democrats. On election day black voters confronted the choices on their newly-fashioned Australian ballot, saw that the People's Party candidates were also Democrats, and chose to remain in their traditional party.

In fact, the voting records substantiate this supposition. Antelope township, the district where Langston voters cast their ballots, had previously given Diehl sixty-six percent of their vote. In 1892, black voters, rather than support anyone who might be a Democrat, reversed their previous pattern and awarded

the Republican a fifty-seven percent majority. Diehl received 80 votes to Dobson's 113 there.

Throughout the midwest and west, the threatened Republican majority instituted antifusion tactics. The Australian ballot was simply the opening volley of a decade-long assault on fusion in state legislatures. The restrictive legislation inhibited the ability of the People's Party to elect its candidates. Indeed, the future of third party politics, with its individualistic, democratic impulse, suffered a crippling blow, as the two party system became enshrined as public policy. Over time, any deviation from the two established parties began to be perceived as destabilizing, suspicious, even kooky. With the decreased political threat of a strong third party challenge, the two dominant parties felt little obligation to respond to dissenting opinion. Furthermore, the dominant parties felt no compunction in abandoning the interests of their own constituents if it proved politically expedient to do so. Particularly vulnerable were minority groups and those members of the population who suffered economic oppression. Without easy political recourse, options for these voters — indeed all voters — decreased. From this historic high point, voter participation began to decline as the population perceived the limitations of its own influence.

Logan County was the nation writ small. As elsewhere the ability of a minority to influence policy suffered in Logan County. The assault on fusion damaged both the cause of blacks and that of women. In 1904, two years after the official death of the Oklahoma People's Party, Logan County Democrats and Republicans agreed "in the final elimination of the negro politically in Guthrie, Logan County and the territory at large."<sup>11</sup> Such action was unnecessary for women, whose suffrage remained stillborn in the legislature. With limited power and a restricted franchise, both groups had found even third party support elusive. With the third party system impaired, attempts to find support within the two major parties would prove doubly daunting. For both groups, the challenge of the twentieth century would be to recover the political voice lost in this last decade of the nineteenth.

Cora Diehl retired from elective politics after her 1892 defeat though she did not abandon the Populist cause. She began to tour with the radical and controversial Mary Lease. Lease's admonition to farmers to "raise less corn and more hell" has earned her a more prominent, though perhaps a less respected place in history. Though Diehl never achieved Lease's notoriety she did receive the recognition of her peers. Acknowledged as one of the nation's most influential women at the turn of the century, she was included in the biographical compilation, *A Woman of the Century* (Willard and Livermore 1893). With great courage this young woman confronted a legal, economic, and political system that attempted both literally and figuratively to lock her out. In the inter-

est of understanding her defeat; it is crucial not to lose sight of her victory. At the turbulent birth of the Territory, Cora Diehl not only lost. Initially, and with determination, she also won.

## NOTES

1. Lawrence Goodwyn called the Populist movement the "largest democratic mass movement in American history." Populism arose in the 1870s as the still largely agrarian population found itself threatened by economic forces beyond its control. The market, with its cash crop, had created dependency in the previously self-sufficient farmer. He increasingly resorted to credit. Interest rates soared. The economics of the post-Civil War Gilded Age encouraged railway and commodity market monopoly and price-fixing. The farmer was caught in the middle. Foreclosures increased; tenantry expanded as capital gravitated into fewer and fewer hands. Under the umbrella of the Farmers' Alliance, farmers banded together in a cooperative movement that spread throughout the south, midwest, and eventually included mining interests in the west. With their economic agenda, the Alliance joined with older third parties including the Union Labor Party and the Greenback Party to form the People's Party. The People's Party proved effective in several states including Oklahoma. Throughout the 1890s, the People's Party in Oklahoma formed a significant minority that had impact on the policy of the early territory. For the history of the Populist movement in Oklahoma I rely on the exhaustive work of Worth Robert Miller (1987; see also Goodwyn 1976; Hicks 1931; Pollack 1962; Clanton 1991; Argersinger 1974; McMath 1993; Woodward 1938; Hofstadter 1956; Nugent 1962; McNall 1988).

2. The People's Party of Oklahoma formed in June of 1890 after a meeting in Oklahoma City that included the Knights of Labor, the Farmers' Alliance and the Union Labor Party. They followed both the Republicans who established their organization in January and the Democrats who established their organization in March. See Miller, (1987) The formation of the People's Party in Oklahoma paralleled similar activities in Kansas, Nebraska, and other plains states.

3. The scholarship on women in the Populist movement is regrettably sparse. By far the best source remains the dissertation of Maryjo Wagner (Wagner 1986). For the perspective of Southern women see: (Jeffrey 1975; Brady 1984-85).

4. Six women novelists and their novels, most from Kansas, include: Alliance lecturer Anna Weaver, *Richard's Crown: How He Won and Wore It*; Margret Holmes Bates, *Shylock's Daughter*; Colorado activist Emma Ghent Curtis, *Fate of a Fool* and *The Administratrix*; Kansas Alliancwoman Fannie McCormick, *A Kansas Farm; or the Promised Land*; Mary H. Ford *Which Wins? A Story of Social Conditions*, and free love proponent as well as Chicago anarchist Lizzie Holmes, *Trix: The Tale of a Kansas Home*. These novels were only slightly veiled political tracts calculated to enter farm homes and educate farm wives about the evils of capitalism. All are available on microfilm from the Library of Congress. References for other Populist women include Nelson (1992), Thornton (1982), and Blumberg (1978).

5. *Logan County History* (1980). E.P. McCabe hoped to establish a black colony in the new territory. To that end he circulated his newspaper, *The Langston Herald*, throughout the South. Thousands of southern blacks relocated to Oklahoma Territory as a result.

6. *The Weekly Oklahoma State Capital* (February 7, 1891). The official election returns are on page 3. Curiously, Miller (1987) reports this Logan County election as a Republican victory — a relevant factual error in light of his assertions regarding the ineffectuality of antifusion legislation passed by the Territorial legislature in 1895 and subsequently repealed. The oversight also precludes Miller from any awareness of the election of the territory's first woman official — a Populist.

7. *Weekly Oklahoma State Capital* (October 22, 1892). The head of the black Republican Party, E.P. McCabe, himself led this revolt, urging blacks to withhold their support from the Republican ticket. In response, Republicans put a black candidate on the ballot, J.F. Norris, for County Clerk. In Antelope township, he polled only 107 votes to his opponent, true Democrat-fusion candidate, J.H. Havinghurst's 89. Throughout the county Havinghurst was victorious — the only fusion victor in Logan County in 1892.

8. See Argersinger (1980). Miller (1987) dismisses Argersinger's argument by pointing out that the Oklahoma People's Party vote was unaffected by the antifusion law of 1895 and its subsequent repeal. Miller never addresses the fundamental antifusion nature of the Australian ballot generally. Also, because of Miller's oversight regarding the results of the Logan County election of 1891, his dismissal of Argersinger's argument seems questionable.

9. This assertion is based on both the attitude of the Logan County Republicans toward election reform in this campaign and on the official returns. Republicans criticized election laws but never made the point that they objected to double listing of candidates. Also when voting instructions were provided by the *State Capital*, no mention was made of the fusion. On the official returns, all the fusion candidates were listed as Democrats, while candidates representing the People's Party were listed as such.

10. The final vote was George H. Dobson — 2,173 to Cora Diehl — 2,042. Thus Dobson received fifty-one percent of the vote (*Weekly Oklahoma State Capital* 19 November 1892).

11. *The Daily Oklahoman*, 26 August 1904, quoted in Teall, (1971):175.

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