

WILLIAM GOEBEL AND THE CAMPAIGN FOR RAILROAD REGULATION IN KENTUCKY, 1888-1900

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William Goebel has been an enigma to historians since his assassination in 1900. Detractors have painted him as the unscrupulous politician whose overweening ambition drove him to sponsor undemocratic and partisan legislation that paved the way for his illegal ascension to the governorship after his defeat at the polls. Goebel's admirers, on the other hand, have seen him as the youthful David pitted against the corporate Goliath who sought to exploit the people. Such rhetorical polarity does little to set the record straight and the fact that none of Goebel's manuscripts have survived makes the job of evaluating the man difficult. As any non-partisan might assume, a reconstruction of the events surrounding Goebel's State Senate career and his gubernatorial campaign reveals Goebel as neither devil nor angel. He was, in fact, a transitional figure in the turn-of-the-century politics of state and nation, for he combined elements of populism of the 1880s and '90s with aspects of progressivism which characterized the first two decades of the twentieth century. That he was also a hard-headed politician who rode railroad regulation into office should not be a startling revelation to historians familiar with recent studies of progressivism in Wisconsin.¹

Goebel came to Kentucky from Pennsylvania at a time when Democracy ruled the Bluegrass state. Not only had Democrats managed to control the state in the years immediately following the Civil War, but they had successfully fought off the political threat of radical Republicans, and intimidated black voters. As is frequently the case when a single party is in the ascendancy for a long time, the Democratic party began to show signs of internal stress between emerging New South advocates and conservative Bourbons. These New South Democrats, led by Henry Watterson, editor of the Louisville *Courier-Journal*, wished to de-emphasize the racial issue and the importance of a Confederate background for political preferment, and to emphasize instead industrialization of the state.

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¹ Stanley P. Caine, *The Myth of a Progressive Reform: Railroad Regulation in Wisconsin, 1903-1910* (Madison: The State Historical Society of Wisconsin, 1970); David P. Thelen, *The New Citizenship: Origins of Progressivism in Wisconsin, 1885-1900* (Columbia: University of Missouri Press, 1971).

Although Democrats continued to win elections, the internal problems steadily reduced their margin of victory. In 1895 the Republicans capitalized on Democratic division to elect William O. Bradley governor. Bradley's Democratic opponent was free silver advocate P. Wat Hardin, and his narrow defeat was a prelude to a Republican presidential victory the following year. When William Jennings Bryan won the Democratic presidential nomination with his "Cross of Gold" speech in 1896, many of Kentucky's New South Democrats bolted the party. Men like Watterson believed the free-silver issue was an unsound Populist idea that had no place in the Democratic party. In the ensuing election, therefore, McKinley carried the state over Bryan because of this defection of gold Democrats.²

This set the stage for the horripilating gubernatorial campaign of 1899 between Republican State Attorney General William S. Taylor and Democratic State Senator and majority leader William Goebel. Seething from the twin defeats of 1895 and 1896, Democratic leaders tried to reconcile their differences in an effort to reassert their accustomed hegemony by 1900. In 1899 the issue of free-silver, while not resolved, receded into the background and gold Democrats returned to the party. In place of free-silver, Democratic gubernatorial contender Goebel emphasized the necessity of governmental regulation of corporations.

In particular, railroad regulation had been a touchstone of Goebel's political career. By the time he won his party's gubernatorial nomination, he had served twelve years in the Kentucky State Senate, representing the Covington area in northern Kentucky. While still a young man he established himself as a prosperous attorney, but he also nurtured political ambitions. In 1887 he sought and won a seat in the State Senate running on the Democratic ticket from Kenton County. From that time until his gubernatorial race, he built a reputation as a leading proponent of state regulation of big business, specifically, railroad regulation.

During Goebel's first term in the Senate, the State Railroad Commission drastically increased to over three million dollars the tax valuation on the property of the Louisville and Nashville Railroad Company, the largest rail network operating throughout the state. Disturbed by so abrupt an action, the Louisville and Nashville, through its president Milton H. Smith and chief lobbyist General Basil W. Duke, reacted with expected pressure on the legislature at Frankfort. In response, one legislator introduced a bill to abolish the Railroad Commission and overturn its ruling. After heated debate the bill narrowly passed the

² Thomas D. Clark, *A History of Kentucky* (Lexington: The John Bradford Press, 1950), pp. 409-413, 426-434.

House, but met strong opposition in the Senate. Democratic Senator Cassius M. Clay of Bourbon County presented a resolution providing for the establishment of a joint investigatory committee to take testimony and report to the General Assembly on the question of the railroad lobby and its influence on legislation.³

Goebel supported the resolution, served on the investigating committee, and drafted the report based on the committee's hearings. The legislative committee found that the L&N hired lobbyists who operated open houses in Frankfort during the legislative session. They spent lavishly, furnishing drinks and dinners at saloons and restaurants, and, of course, gave anyone of probable influence free railroad passes. The committee returned a unanimous resolution seeking an indictment of these lobbyists by a Franklin County Grand Jury. Although the General Assembly failed to take positive action on the committee's recommendations the report had the effect of killing the pending bill which would have abolished the Railroad Commission.⁴

Goebel's action at the Constitutional Convention of 1890 sheds added light on his attitude toward the railroads. He had been instrumental in procuring a favorable Senate vote for holding a convention to write a new constitution to replace Kentucky's inadequate and cumbersome ante-bellum constitution. During debates in the Frankfort convention, Goebel took the lead in shaping that part of the constitution dealing with corporations. He typified many of the delegates' agrarian, anti-corporation bias and singled out the railroad as their most menacing enemy. Convention debates were hottest on the issue of rate regulation, elimination of rebates, and pooling.⁵

Goebel wished to provide specifically for a railroad commission in the new constitution. He reasoned that if the commission were part of the constitution, the legislature could not then abolish it by legislative fiat, as had nearly happened at the preceding session. Abolishing the commission under Goebel's scheme required a popularly approved constitutional amendment. By this provision Goebel hoped to vitiate the influence of the railroads over the legislature.⁶

Mindful of the influence of railroads in the legislature and seeking to forestall efforts to delete his proposal, Goebel argued persuasively for incorporation of the railroad commission into the constitution:

³ *The Courier-Journal* (Louisville), October 17, 26, 1899.

⁴ *Journal of the Regular Session of the Kentucky Senate, 1887*, pp. 1751-1754; Jesse Sewell Hunter, *The Kentucky Constitutional Convention of 1890* (unpublished M. A. thesis, University of Louisville, 1947), p. 57.

⁵ *Official Report of the Proceedings and Debates in the Convention Assembled at Frankfort, on the Eighth Day of September, 1890, to Adopt, Amend or Change the Constitution of the State of Kentucky* (IV vols., Frankfort: E. Polk Johnson, 1890), I: pp. 1506-1509; IV: pp. 4979-5182, 5382-5386.

⁶ *The Courier-Journal* (Louisville), October 26, 1899.

When the law establishing the present system was enacted, it was assailed in the first place by the railroads in the Courts. . . . When the railroads failed in their assault upon that system in the Courts, they came to the General Assembly and undertook to abolish the system, and the Railroad Commission also by repealing the law establishing them. The largest and most aggressive lobby that Frankfort has seen within a quarter of a century was brought here to accomplish that end. The effort succeeded in the House, but failed in the Senate. If the effort had been to enact the law, instead of repeal it, it would have failed, because one branch of the General Assembly was hostile to the law. . . .⁷

Goebel carried the vote preserving the Railroad Commission as part of the new constitution. Along with a majority of the convention, he also supported the method of railroad property tax valuation that other states were not to adopt until the turn of the century. Voters endorsed the constitution in 1891 by a majority of nearly 150,000 votes.⁸

During the legislative session of 1893, Goebel helped guide through the Senate a bill further extending state control over railroads. The proposal forbade unreasonable passenger and freight rates and prohibited rebates and long and short haul rates which arbitrarily discriminated against certain localities. The Railroad Commission was empowered to investigate all complaints against the roads and file its evidence with the appropriate circuit courts. Arguing that the bill was too restrictive, Democratic Governor John Young Brown vetoed it. The General Assembly ignored Brown's admonitions and repassed the bill over his veto.⁹

Senator Goebel not only supported legislative efforts to regulate railroads, but also worked to abolish railroad companies' abuses of employees. When representatives of the Brotherhood of Locomotive Engineers and Conductors sent a delegation to Frankfort seeking support for labor union legislation, he became their advocate on the Senate floor. One of the bills Goebel supported limited the number of hours per day that railroad employees be required to work. Another bill required that conductors and engineers meet certain qualifications designed to guarantee their own safety and that of their passengers and freight.¹⁰

In 1894 when the American Railway Union inaugurated a sympathy strike supporting Pullman workers, the state court issued injunctions against many railroad employees who honored the strike. Goebel sided with the jailed railway workers, posted bond for several, and se-

⁷ *Official . . . Debates in the Convention. . .*, IV: p. 5809.

⁸ Hunter, *The Kentucky Constitutional Convention of 1890*, pp. 41-42.

⁹ *Kentucky Acts of 1893*, Chapter 171, p. 612; Thomas D. Clark, "The People, William Goebel, and the Kentucky Railroads," *Journal of Southern History*, Vol. V, No. 1 (February, 1939), pp. 36-37.

¹⁰ *The Courier-Journal* (Louisville), October 26, 1899.

cured their release during investigation of the charges. He successfully defended them in court without charge.¹¹

To end what he considered another railroad abuse of labor, Goebel introduced a "fellow-servant" bill. The bill stipulated that, in the event of injury to a worker through no fault of his own, the injured person would be justly compensated by his employer. Previously, the railroads had investigated such accidents, and if they found that injury was a result of another employee's negligence, he, not the railroad, became liable. Thus the railroads often had not borne the financial burden of the many accidents that occurred on their lines yearly.

Arguing his case before the Senate, Goebel reasoned that "the liability of railroad corporations to their own employees should be exactly the same that it is to the tramp upon the highway."¹² By this he meant simply that the railroad should do for its employees at least what, in law, it was bound to do for anyone injured on its property. The bill passed both the House and Senate, but after the legislature adjourned, Republican Governor William O. Bradley vetoed it.

During the 1898 session of the legislature, Senator Goebel continued his campaign against the railroads. He supported a bill submitted by Charles C. McChord, Democratic Senator from Washington County, which subsequently became known as the McChord Bill. Previous to his election to the Senate, he had served as a member and chairman of the Railroad Commission and had supported Goebel in the 1890 convention debates on railroad issues. McChord's Bill was "a masterpiece of legislative drafting," which evidenced his extensive knowledge of the intricacies of railroad operation and related state and federal laws.¹³

The McChord Bill gave the Railroad Commission the power to call hearings on any written complaint the Commission received after a ten-day notice to the parties involved. The Commission would then determine the validity of the case and adjust the rates accordingly. In addition the bill gave the Commission authority to determine the guilt of the railroad companies. The McChord Bill produced violent arguments and heated exchanges both in and out of the legislative chambers and even Democrats differed among themselves over the stringency of the bill. Much of the editorial reaction in the state press was negative. Colonel W. C. P. Breckinridge of the *Lexington Herald* wrote a series of editorials castigating the bill and its two major supporters, Goebel and McChord. The influential and regularly Democratic *Louisville Courier-Journal* indicated its lack of enthusiasm for the bill by making only perfunctory reference to it in the course of news reporting, and

¹¹ *Ibid.*

¹² *Ibid.*

¹³ Clark, "The People, William Goebel, and the Kentucky Railroads," p. 39.

avoiding significant editorial comment. In spite of this lack of support, Goebel persuaded the Democratic caucus to vote for the McChord Bill and send it on to the Governor. Governor Bradley exercised his veto and the Democratic legislature failed to overrule him.¹⁴

Aside from railroad regulation, Goebel's reform record was uneven. Nothing illustrates this better than his support in the 1898 legislature of the controversial Chinn Textbook and Goebel Election bills. It is doubtful that Goebel consciously formulated the McChord Bill and these last two bills as planks in a platform upon which to seek the governor's office the following year. But these bills did form an important part of the Democratic state platform which his supporters wrote at the Louisville convention a little over a year later.

Senator J. Morton Chinn, Goebel's close friend and later personal bodyguard, introduced the first of these bills. Chinn's bill sought to end an alleged monopoly of the American Book Company which supplied the state public school textbooks. Its major provisions were similar to those of an Indiana law which set the price of textbooks and stated that any bookseller who charged more was guilty of a misdemeanor and was punishable by fine or imprisonment. After a warm debate which at one point threatened violence, the Chinn Bill failed, all Republicans and some Democrats opposing it. A milder alternative bill, proposed by fellow Democrat C. J. Bronston of Lexington, also failed because of a squabble among the Democrats. The fact that even Democrats were divided on the Goebel-supported Chinn Bill, however, did not stop the Democrats from making it a campaign issue in the next election.¹⁵

The last of three bills which Goebel championed during this session was the election bill bearing his name. Goebel sought to outlaw the practice of locally appointing election officers which he felt had robbed Bryan of Kentucky in 1896. Democrats were quick to point out that in areas where McKinley was strong, as in Jefferson (Louisville) County, Bryan men had been denied representation on election boards, either as inspectors or official challengers. The critical balance which gave the state to Governor Bradley in 1895 and to McKinley the following year appeared in these counties.¹⁶

Rankled by these narrow losses, Democratic legislators wanted to modify the law regulating appointment of election officers. Goebel's bill proposed that the legislature select the three state election commissioners. These commissioners would in turn name the county election commissioners who would then select the officers to preside at the poll-

¹⁴ *Lexington Herald*, January-March, 1898.

¹⁵ *The Courier-Journal* (Louisville), October 26, 1899; Clark, "The People, William Goebel, and the Kentucky Railroads," pp. 41-42.

¹⁶ *The New York Times*, September 2, 1899.

ing places. Ostensibly the aim of the bill was laudable, but in practice, it proved as discriminatory as the law it replaced. There was no provision in the bill for equal party representation on the county boards. Thus a Democratic legislature could control the statewide network of election officers merely by appointing Democratic state election commissioners. The Goebel Bill became law when the legislature, on a strict party vote, passed it over Governor Bradley's veto in 1898.¹⁷

So partisan a law was bound to stir strong feelings, and it tarnished Goebel's image as a reform spokesman. Why then did he so vigorously support it? Goebel's opponents charged he planned to use it as a rear door to the governor's office. If that were true, then why did the bill provide that a majority of the State Board of Election Commissioners had the authority to determine any contested election *except* for governor or lieutenant governor? That section of the law remained as Goebel had originally submitted it, and he was too experienced a legislator not to have intended that exception.¹⁸

In addition, Goebel's authorship and original enthusiasm for the act are questionable. An editorial in the Louisville *Courier-Journal*, a Democratic newspaper which opposed the bill, suggested that the "Goebel Election Law" was a misnomer. The editorial suggested that Goebel sponsored it only because certain elements in the Democratic party so vehemently argued for it. Rather than risk losing his party leadership over the issue, he reluctantly introduced the election bill.¹⁹

In a letter to the editor, fellow Democrat and sponsor of a rival bill to the Goebel-supported Chinn Textbook Bill, C. J. Bronston recalled a long conversation with Goebel. In that two-hour exchange, Bronston became convinced that Goebel sponsored the bill only to gain support for his own reforms which he was unwilling to see scuttled by a coalition of Republicans and Democrats. Defending Goebel, Bronston wrote:

He still adhered to the end desired to be accomplished, namely, the restriction of corporate power to such an extent as to place corporations as nearly as possible upon the same footing as individuals in bearing the burdens of government and enjoying its privileges; to adopt a uniform and economic system of internal affairs, generally, and not to incumber legislation with personal matters. . . . The election law, which was not only originated, but prepared, by one of those friends . . . met with such a disapproval on his part that it was not until a very late state in the session that he [Goebel] at last yielded. . . .²⁰

Outvoted in the legislature, Republicans appealed to the courts which

¹⁷ Urey Woodson, *The First New Dealer: William Goebel* (Louisville: The Standard Press, 1939), pp. 198-202.

¹⁸ *The Courier-Journal* (Louisville), October 30, 1899. Italics added.

¹⁹ *Ibid.*, February 5, 13, 1900

²⁰ *Ibid.*, February 19, 1900.

declared the law constitutional. By then the law had become a campaign issue for both parties. Goebel recognized its inequity but defended it as a Democratic measure. In fact, following the 1899 election, Democratic Senator-elect J. C. S. Blackburn said that the law had worked against Goebel and had cost the state ticket some 20,000 votes.²¹

After the legislature adjourned, William Goebel returned home to mend political fences and to determine his chances of success in the forthcoming Democratic gubernatorial campaign. In early spring of 1899 the three avowed candidates, Goebel, P. Wat Hardin (whom Goebel had supported for the governorship in 1895) and ex-Confederate soldier-turned-politician, William J. Stone, stumped the state for county convention support. By the time of the state convention in Louisville during the latter part of June, Goebel trailed both his rivals.²²

Each candidate had his obvious strength: Hardin attracted a large following on the basis of his free silver stand in the 1895 gubernatorial campaign and was the best known of the candidates; Stone came from the solidly Democratic first district and, as a crippled ex-Confederate soldier, had the sympathy of the southern-oriented Democracy. To counter-balance these attractions Goebel needed something bold and new to win sizable Democratic support. After all, he was only forty-two years old, had not served or been in sympathy with the Confederate cause, had come to Kentucky from Pennsylvania, and was not widely known outside his own senatorial district. During his pre-convention campaign he played down the Goebel Election Law, concentrating instead on the necessity of governmental regulation of corporations, railroads, and trusts. All three Democratic gubernatorial candidates endorsed William Jennings Bryan for President and J. C. S. Blackburn for United States Senator.²³

At the riotous nine-day "Music Hall" convention in Louisville occasional fist fights or song fests interrupted normal proceedings. All of the hoopla, however, did not cloud Goebel's thinking. He realized his only hope of winning the nomination was through a coalition with Stone to prevent Hardin's first ballot nomination. Under this arrangement Stone and Goebel delegations dominated the convention and wrote a platform based largely on the reform measures which Goebel had supported in the Senate or which he had proposed on the hustings.²⁴

²¹ R. E. Hughes, F. W. Schaefer, and E. L. Williams, *That Kentucky Campaign; or the Law, the Ballot and the People in the Goebel-Taylor Contest* (Cincinnati: The Robert Clarke Company, 1900), p. 8; Woodson, *William Goebel*, pp. 201-202.

²² Clark, "The People, William Goebel, and the Kentucky Railroads," p. 42; Woodson, *William Goebel*, p. 141.

²³ Hughes, *et al.*, *That Kentucky Campaign*, p. 12; Woodson, *William Goebel*, p. 141.

²⁴ *The Courier-Journal* (Louisville), June 22-24, 1899; Hughes, *et al.*, *That Kentucky Campaign*, pp. 16-42; Woodson, *William Goebel*, p. 148.

The Goebel-controlled platform committee wrote planks calling for an end to tariffs which discriminated in favor of corporate wealth, and for the endorsement of major Democratic legislation of the last session, including the Chinn Textbook Bill; the prison reform bill; the McChord Railroad Bill; and the Goebel Election Law. Aside from reference to specific trusts in other planks, one plank addressed itself to anti-trust legislation generally:

We believe the . . . anti-trust law, should be so amended as to make unlawful any arrangement . . . whereby in carrying on any business the prices charged are to be thereby fixed, controlled or regulated. We believe the law should be further amended so as to provide that all contracts and agreements made by combinations, generally known as trusts . . . with the view to fix or regulate prices, should be void and not enforceable as to such trust or combination.²⁵

After the convention voted adoption of the platform written mainly by Goebel men, Hardin realized that Stone and Goebel had combined against him, and to avoid certain defeat, he quietly withdrew his candidacy. In the ensuing turmoil of balloting which saw the subsequent reentry of Hardin into the race and frequent charges of political dealing, Goebel won the nomination on the twenty-sixth ballot.²⁶

After the Louisville convention ended, opposition to Goebel's nomination continued. John Young Brown, former governor and Goebel supporter, led a revolt of dissident Democrats who called themselves "Honest Election Democrats" and who received major financial support from Goebel's most powerful corporate opponent, the Louisville and Nashville Railroad. The Honest Election Democrats met at Lexington to nominate Brown in early August shortly before the Republican state convention met there. For governor the Republicans nominated William S. Taylor, attorney general under Governor William O. Bradley, in a quiet convention, and they wrote an equally innocuous platform, praising the administrations of Governor Bradley and President McKinley.²⁷

While Republicans were holding their state convention, Goebel formally opened his gubernatorial bid in the western Kentucky town of Mayfield. His initial speech indicated the type of campaign he was to pursue. Launching into a diatribe against his old enemy, the Louisville

²⁵ Copy of platform recorded in typescript "History of Goebelism," in the *Temple Bodley Collection*, The Filson Club, Louisville, Kentucky; *The Courier-Journal* (Louisville), June 25, 1899; Hughes, *et al.*, *That Kentucky Campaign*, pp. 22-23.

²⁶ *The New York Times*, June 24-29, 1899; *The Courier-Journal* (Louisville), June 22-29, 1899; Hughes, *et al.*, *That Kentucky Campaign*, pp. 16-42.

²⁷ *The New York Times*, June 30, July 25, 26, 28, August 2, 3, 4, 1899; Hughes, *et al.*, *That Kentucky Campaign*, xiv (Introduction); Woodson, *William Goebel*, pp. 164-165; *The Courier-Journal* (Louisville), August 3, 4, 5, 12, 13, 14, 1899; *Lexington Herald*, August 2, 3, 4, 12, 13, 14, 1899.

and Nashville Railroad, he ended with a defense of the vetoed McChord Bill and a plea for the voters to decide "whether the L&N is the servant or the master of the people."²⁸

During a speech at Danville he took the L&N to task, reviewing his own efforts at railroad regulation. He mentioned that Louisville attorney Theodore Hallan was one of several lobbyists at Frankfort, who, along with railroad president Milton Smith and Basil Duke, worked assiduously and spent lavishly to convince the legislature to repeal the law creating the State Board of Railroad Commissioners. They failed then, as they had failed in the Constitutional Convention of 1890, to abolish the Railroad Commission, Goebel stressed. Concluding his attack on the railroads he declared, "I believe that the railroad corporations should have a bit in their mouths and the Democratic party should hold the bridle."²⁹

In mid-September, while speaking before a large crowd at Carlisle, Goebel linked his own campaign against railroad monopoly with Andrew Jackson's battle with the Bank of the United States:

We have in Kentucky in this campaign a parallel to the campaign in the United States which made Jackson President a second time. The bank at that time had only one-tenth the capital that the Louisville and Nashville has, and it was owned in the United States, and not in Europe. I believe that as the people of the United States crushed Nicholas Biddle and the United States Bank, the people of Kentucky will not submit to the domination of this foreign-owned corporation. . . . You should remember, too that all the matter in those two papers [*The Louisville Dispatch* and *Post*] . . . is an expression of the will and the wish of a corporation which is owned in Lombard Street, London.³⁰

Goebel used this same xenophobic attack on the L&N at other times, as for instance, at Elizabethtown, just south of Louisville. He read a letter from August Belmont, Chairman of the Board of L&N, in which Belmont accused Goebel of deception in calling the railroad a foreign corporation. Goebel countered by asserting that nearly half of the stock in the lines was held in Europe, if not London.³¹

As the campaign intensified and speaking engagements increased, Goebel continued to hammer away at the Louisville and Nashville. While touring the state with William Jennings Bryan, Goebel declared in a speech at Bardwell:

I have no doubt that if in the Louisville convention I had permitted Mr. Milton H. Smith and Mr. August Belmont to run the Louisville and Nash-

²⁸ *The Courier-Journal* (Louisville) August 13, 1899; Clark, "The People, William Goebel, and the Kentucky Railroads," pp. 43-44.

²⁹ *The Courier-Journal* (Louisville), September 2, 1899.

³⁰ *Ibid.*, September 12, 1899.

³¹ *The New York Times*, August 27, 1899.

ville political locomotive engine over me, in their judgment I would be an entirely proper person, not only to be Governor of Kentucky, but to hold any other place within the gift of the people.⁸²

Goebel only occasionally directed his verbal attack against his Republican opponent in the election, William Taylor. When he did speak of the Republican record during the previous four years, he merely complained about Governor Bradley's vetoes of constructive legislation introduced and supported by Goebel and his lieutenants. The campaign, therefore, was less one between Goebel and Taylor, or even Goebel and Brown, than it was between Goebel and the L&N. He openly characterized the campaign as such in a speech at Hopkinsville:

Ladies and Gentlemen: There are only two candidates for Governor of Kentucky. There are more than that number who pretend to be candidates, but the only real candidates are the Louisville and Nashville Company and the person who address *(sic)* you.⁸³

In a period when oratory was the major political instrument for rallying voters, frequent speeches were typical, and Goebel hammered the railroads at every opportunity. Whether in Morgantown, Paducah, Henderson, Hardinsburg, Maysville, Versailles, Winchester, Pineville, Corbin, Leitchfield, Hodgenville, Louisville, Lexington, or Covington, the message was the same. In speech after speech Goebel defended his efforts to regulate railroads, his support for the prison reform, Chinn and McChord bills, his opposition to the L&N, and his appeal to the "common man," the farmer-labor bloc of voters.⁸⁴

Newspapers throughout the state divided their support in the gubernatorial campaign, but those which openly declared for Goebel usually did so on the same grounds on which he campaigned. One Democratic newspaper told its readers that Milton H. Smith, President of the L&N, had "openly avowed every effort of that corporation would be arrayed against Goebel in this campaign. And why did he do it? Simply because the L&N knows that if Goebel is elected Governor the special privileges they now enjoy will be curtailed." The article decried the railroad's frequent use of free passes to persuade and control convention delegates and legislators, concluding that the campaign was clearly "a case of the people against a railroad corporation. . . ."⁸⁵

⁸² *The Courier-Journal* (Louisville), October 17, 1899; Hughes, *et al.*, *That Kentucky Campaign*, p. 90.

⁸³ *The Courier-Journal* (Louisville), October 17, 1899; *Lexington Herald*, October 17, 1899.

⁸⁴ *The Courier-Journal* (Louisville) September 6, 7, 9, 10, 13, 26, October 1, 6, 7, 12, 15, 18, 24, 26, 27, November 7, 1899; John H. Fenton, *Politics in the Border States*, New Orleans: The Hauser Press, 1957, pp. 42-43; Clark, "The People, William Goebel, and the Kentucky Railroads," pp. 43-44.

⁸⁵ *The Bardwell News*, quoted in *The Courier-Journal* (Louisville), October 17, 1899.

An editorial in the *Franklin Favorite* was a typical example of small town newspaper support for Goebel. Here Goebel was a representative of the people fighting the lobbyist:

Every lobbyist in the State is against Goebel. . . . He is naturally against the man he can't 'influence.' Lobbyists work for special favors to special interest and against the people. Are the people with the lobbyists and against themselves in this race, or are they for Goebel?⁸⁶

Another small town newspaper complained that the L&N was obviously spending huge sums of money to oppose Goebel's election, and that the people would later have to bear the campaign costs through increased freight and passenger rates.⁸⁷

An editorial in the *Mt. Vernon Signal* reviewed its past pleasant relationship with the L&N, then concluded with an admonition:

But we regret to see that the great corporation has taken such an active part in Kentucky politics for the last few years, and especially are we pained to see its strenuous endeavors and methods used to defeat Goebel for Governor. We have not, nor shall we, say one harsh word against the L. and N. We do say that no State should be dominated by greedy and selfish corporations, and the important part this great monopoly is now taking in our State politics forbodes consequences of the gravest significance to the business interest of Kentucky. If these great and powerful monopolies may boldly nominate and elect a Governor they can likewise elect a subservient Legislature. . . . And by doing this they can fix their own rates for the carriage of passengers and freights, and thereby compel every business interest in this great State to pay tribute to their insatiate greed.⁸⁸

The appeal here was less to the common man or laborer than to the business community which depended on the transportation industry. The message was obvious: uncontrolled and uncontrollable monopolies and trusts were not only harmful to the small town merchant, but also to the business community generally.

While some editorials tried to assuage businessmen who might be annoyed or frightened by Goebel's rhetoric, other editorials emphasized the rationality of his approach. Arguing that Goebel was interested in public improvements, including building railroads, and opening coal fields and timber lands, one newspaper editorialized that Goebel opposed only the railroad policy of "all the traffic will bear."⁸⁹

Louisville's *Courier-Journal* was the largest and most prestigious

⁸⁶ *Franklin Favorite*, quoted in *The Courier-Journal* (Louisville) October 17, 1899.

⁸⁷ *The Morganfield Sun*, quoted in *The Courier-Journal* (Louisville), October 17, 1899.

⁸⁸ *Mt. Vernon Signal*, quoted in *The Courier-Journal* (Louisville), October 25, 1899.

⁸⁹ *West Liberty Messenger*, quoted in *The Courier-Journal* (Louisville), October 17, 1899.

paper in the state. Under the editorial direction of Henry Watterson, proponent of the New South, the paper consistently supported the Democratic ticket. The most notable exception to this was its support for McKinley over Bryan and free silver in the presidential campaign of 1896. By 1900, however, with free silver a less urgent issue, the *Courier-Journal* returned to the Democratic column. Its editorials linked the L&N with the opposition to Goebel:

The question which we are to answer at the polls is whether we are to govern ourselves or to look to the Louisville and Nashville railroad for our government.

Nothing should be allowed to subordinate or obscure that question. . . . The road is not likely to let us forget it. . . . It is avowedly out to beat Goebel, at all cost. It went into the Louisville convention to beat him, and failing there, it got up the Lexington convention. Failing to beat him with Hardin or Stone, it is now bent upon beating him with Taylor. . . .⁴⁰

In a letter from L&N's chief lobbyist, Basil Duke, to William Lindsay, Duke emphasized that they must "beat Goebel for the gubernatorial nomination and commit the party to a repeal of his bills."⁴¹ The railroad spared no pains to insure Goebel's defeat. In Louisville alone, the L&N bought control of two moribund newspapers, the *Louisville Post* and the *Louisville Dispatch*, to vent its opposition to Goebel. The railroad delivered thousands of these two dailies freely throughout the state in an effort to influence voters. Writing years after the campaign, Goebel's personal secretary recalled that August Belmont, Chairman of the Board of the L&N, later admitted to him that the company had spent over \$500,000 to defeat Goebel and added that, "We would have spent twice that much had we thought it necessary." Goebel's supporters even alleged that the L&N fired anyone on its road who openly supported their candidate.⁴²

Mainly because of his stand on governmental regulation of corporations, Goebel gained the support of some prominent Populists in the state. Although they had their own party nominees, some Populists, realizing they had no realistic chance of winning in the state, threw their support to Goebel. Judge E. H. Threlkeld, Owen County Populist, saw the opposition of "monopolies, trusts, and combinations" to Goebel's election as proof that he was a reform candidate. Threlkeld also praised Goebel's advocacy of the Chinn Book Bill which he felt would reduce the price of school books by half and the McChord Railroad Bill. He thought the new railroad commission—backed by the state courts—

⁴⁰ *The Courier-Journal* (Louisville), September 2, 14, October 26, 1899.

⁴¹ Quoted in Clark, "The People, William Goebel, and the Kentucky Railroads," p. 43.

⁴² *Ibid.*, p. 44; *The Courier-Journal* (Louisville), November 2, 1899; Woodson, *William Goebel*, pp. 162-163.

would "control the railroad traffic of the State and guarantee to us reasonable and just rates and insure us against the present unjust discrimination."⁴³ A wealthy Lewis County farmer declared his support for Goebel and promised to campaign for him in the county. He cited Goebel's "fine reputation in bitter warfare against the abuses of monopoly" as his chief reason for backing the Democratic gubernatorial nominee. Similarly, John H. Keys, nephew of Populist nominee for Secretary of State, Ben Keys, supported Goebel and actively stumped for him in Murray.⁴⁴

State regulation of the trusts was the core of Goebel's campaign appeal, and his vigorous stand probably brought him many Populist votes. To be elected, however, he needed to broaden his base of support, and to achieve this he tailored his speeches to his particular audiences. Speaking in the heart of the Burley tobacco growing region, Goebel attacked the tobacco trust, but offered no specific remedy to the farmers' problems:

Until within the last two years you, my farmer friends, were able to carry your tobacco to the market in Louisville and Cincinnati where you would meet twenty or thirty buyers, representing . . . different manufacturers. Now all the manufacturers are combined in one trust, and when a farmer carries his tobacco to the market he is met by one buyer, who fixes the price he will pay him for that tobacco.⁴⁵

Without explaining how, Goebel pledged to restore a competitive market to the farmers.

His appeal to the laboring class was more specific. In a speech at Cloverport, Goebel expressed support for a law which would bar employers from entering into binding agreements with employees or prospective employees which forbade them from joining or continuing membership in labor unions. These "yellow dog" contracts were not outlawed by the federal government until the Norris-LaGuardia Act of 1932. Speaking in behalf of such a law, Goebel declared, "I believe that the labor unions have just as much right to organize and protect themselves as have the operators and manipulators of the trusts."⁴⁶

On several different occasions he argued his case for the Fellow Servant Bill which he had introduced in the Senate. He favored a law which would limit the number of hours a railroad employee could work each day, arguing that if the federal government had the power to restrict the number of hours federal employees could work, the state

⁴³ *The Owenston Herald*, quoted in *The Courier-Journal* (Louisville), September 8, 1899.

⁴⁴ *The Courier-Journal* (Louisville), September 29, November 3, 1899.

⁴⁵ *Ibid.*, September 12, 1899.

⁴⁶ *Ibid.*, September 9, 10, 1899.

could legislate similar laws for various other jobs. He never made the distinction between federal legislation which applied only to government employees and his own proposal which applied to private corporations. To help relieve railroad workers, Goebel emphasized the need for a law which would outlaw "double-headers," two trains coupled under a single operating crew. Because of the reduction of manpower, "double-headers" invariably increased the risk of accidents since smaller crews had to man more stations.⁴⁷

Senator Goebel sought not only farm and labor support, but also the Negro vote. Blacks spoke in his behalf throughout the state, but Goebel seldom mentioned the Negro in his campaign speeches. In any case, in Kentucky as in the other Border States except Maryland, the Negro question was never a serious issue in the campaigns or in the state legislature. Goebel's personal position on the Negro's civil rights was similar to the Supreme Court ruling in *Plessy v. Ferguson*. While favoring separate accommodations for the two races, he wanted to amend the state law to make more clear the requirement of the railroads to provide truly equal accommodations. He blamed Republicans, who had been in office since the court decision, for taking no action to secure equal accommodations for blacks. He pledged that if elected governor, he would guarantee equality since both black and white paid the same price for the privilege of riding the trains.⁴⁸

Realistically, however, such discussions, whether of the rights of black people or of his opposition to the use of "double-headers," were for local audience consumption. They served to complement his basic position enunciated in the Democratic platform and in his speeches throughout the campaign. Goebel wished to win or lose on the issues of railroad regulation, the McChord Bill, the Chinn Textbook Bill, and on the broader idea of monopoly opposition and corporation control. By the time the campaign closed in early November, most people knew where he stood on those issues. Whether they would elect him governor on that basis was the real question.

On election evening, both major parties claimed victory, but for the next few days the results remained in doubt. Goebel maintained a razor-thin lead until the traditionally Republican mountain counties of eastern Kentucky finally reported their returns. By the end of the week the count officially stood at 193,714 for Republican Taylor; 191,331 for Goebel; and 12,140 for former Democratic Governor John Young Brown. Though Goebel had not made an official concession, he seemed to have failed in his attempt to forge a farmer-labor coalition within

⁴⁷ *Ibid.*, September 14, October 7, 26, November 2, 1899.

⁴⁸ *Ibid.*, September 9, 1899; Hughes, *et al.*, *That Kentucky Campaign*, p. 105.

the Democratic party which would have given him control of the party and election as governor.⁴⁹

The Democratic State Central Committee voted unanimously to contest the election. Whether Goebel actively sought the Central Committee's backing in overturning the election or whether he merely abided by their vote is open to question. Once the battle was joined, however, he seemed disinclined to withdraw. In a statement to the legislature he and his partner in the race, J. C. W. Beckham, filed charges of bribery, intimidation, and fraud in the election, demanding a recount and the invalidation of several counties' votes.⁵⁰

Goebel contested the election on ten specific grounds, including one which linked the Republicans and the corporate interests, claiming that Republicans

... corruptly and fraudulently entered into an agreement and conspiracy with the chief officers of the Louisville and Nashville Railroad Company, and other corporations and trusts . . . to furnish large sums of money to be used in defeating contestant at said election by bribing and corrupting the voters and election officers of this Commonwealth and debauching the public press thereof. . . .⁵¹

Democrats further charged that Governor Bradley's use of the militia at certain polling places intimidated voters, that returns from the mountain counties were invalid because they were written on translucent tissue paper, and that the L&N had pressured its employees to vote against Goebel.⁵²

One specific charge involved the L&N in bribery. Logan County Democratic Senator S. B. Harrell, in a dramatic Senate session, produced two keys to a Louisville bank deposit box which contained \$4,500. The money was allegedly the balance of a payment he was to receive from the L&N for not supporting Goebel in the Democratic caucus and encouraging others to follow suit. The state Supreme Court later dismissed the case, and the truth of the accusation was never established.⁵³

Republicans themselves accused Democrats of wholesale vote buying and corruption but, of course, were willing to let the official results stand. According to the constitution the state legislature, not the courts, however, had the authority to review the allegations. With Democrats in control of both houses of the General Assembly, there was little

⁴⁹ Fenton, *Politics in the Border States*, pp. 42-43; Clark, "The People, William Goebel, and the Kentucky Railroads," pp. 44-45; *The New York Times*, November 9-16, 1899.

⁵⁰ Woodson, *William Goebel*, p. 204; Hughes, *et al.*, *That Kentucky Campaign*, pp. 152-153.

⁵¹ *The Courier-Journal* (Louisville), January 3, 1900.

⁵² *Ibid.*

⁵³ *Ibid.*, January 2, 3, 4, 7, 16, 25, 1900; Woodson, *William Goebel*, pp. 208-209; Hughes, *et al.*, *That Kentucky Campaign*, pp. 167-170.

doubt of the outcome: the legislature invalidated the disputed election returns and declared Goebel the winner. Such bold action provoked an equally bold response from Republicans. Newly-elected Republican Governor William Taylor addressed several letters to his friends throughout the state urging them to hurry to the capital. Responding to Taylor's plea and to the unprecedented action of the Democratic legislature, contingents of Republicans, many of them mountain men, converged on Frankfort with rifles and pistols. Most came on L&N trains.⁵⁴

While Goebel was walking toward the capitol the day before he assumed office, an assassin fatally shot the Senator from a window of the Executive Offices Building, then occupied by Republicans. Although Goebel was sworn into office the following day, he died three days later, on February 3, 1900. The subsequent trials of several suspects over the next six years cost the state several thousand dollars and settled no questions. A jury convicted Republican Secretary of State Cabell Powers of Goebel's murder and sentenced him to prison, but the next Republican governor pardoned him.⁵⁵

Eulogies of Goebel were expectedly extravagant and partisan, but they also confirmed his image as foe of railroads and unrestricted corporate power. Cassius M. Clay, Jr., former president of the State Constitutional Convention of 1890 in which both he and Goebel were prominent, characterized Goebel as "a radical . . . eminently fitted to be a great tribune of the people . . . in the fierce fight for the protection of the plain people against the colossal corporate power. . . ." *Harper's Weekly* praised Goebel as "the pioneer progressive of the South . . . the pioneer of railroad rate regulation in the country." Newspaper tributes also represented Goebel as, "the bitter enemy of corporate power."⁵⁶

Goebel's assassination briefly served the cause of reform. An aroused legislature repassed the vetoed McChord Bill, and J. C. W. Beckham, who had succeeded to the governorship, signed it into law. To prevent the recurrence of violence at Frankfort, Democrats introduced bills outlawing free transportation of anyone for the purpose of intimidating

⁵⁴ *The New York Times*, January 10, 21, 26, 28, 1900; *The Courier-Journal* (Louisville), January 9-28, 1900; Hughes, *et al.*, *That Kentucky Campaign*, pp. 189-197; Woodson, *William Goebel*, pp. 204-225; William S. Taylor to Jn. Franklin, January 10, 1900, xeroxed copy in the possession of the author.

⁵⁵ *The New York Times*, February 1-11, 19, 22, 27, 1900; *The Courier-Journal* (Louisville) January 31, February 1-15, 1900; Hughes *et al.*, *That Kentucky Campaign*, pp. 241-323; Woodson, *William Goebel*, Appendix.

⁵⁶ Hughes, *et al.*, *That Kentucky Campaign*, p. 250; *Harper's Weekly*, LIX: p. 3, quoted in William Elsey Connelley and E. M. Coulter, *History of Kentucky* (V vols., Chicago: The American Historical Society, 1922), II: p. 1012; *The Courier-Journal* (Louisville), February 4, 5, 1900; *Lexington Herald*, February 4-7, 1900; *Toledo Commercial*, quoted in *The Courier-Journal* (Louisville), February 6, 1900.

officers of the state in the discharge of their duty, and preventing common carriers from interfering with conventions or elections. Democrats also introduced a stringent bill against lobbyists and one regulating the issuance of capital stock and preventing overcapitalization.⁵⁷

But the new governor was no Goebel, and during Beckham's incumbency the reform tempo slowed considerably. At least for a time, the momentary spate of legislation became the conclusion, rather than the beginning, of reform in Kentucky. What Goebel might have accomplished in four years as governor is conjectural.

No one questioned that Goebel was always a vigorous and outspoken person; his strenuous campaign indicated as much. His friends admitted that he was also an ambitious man. At his death he was only forty-four years old. All of these qualities: youth, ambition, vigor, when coupled with his political record and rhetoric suggest that he might have led Kentucky to confront corporations as progressive reformers urged throughout the first few years of the 20th century.

⁵⁷ *The New York Times*, February 24, 1900; Clark, "The People, William Goebel, and the Kentucky Railroads," p. 46.