Kansas Conflict: Populist Versus Railroader in the 1890's

DONALD E. PRESS

I. INTRODUCTION

POPULISM and railroads have historically been depicted as mortal enemies. Ever since the Populist party became a significant political force in the early 1890's, party members and railroaders have been portrayed as major antagonists in America's Gilded Age. On one side stood the railroads, often pictured as big business, establishment, Republican, and conservative. Against this hydra-like transportation monopoly stood the Populists, usually shown as liberal, reformist, and heroically trying to harness and control the railroads in the interest of all the people.

Nowhere was this conflict between Populist and railroader more pronounced than in Kansas during the 1890's. Throughout the decade, party political platforms in the state mirrored the frustrations felt by the High Plains farmer and businessman toward the rail corporations. As early as the August, 1890, party convention in Topeka, Kansas Populists demanded the government become the exclusive owner and operator of the railroads. 1 During both the disastrous campaign of 1894 and the great victory of 1896, Populist candidates in Kansas ran on platforms calling for maximum freight rate laws for the state. 2 Even as the party approached its nadir in 1900, the Populists outlined problems and declared the people could "... look for no permanent relief except in government ownership of railroads."

It is not difficult to understand the antagonism between the Populists and the railroads in Kansas and the other states of the Western Plains. Their major complaint concerned freight rates. Kansas Populists claimed the rail rates farmers and shippers had to pay remained excessively high. The railroads countered by saying anything less would be unprofitable. Actually, a degree of truth can be found on both sides of the argument.

The farmer and shipper in Kansas and nearby states were in fact paying a freight rate definitely higher than the national

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1. Advocate, Topeka, August 20, 1890, p. 6.
2. Ibid., June 20, 1894, p. 9; Abilene Daily Reflector, August 6, 1896, p. 1.
average. As shown in Table 1, this condition remained throughout Populism’s formative years from 1890 to 1895.

<table>
<thead>
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<th>Year</th>
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<th>Group VIII</th>
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<tr>
<td>1895</td>
<td>0.84</td>
<td>1.17</td>
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</table>


*Group VIII includes Kansas, Arkansas, the southern two thirds of Missouri, the Texas Panhandle, the southern two thirds of Colorado, Indian territory, Oklahoma territory, and the northern one fifth of New Mexico territory.

One had only to look eastward to see that freight rates in New York, Pennsylvania, and Ohio ran only about two thirds of what they did on the Plains. This situation helped breed the discontent Populism hoped to counter through railroad reform. It must be pointed out, however, that the highest rates were not in and around Kansas; rather, they could be found higher yet along the West Coast, in Texas, and along the Northern Rockies. Nevertheless, in their marginal agricultural area, the many Plains farmers remained unhappy.

The railroads also posed a convincing argument. Railroaders observed that the West was not the most profitable area of the United States for their operations. In the Western frontier states, traffic density on the rail lines was well below the average nationally; this is outlined in Table 2.

<table>
<thead>
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<th>Year</th>
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<th>Group VIII</th>
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<td>1895</td>
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Low traffic density in turn meant a higher rate of fixed costs and overhead. Only by charging a higher rate for rail services could Western railroads expect to make a profit or even make expenses. The advantage in traffic density as well as in freight rates lay with the Eastern roads. Although less than in the East, density was similar across the entire western half of the country, and no state or region had a marked advantage within this area.\(^5\)

Rail operations in Kansas, then, were neither the most favorable nor the most unfavorable in the United States. The East enjoyed definite advantages in both freight rates and traffic density. On the other hand, the highest rates were not found in Kansas; farmers and shippers in several other western areas experienced even higher transportation costs. Nevertheless, rates remained sufficiently high and density was low enough to keep the spark of conflict alive between the Populist reformers and the conservative railroad executives.

II. From Harmony to Conflict

In their annual report for 1890, the Board of Railroad Commissioners appeared generally satisfied with the railroad situation in Kansas. They reported that in recent years service had increased while the percent of earnings was down, thus implying increased railroad efficiency to the benefit of the customer. The board also announced the total number of railroad miles in Kansas had grown to 8,891, one of the highest state totals in the nation. They confidently reported: “All the principal lines of the railroad in the State are in good condition, physically, and service thereon is first class in every respect.” But the railroad commissioners did give some hint of future problems as they recognized the farmers’ battle against drought and poor crop yields. This, in turn, was beginning to affect railroad business adversely, particularly in the western portion of the state. They quickly added, however, that even with crop troubles, “... the financial showing of the [railroad] properties is far from discouraging.”\(^6\)

There was also harmony between the Republican controlled state government and the railroads. In Kansas around 1890, cooperation and mutual support prevailed between state officials and rail executives. The state might regulate the railroads, but powerful railroad influence in Topeka insured the legislators

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5. Ibid., pp. 139-140.
6. Kansas, Board of Railroad Commissioners, *Eighth Annual Report of the Board of Railroad Commissioners* (Topeka, Kansas Publishing House, 1890), pp. iii-iv. The commission, part of the state executive establishment, existed under the provisions of the original 1883 railroad law. It had only an advisory function.
maintained moderation in imposing any major new controls on rail company activities.

Railroad officials also recognized the accord that existed between the state and themselves. Through the *Railway Age*, a major voice of railroad management and the railroad industry, railroaders expressed their feelings in May, 1888, by stating:

... the relations between the people of Kansas and their railways appear to be on the whole very harmonious and satisfactory, each appreciating how closely its interests are identified with those of the other.

At times, though, the railroads disagreed with the policies of state government, even when the Republicans were still solidly in office. One occasion took place when the railroad board required a rail company to furnish coal cars to a shipper previously denied this transportation. The *Railway Age* voiced strong opposition in that the railroad concerned would suffer a monetary loss in complying with the directive of the board. The railroaders felt this beyond what a railroad should be expected to provide.

Railroad men and the *Railway Age* reserved their loudest denunciations for the Farmers Alliance and the People’s party that followed the alliance. Railroaders voiced disgust when the alliance in Kansas began to store farm products hoping for better market prices. This was nothing more than the farmers forming grain pools after declaring pools by other industries amounted to robbery. Since people must eat, the rail leaders felt these grain pools were of great concern not only to the railroads but to the general public as well.

Railroaders also rebuked the Farmers Alliance for crying financial ruin and advocating railroad confiscation when crop yields were plentiful. The *Railway Age* editorialized:

While Kansas Farmers’ Alliance demagogues are crying that the farmers are ruined by the railways and are clamoring for the practical confiscation of the roads and for the issue of unlimited amounts of “flat” money there is good prospect that this year’s yield of corn in that state will aggregate 250,000,000 bushels and that of wheat not less than 65,000,000 bushels, beside which there will be vast sums received from live stock and other productions. The Kansas farmers should stop whining and asking alms and proceed to make the most of their opportunities for honest money getting without forcibly taking away other men’s property.

7. Interview with John McLeod, librarian, Association of American Railroads, Washington, D.C., August 8, 1973. Since before Populist times, the *Railway Age* has expressed the position of railroad management against government, labor unions, and any other organization that has tried to harm the railroads.


10. *Ibid*.

III. THE POPULIST OFFENSIVE

The Populists organized as a political party and as such tried to reach their railroad reform goals primarily through the medium of the American political system. They sought to name candidates, win elections, and appoint party advocates to government positions where they could apply their principles of railroad control.

The greatest Populist effort in Kansas took place in the legislature. Here the party became a major force throughout the 1890's, holding a majority in the senate during four sessions and twice in the house of representatives. In each legislative session throughout the decade the Populist reformers introduced bills designed to place new restrictions on intrastate rail operations, primarily in the form of maximum freight rates.

The Republicans, however, frequently succeeded in thwarting major Populist reforms by maintaining control of the second legislative house. So in 1891 when the Populists passed House Bill 743 to broaden the power of the railroad commission and to prohibit free transportation passes,\textsuperscript{12} senate Republicans buried the legislation in committee. The committee on railroads advised the senate that the house bill in the long run would increase short haul rates, hurt railroad business, and result in "... an almost limitless field of legal and business absurdities."\textsuperscript{13} In 1893 Republicans dragged their feet through the famous legislative war, and then refused to consider a Populist sponsored bill, stating insufficient time remained until the session ended.\textsuperscript{14} Two years later, the Populist-controlled senate passed several bills aimed mainly at increased railroad commission responsibilities and maximum freight rates. But again the senate bills died in the Republican house when its committee on railroads recommended the legislation not be passed.\textsuperscript{15}

When the election of 1896 swept Populist Gov. John Leedy into office and produced a Populist majority in both legislative houses, railroad reform laws appeared certain. Railroaders had every reason for concern. In his opening message to the 1897 legislature, Governor Leedy, a staunch railroad fighter for many years, encouraged the house and senate to enact both a maximum freight

\textsuperscript{12} House Journal: Proceedings of the House of Representatives of the State of Kansas (Topeka, Kansas Publishing House, 1891), pp. 709-713.

\textsuperscript{13} Senate Journal: Proceedings of the Senate of the State of Kansas (Topeka, Kansas Publishing House, 1891), pp. 806-811.

\textsuperscript{14} Kansas House Journal (1893), pp. 623-624.

\textsuperscript{15} Ibid. (1895), pp. 1242-1243.
rate law and a law to strengthen the state railroad commission.\textsuperscript{16} Populist expectations ran high.

The legislative session of 1897 offered a change from the old dissension and controversy that pitted Populist against Republican. This time it became Populist against Populist, particularly in the senate where two factions emerged. One backed Governor Leedy and proposed to enact the freight rate law he recommended. The second favored placing all the rate making responsibility in the hands of a more powerful commission. Both groups drafted legislation.\textsuperscript{17}

In the end a compromise had to be worked out if anything was to be accomplished. The result was a weakened bill whereby freight rates by the railroad commissioners won out over freight rates by law. The bill finally passed by a surprising vote of 44 to 0 and went to the house.\textsuperscript{18}

Even though there was a strong desire in the house for a maximum rate law, the bill, without that provision, passed the house by an equally surprising 121 to 1 vote. The near unanimous vote, however, is misleading. Although voting in the affirmative, 44 house members filed a protest stating the bill as passed was not

\textsuperscript{16} Ibid. (1897), pp. 33-35.
\textsuperscript{18} Kansas \textit{Senate Journal} (1897), p. 680.
what they promised the people. Interestingly, the protestors declared they also did not like the bill because the railroad lobby approved of it. But the legislature had finally passed a new railroad bill and sent it to Governor Leedy for his signature.

Governor Leedy, however, did not sign the bill; instead, he vetoed it. In his veto message he outlined six reasons for his surprising action. The basic thrust of his explanation was the law failed to help the shipper in any way or provide the railroad commission with sufficient power. Under the bill, he declared the commission would be “utterly impotent.”

One recent author has expressed it more strongly, stating the real reason behind the veto was simply that Governor Leedy wanted a maximum freight rate schedule as part of the bill. When he failed to get it, he vetoed the legislation rather than accept less or attempt a compromise with the legislature. The governor’s astonishing actions support this conclusion.

The Populists had failed again. Although the house of representatives voted on the question of a veto override, it failed to obtain the necessary two-thirds majority. For the fourth straight time the legislature had adjourned without enacting Populist railroad legislation. Only this time it was much worse because they could not put the blame on the opposition Republicans. Previously, the Populists controlled only one house in the legislature; but in 1897, they had all the legislative reins, the statehouse, senate, and house of representatives. And they still failed. The Topeka Daily Capital charged the failure to extremists without proper business training or experience and, therefore, expressed no surprise over the Populists’ lack of success. It predicted a special legislative session following the regular adjournment to make another attempt at a new railroad law.

IV. Populism’s Final Thrust

The final Populist attempt to harness the railroads, and certainly the most dramatic, concerned the Court of Visitation. When the Republicans registered a stunning victory in the November, 1898, elections, Governor Leedy faced the proposition of leaving office without any new Populist railroad legislation. In less than two months Republicans would control both the statehouse and the house of representatives. Only in the holdover senate would the Populist party retain a majority. The situation demanded the

20. Ibid., pp. 1077-1082.
22. Topeka Daily Capital, March 10, 1897, p. 1; editorial, ibid., p. 4.
governor take rapid, positive action or else retire from his battle with the railroad corporations.

Governor Leedy elected to call a special session of the legislature for the express purpose of enacting a new railroad law. In his opening message, the governor stated that times had changed since his previous veto. A bill establishing maximum rates actually set by the legislature was now ruled out, he said, by a United States supreme court decision. Instead, he recommended legislation that would give the railroad commissioners broad new responsibilities and "... full judicial power to try, hear and determine all questions as to the reasonableness and unreasonableness of every charge made by a railroad company for services rendered wholly within this state in the transportation of property. ..." 23 With the special session only several weeks long, the house and senate had to act quickly.

Rather than strengthen the railroad commission, the legislature created an entirely new body to handle railroad matters, the Court of Visitation. The new law gave this court not only the administrative responsibilities performed previously by the railroad commission but also significant judicial functions as well. Its major powers included determining reasonable intrastate freight rates, ruling on certain strike situations, and trying court cases dealing with rail transportation. It could summon juries, classify freight, regulate rail crossings, and apportion charges among connecting railroads. 24

In accompanying legislation, an act was passed repealing previous laws pertaining to the old Board of Railroad Commissioners. 25 In due time this would come back to haunt the lawmakers and the people of Kansas. But for the moment the railroad commission was a thing of the past.

The transition had been made. Finally, after so many years and after so many attempts, the Populists had managed to get a major railroad reform bill through the legislature and signed by the governor. The Populist administration left office, however, fully realizing that the court they established would have to face a hostile Republican attack.

As expected, the new Republican administration disliked the new Court of Visitation. In his initial message to the 1899 legislature, new Republican Gov. W. E. Stanley criticized the calling of the special session and the railroad law it produced. He

25. Ibid., ch. 29, p. 91.
asked, however, that the new law and court be given a fair chance.  

Governor Stanley’s advice made political sense, for the Republicans were powerless to repeal the Populist railroad law. The Populist controlled senate, held over from the 1896 election, provided an insurmountable obstacle to any Republican ideas about repeal. A direct legislative attack was out of the question for the immediate future.

What the Republicans could not accomplish through the legislature, they succeeded in bringing about in the courts. In February, 1900, a case reached the Kansas supreme court involving the Santa Fe and a cattle shipper. The Santa Fe had made an attempt to base fees on cargo weight rather than charge a flat rate per car, a procedure which the now defunct railroad commission had successfully blocked earlier. Shippers argued that fees based on weight raised the price to an unreasonable level. The supreme court disagreed. The court with its Republican majority ruled in favor of the Santa Fe and, even more significantly, struck down the Court of Visitation as unconstitutional. The supreme court stated that no organization may possess powers associated with all three governmental branches. In rendering its decision, it declared the Court of Visitation

is unconstitutional and void, for the reason that, in the powers conferred upon that tribunal, legislative, judicial and administrative functions are mingled and interwoven in a manner violative of the constitutional requirement that the three great departments of government be kept separate, and the powers and duties of each exercised independently of the others.

As its last significant endeavor in the arena of railroad reform, Kansas Populism, in the person of Chief Justice Frank Doster, refused to concur in the demise of the Court of Visitation. Doster, the lone Populist of the three-member supreme court, dissented when the court rendered its decision. The chief justice, ever the disciple of the Populist cause, stated the powers of the Court of Visitation were legitimate since it is impossible to separate the functions of the three governmental branches completely. With its ruling, the Kansas supreme court destroyed any opportunity the Court of Visitation may have had to implement strong railroad controls. Never would the Court of Visitation carry out the desires of the Populist legislators who had created it. Instead, Kansas was

29. Ibid.
left with no executive agency whatsoever to supervise railroad activities in the state. The legislature disbanded the Board of Railroad Commissioners, the supreme court ended the Court of Visitation, the legislature was not in session to form a new agency. It would be almost a year before any state control over the railroads would be again instituted, and this would be accomplished by Republican initiative, not Populist.

V. RAILROAD REACTION

Throughout the 1890’s, railroaders criticized their treatment in Kansas. They fiercely opposed Populist activities in state government, and did not hesitate to voice stern opposition when the state acted contrary to rail interests. The Railway Age remained a major spokesman during the decade. The wrath of the railroaders became particularly strong when the Populist administration increased the railroads’ tax assessment in 1893. The editors of the Railway Age expressed their disgust in the following editorial:

The populist government of Kansas has adopted the easy way of cutting down the farmer’s taxes by increasing the assessment upon the railways. The total valuation of railway property this year is $61,731,035, an increase of $10,326,491, or over 20 per cent, and the Atchison, Topeka & Santa Fe is raised from $16,462,309 to $20,726,718, an increase of $4,265,408, or over 25 per cent. The Kansas populists have ruined the credit of their state in the eastern money markets, and seem determined to prey upon eastern investors in railways as long as any blood is left. 30

Railroad men hammered at the theme that it was difficult to make a profit in Kansas. They protested over low operating income and high taxes in a state where the population was too sparse to support the rail system adequately. 31 As the Populists assumed control of the state government and the legislature in January, 1897, E. P. Ripley, president of the Santa Fe, obviously became concerned over the possibility of railroad reform legislation. Therefore, he wrote a letter to the Kansas legislature outlining the situation and position of his company. He began:

The largest taxpayer and the largest single interest in your state appeals for justice—it wants nothing more. Its interests are indissolubly involved with those of your constituents, it can prosper only as they prosper. . .

Continuing, Ripley recognized overexpansion as the basic cause of much of the friction between shipper and railroad, and outlined the effect on his company. He wrote further:

In earlier and more prosperous times the A. T. & S. F., like most of its fellow citizens in Kansas, permitted itself to expand too greatly; it built railroads as the

citizens built towns—in the belief they could be sustained. That belief proved to be fallacious, and as a consequence the A. T. & S. F. company has upon its hands some 2,500 miles of road in Kansas, much of which does not pay expenses, and nearly half of which contributes little or nothing on the company’s debt.

President Ripley also explained to the legislature that his company was not paying an adequate dividend on its stock, the rates in Kansas were as low as could be expected, and the small population and arid weather meant “. . . fully a third of Kansas contributes practically nothing to support of its railroads.” He felt that service had improved on the Santa Fe while rates had declined over the past several years. Therefore, he asked the legislature not to impose additional hardships on the Santa Fe and the other railroads operating in Kansas.\textsuperscript{32} The \textit{Railway Age} supported Ripley, saying:

If the members of the Kansas legislature are not blinded by prejudice to the promptings of justice and to the interests of the state which they represent, they will refrain from their threatened spoliation [sic] of the railways, after reading the memorial of the Atchison Topeka & Santa Fe Railway company. . . . It is impossible to see how any fair-minded man can vote to cut down the earnings of the railways now struggling for existence in that state in the face of such evidence of the unprofitableness of existing rates as are given in President Ripley’s strong appeal for simple justice.\textsuperscript{33}

Several months later, the railroads in Kansas united in oppos-

\textsuperscript{32} Ibid., February 12, 1897, pp. 119-121.
\textsuperscript{33} Editorial, \textit{ibid.}, February 12, 1897, p. 117.
ing the Board of Railroad Commissioners when the board proposed an across-the-board rate reduction in May, 1897. President Ripley responded personally to the commissioners for the Santa Fe. He wrote that he regretted he could not comply with their desires but it was impossible to decrease the rates in Kansas. He repeated the theme that rates there were no higher than in surrounding states, yet the population in the state was insufficient in many areas to support the railroads adequately. Without additional operating income, it was absolutely necessary that the Santa Fe retain the rates in effect.\textsuperscript{34} Other Kansas railroads replied in a similar vein. The Rock Island road executives stated they could not lower the freight tariff and still meet tax obligations.\textsuperscript{35} The Missouri, Kansas & Texas officials argued the proposed reduction “... would prove disastrous and make it impossible for the railroads to furnish the people of the state adequate and safe transportation facilities.”\textsuperscript{36} Therefore, these railroads would not comply voluntarily, either. The railroads in Kansas received support from their colleagues outside the state. In expressing the view of the railroaders, the \textit{Railway Age} editorialized:

> The reductions proposed are so obviously unreasonable that it is not conceivable that it will be possible to enforce them. ... It has been generally understood that since last fall that Kansas proposes to make it very unpleasant for the railroads. The legislature in its wrath overshot its mark, and it appears that the railroad commission is doing the same thing. There is no room for any rate reductions on a general scale in Kansas now; and such reductions as are proposed are simply an irrational attempt at confiscation.\textsuperscript{37}

The railroads became particularly wary of the danger represented by Governor Leedy, the strong advocate of strict railroad control, coupled with the Populist dominated legislature. In reporting the failure of the 1897 railroad bill, the \textit{Railway Age} commented: “Legislative process, from the populist point of view, is simply a machine for stinging, injuring, poisoning. ...” At the same time, the railroads recognized the potential hazard should Governor Leedy call a special legislative session. The \textit{Railway Age} continued: “Meanwhile there is talk in Kansas of an extra session of the legislature being called to pass a new railroad bill—one with stings and fangs and poison enough to suit the most bloodthirsty.”\textsuperscript{38} Once Governor Leedy an-

\textsuperscript{34} E. P. Ripley to Board of Railroad Commissioners, June 5, 1897, copy filed in “Leedy Papers,” railroads, 1897-1898, archives, Kansas State Historical Society.

\textsuperscript{35} \textit{Railway Age}, July 16, 1897, p. 582.

\textsuperscript{36} \textit{Ibid.}, July 9, 1897, p. 558.

\textsuperscript{37} Editorial, \textit{ibid.}, July 16, 1897, p. 575.

\textsuperscript{38} \textit{Railway Age}, March 12, 1897, p. 204.
nounced the special session, the *Railway Age* voiced strong opposition. But it was inevitable that the legislature would convene again before the Populists lost their majority. The *Railway Age* expressed the feelings of the railroads thusly: “At all events let us hope that a sufficient degree of reason will prevail during the coming session to enable Kansas to escape any further infliction at the hands of its irresponsible legislature.”

As might be expected, railroad men rejoiced over the defeat of Governor Leedy and the Populists in November, 1898. The *Railway Age* expressed confidence in the new Republican administration of Governor Stanley and noted his opening address and “... a touch of fairness toward railroads and other corporations which has not characterized the legislative halls for many years...” Railroaders in Kansas entered the new century optimistic over no more Populist attempts at reform in the legislature and predicting cooperation between the people of Kansas and the railroads serving the state.

VI. NET EFFECT

The conflict between Kansas Populist and railroader had continued in earnest throughout the 1890’s. The reformer complained bitterly about his treatment at the hands of the railroads, and retaliated by attempting to force stringent controls on rail operations in the state. The railroads, in turn, painted a picture of financial ruin at the hands of Populism. Railroaders continued to bemoan how difficult it was to make any profit on the rail lines in Kansas. In spite of the cries of anguish, most rail lines in Kansas continued to report an income on their passenger and freight operations throughout the Populist era. With this in mind, a yearly comparison of income over an entire rail line with income derived in Kansas should suggest the extent of internal Kansas influences upon the railroads. Kansas’ own Atchison, Topeka & Santa Fe offers an excellent example. As the state’s largest rail operator, the AT&SF usually maintained a yearly income in Kansas of over two million dollars. Of the major railroads in the state, the Santa Fe also had the largest percentage of its operation located in Kansas. As shown in Table 3, income from Kansas operations amounted to almost half of the total income of the line. The table also suggests that the AT&SF profit derived from its Kansas lines remained relatively stable during the 1890’s—about 45 percent of the total. We may attribute the dip in mid-decade to

the great depression of the era hitting Kansas farmers harder than the nation as a whole. This certainly is not a surprising circumstance when one considers the tenuous existence experienced at the time by many on the High Plains.

TABLE 3—OPERATING INCOME* Atchison, Topeka & Santa Fe Railroad Entire Line, Kansas, and Percentage in Kansas 1890-1898

<table>
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<tr>
<th>Year (End June 30 of Each Year)</th>
<th>Income Entire Line (In Thousands of Dollars)</th>
<th>Income in Kansas (In Thousands of Dollars)</th>
<th>Percentage in Kansas</th>
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<td>7,909</td>
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<td>1897</td>
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<td>3,958</td>
<td>48</td>
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*Operating income is defined as total earnings from passenger and freight traffic less expenses associated with these operations, but before taxes. Such ancillary income as income from bonds is excluded.

Although any misfortune Populism may have inflicted on the Kansas railroads in the 1890's remained minimal, rail executives never lost sight of Populism's potential danger. During the decade, the railroads followed a policy of no new construction in the state. The Populists' desire to eliminate the railroads as a private enterprise undoubtedly influenced this policy. Finally, in 1899 as Populism waned in Kansas, the Railway Age reported the laying of nine miles of new track. The editors found this noteworthy since construction in Kansas had practically ceased under Populism. They summarized the previous 15 years as follows:

It is undoubtedly true that railway building in Kansas was overdone during the boom period of 1886 and 1887, but had it not been for the hostile attitude of the Populists and oppressive legislation the State would have continued to develop her vast agricultural resources, and with liberal treatment and helpful legislation much of the new milage, instead of being a burden to the railway companies, might have developed into paying property. As it is more road has been abandoned since 1890 in Kansas than has been constructed in the same period. 41

To gain an accurate perspective of railroad opposition, one must consider two contrasting facts. First, much of the opposition

41. Ibid., November 17, 1899, pp. 853-854.
voiced by the railroads consisted of what we would term today as “propaganda.” Strongly prorailroad, it attempted to win favor for railroad management. As such, it is logical to view these actions as tending to overstate or overemphasize the true railroad feeling. Conversely, in spite of the name “Gay Nineties,” the last decade of the 19th century was a period of uncertainty in Kansas. Railroad receipts dropped with poor crop yields on the Plains and a nationwide depression. The Populist threat, then, hit the railroads at the very time their economic position was anything but favorable. In this light, one must view a major portion of the fears expressed by the railroads as genuine.

Interestingly, the first decade of the 20th century saw unprecedented railroad legislation in Kansas. This came not at the hands of the Populists who by this time were no longer an effective political force, but from the Republicans. Many of the reforms advocated by the Populists earlier became reality between 1900 and 1910—maximum freight and passenger rate laws, fiscal controls, new railroad safety regulations, and restrictions on free passes. All this helped cause Mrs. Mary Elizabeth Lease, grand lady of Kansas Populism and an arch railroad foe, to remark in 1914: “In these later years I have seen, with gratification, that my work in Kansas in the good old Populist days was not in vain. . . . The seed we sowed out in Kansas did not fall on barren ground.”

Although their direct assaults on the railroads failed during the 1890’s, the Populists did contribute indirectly to bringing about much of the railroad control they advocated. In both the legislature and on the campaign trail throughout the state, the Populists told the story of railroad abuse, corruption, and discrimination. Consequently, when a more favorable time for railroad reform arrived a decade later, Kansans gave their support to controls earlier considered radical. The result was maximum freight laws and other regulations that in the end placed more restrictions on the railroads than at any time previously and gave former Populists the feeling their efforts had been successful.

42. Kansas City (Mo.) Star, October 25, 1914, p. 12C.