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A HISTORY OF THE STREET RAILWAYS IN
HELENA, MONTANA
(1883-1927)

By

Rex C. Myers

Western State College, 1967

Presented in partial fulfillment of the requirements for the degree of

Master of Arts

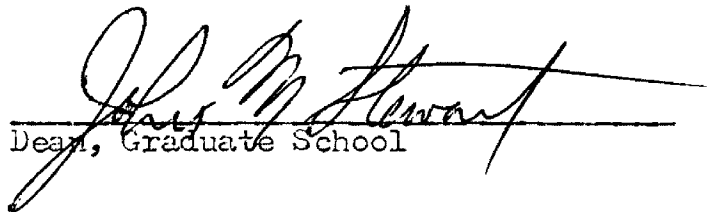
UNIVERSITY OF MONTANA

1970

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CHAPTER I

INTRODUCTION AND NATIONAL TRENDS

Street railway literature is of two types. The bulk is found in parochial and detailed "fan"¹ publications. The few works by professional historians are more academic in nature, making broad generalizations about national trends in the street railway industry, usually at the expense of individual case studies. This thesis synthesizes the two approaches. It studies in detail a specific street railway system, analyzing its correlation to or divergence from generalizations made about the national industry.

A second purpose is involved in the selection of a Montana trolley line. There is a dearth of "fan" material on Montana street cars, and an almost complete neglect by historians to mention Montana in proof of or exception to broad, national characteristics. For purely arbitrary reasons, the topic has been narrowed further to include only Helena street railways. The system in that city was neither the first nor the last to operate in the state; and while systems varied in size

¹Frank Rowsome, Jr. Trolley Car Treasury. (New York: McGraw-Hill Book Company, Inc., 1956), p. 192, hereafter cited as Rowsome. There are or have been extant within the United States since 1934, numerous groups of lay historians who have made the study of street cars a life-time avocation. Such groups include the Electric Railroaders' Association, the Central Electric Railfans' Association (both founded in 1934) and the National Railway Historical Society, organized in 1935. Publications by these "fan" groups contain an overwhelming majority of the historical research in print on street railways. The scholarship of specific works varies greatly.

as they developed, Helena did not have the greatest trackage in Montana.² Therefore, no attempt has been made to imply that trolley lines in Helena were typical or atypical of systems operated in other Montana cities. This case study of street railways in Helena develops several conclusions which support and contradict generalizations made regarding the national industry. It attempts to do no more. Only future studies will determine the applicability of these conclusions to the other Montana lines.

A history of urban transportation in the United States must begin in the 1820's when horse-drawn omnibusses appeared in eastern cities. They provided mass transportation between designated points, eliminating the necessity of hiring a hack. By 1835, the first street railways began to augment this service. These early lines consisted of nothing more than omnibusses on iron wheels, run along iron rails.

Horse-drawn street cars were expensive to operate from their inception. The nature of the motive power constituted the problem. The cost of the car varied in direct proportion to its luxury, but a good street car horse cost \$125 to \$200.³ Constant starting and stopping put a tremendous strain on a horse or team and even the best horses

²Billings Gazette, June 30, 1927. The Billings Post, 1882-1884. Interview with Carl Engelbach, Butte, Montana, April 5, 1968. The first street car system in Montana was a two-mile route between Billings and Coulson, which operated with two horse-drawn cars from 1883 to 1884. The last operating line was the system in Anaconda, which ceased passenger operations in 1951. The length of track within any given system varied from year to year as new branch lines were built and unprofitable ones abandoned. The smallest system was probably the Billings-Coulson street car, mentioned above, while the Butte Electric Railway ran the largest line with thirty-five miles of track and approximately sixty-five cars in the 1920's and 1930's.

³Rowsome, p. 27.

could travel only ten or fifteen miles a day. Most companies also gave their horses one day's rest in seven, requiring a large number of animals to keep a system in operation. Horses ate thirty pounds of grain and/or hay each day and required a large staff of grooms, blacksmiths, stablemen and veterinarians to keep them in working condition. Even then, an average horse could not be expected to last more than three to five years before it died or had to be sold for lighter duty.⁴

Two additional problems complicated the operation of horse-drawn street railway systems. The first was epidemic disease. In 1872, the "Great Epizootic" spread across the country, killing thousands of street car horses and either tying up urban transportation or spawning such schemes as human-drawn cars. Street railway officials continued to worry about losing horses to disease many years after the epidemic. The second difficulty was manure. The problem increased with the size of the company. The value of land adjacent to stables dropped and hot summer weather brought a rise in complaints from nearby residents. Some company executives merited an award for public relations when they attempted to convince stable neighbors that a large pile of manure was not a smelly nuisance, but rather a benefit to public health because of its "fine germicidal qualities."⁵

Animal power reached its peak in street railway use by 1888. In spite of expense, disease and public relations problems, horse-drawn lines conditioned city residents to mass street railway transportation.

⁴U. S. Bureau of the Census. Street and Electric Railways, 1902. (Washington: Government Printing Office, 1905), p. 191, hereafter cited as SER, 1902.

⁵Rowsome, p. 27.

These lines created a legacy of transit habits which new forms of street cars inherited.

Urban transportation went through an era of mechanical creativity in the post-Civil War period. Inventors attempted to devise a system of street transit more effective and efficient than the horse. Individuals tried compressed air, naphtha, underground cables and steam, with varying degrees of success. All had limitations, but cable cars and steam engines found use in many cities.⁶ The "dummy" steam motor was a small, four-wheeled, two-cylinder locomotive, typically with a seven-foot wheel base and a verticle boiler. Builders disguised the engines to look like street cars, more to guard against frightening horses than to please the eye of the patron. Steam motors were more economical to operate than horses, but they never overcame the disapproval of a public who often found heavy black smoke as annoying as a manure pile.⁷

Development of an efficient, reliable means of electric transportation began as early as 1834. In that year, a Vermont blacksmith named Thomas Davenport built a tiny electric motor and by 1835, he had it operating around a small exhibition track. Davenport's experiment never found practical application although it was the first operational electric railroad (on any scale.) One writer has suggested that Davenport should be better remembered (and perhaps held in awe) by historians

⁶Modern cable cars in San Francisco are representative of the underground cable systems. Such systems are best adapted to cities with many steep hills.

⁷Rowsome, pp. 35-36. William D. Middleton. The Time of the Trolley. (Milwaukee: Kalmbach Publishing Company, 1967), p. 32, hereafter cited as Middleton.

as a man who tore up his wife's wedding dress to get silk insulation.⁸

European and American inventors attempted to perfect an electric street car from 1835 to 1888. They tried to supply electricity with a variety of devices from batteries to electrified third rails. The latter method had the unpleasant ability to electrocute dogs, cats and chickens that touched it. All lines attracted attention, some attracted investors, but eventually each system failed to operate effectively for prolonged service. Persons associated with various experiments in street railway electrification included Thomas Edison, Leo Daft, Charles Van Depoele and Sidney Short. By 1888, people in cities across the country had accepted electric cars and their erratic service.⁹ The public had also added to its vocabulary such words as "motorman" and "trolley,"¹⁰

The Bureau of the Census summed up development of street cars to 1888 in a 1902 report on street and electric railways: "Without belittling the splendid work done by . . . other pioneers, it must be

⁸ Rowsome, p. 65.

⁹ Middleton, pp. 52-66. Rowsome, pp. 65-80.

¹⁰ Rowsome, p. 4. The term "motorman" originated from some early, unsuccessful electric cars where the motor was located on one of the car's end platforms. The man who stood beside the motor and attempted to make it operate smoothly and efficiently was a motorman. After the motors were moved underneath the cars, the name stayed with the operator.

An early attempt at electrification included two overhead wires -- one to supply the current, the other to return it. Balanced on these two wires was a "troller" which collected electricity and transferred it to the car motor through a flexible wire. The troller had the disconcerting habit of falling off its wires and landing on the roof of the car, making holes and terrifying passengers. These early cars became known as "trolley" cars and again, the name remained even after the system changed.

admitted that the modern era in street railway work dates as much from the equipment of the street railway system in Richmond, Virginia, by Frank J. Sprague, as from any other landmark in the history of this industrial development."¹¹

Frank Julian Sprague was an electrical genius. He graduated from the United States Naval Academy in 1878 and spent five years on active duty experimenting with electricity. Sprague rode London's coal-burning underground railroad while on leave to visit the 1882 British Electrical Exhibit. Experiencing near asphyxiation, the young lieutenant became interested in the possibilities of electric traction. He resigned his commission in 1883 and became an assistant to Thomas Edison. This relationship lasted only until 1884, when Sprague left Edison's employ and founded the Sprague Electric Railway and Motor Company.¹²

The most pressing problems facing the inventor were how to mount an electric motor and how to get electricity to it. Prior to this time, inventors had mounted motors either directly on the car's axle or body. The axle-mount made the motor susceptible to all the shocks and bumps of poorly laid road beds, while the body-mount required a complicated system of gears and pulleys to transfer power from the motor to the axles. Belts and gears clogged or broke, and the motors were soon jarred into uselessness. Sprague positioned the motor between the axle and a spring fastened to the wheel frame. The motor

¹¹SER, 1902, p. 167.

¹²George W. Hilton and John F. Due. The Electric Interurban Railways in America. (Stanford: Stanford University Press, 1964), p. 6, hereafter cited as Hilton and Due.

was free to bounce with the irregularities of the track, but when it did, it moved in an arc about the cogwheel on the axle, assuring a proper mesh. The arrangement was known as a "wheelbarrow mount," and it worked.¹³ He solved the second problem when he developed an overhead pole with a "self-adjusting upward pressure contact" and an under-running wheel.¹⁴ This method alleviated the inconveniences of third rails and trollers.

Sprague received an opportunity to test his new inventions on March 23, 1887, when the city council of Richmond granted a charter to the Richmond Union Passenger Railway Company, which decided to use Sprague materials. The first street cars began service early in February of 1888. Despite some initial trouble, the line soon operated on a reliable basis -- the first truly successful electric street railway system in the world.¹⁵

The number of electrified street railways grew quickly in the United States after Frank J. Sprague's initial success in Richmond. In the late 1880's, numerous entrepreneurs incorporated companies in the major cities of most states. Each company attempted to secure a requisite city franchise and divide what promised to be a lucrative enterprise.

Companies began to realize the impracticality of competition and

¹³Hilton and Due, p. 7. Middleton, pp. 66-68.

¹⁴Rowsome, pp. 81-94. The current taken from the overhead wire returned through the rails to complete the circuit.

¹⁵Virginia Electric and Power Company, Richmond, Virginia. "A Brief Sketch of the 'High Points' in the History of Urban Transportation in Richmond, Virginia, 1860-1937." (Typed manuscript in the archives of The Valentine Museum, Richmond, May 11, 1937), pp. 1-8.

duplication of service after the first flurry of incorporations. The result was a gradual consolidation, either through merger or stock ownership.¹⁶ By 1900, investors and stockholders had consigned over two billion dollars to traction companies which operated 30,000 cars on 15,000 miles of track.¹⁷ The industry continued to grow physically until the second decade of the Twentieth Century. Even after the increase in track mileage stopped, total passenger fares continued to inch upward until 1923 when the annual figure reached fourteen billion.¹⁸ Trolley cars became an integral aspect of national life during this thirty-five year period.

Dependable flexibility was the key to the trolley's success. It was more dependable than a wagon or buggy, especially on dirt streets which became quagmires when mixed with snow or rain. The trolley was also more flexible than conventional steam railroads which required extensive rights-of-way to handle bulky locomotives and heavy cars. This flexibility influenced the growth and development of many cities. Down-town businessmen soon learned that more customers were attracted when street cars stopped near their establishments. Business centralized and relied on the trolley to bring customers from outlying residential areas.

Promoters and real estate agents for subdivisions or housing developments quickly realized that a street car line to their property increased land values. As a result, promoters organized their own

¹⁶SER, 1902, pp. 120-122.

¹⁷Rowsome, p. 95.

¹⁸Rowsome, p. 176.

trolley lines, or induced existing lines to extend in a favorable direction. Indiscriminate expansion resulted, often without regard for the profitability of future service.¹⁹ The radiating trolley lines also made it possible for schools and industry to locate outside the limits of a city. Children and employees could ride from home to school or work, usually at a reduced fare. This was particularly true for a town "shut into a narrow valley."²⁰

Street cars had an additional effect on urban traffic patterns. Most city ordinances which gave lines the right to operate on specified streets included stipulations that the company maintain the right-of-way and twelve inches on either side of the track. Thus, when the majority of the city streets were dirt, the roadbed of a trolley line was often the only portion of a street left passable during the spring or after a heavy rain. To the disgust of many company officials, street cars frequently shared the track with an assortment of wagons, carriages and later, automobiles.²¹

¹⁹Middleton, p. 77. Rowsome, pp. 10-13.

²⁰SER, 1902, p. 28.

²¹Albert B. Herrick and Edward C. Boynton. American Electric Railway Practice. (New York: McGraw Publishing Company, 1907), pp. 36-37. While different rail designs were tried, they can be classified into two basic groups: "T" rail and "girder" rail. Companies preferred "T" rail if they did not have to pave between the tracks. It stood two or three inches above the level of the street to permit clearance for the flanges on the wheels; it wore well, did not clog with dirt and made it difficult or impossible to drive a wagon down the rails. It was also as hard to drive a wagon across the rails, so most city councils prohibited the use of "T" rail on urban streets.

"Girder" rail was laid flush with the street or pavement because it had a slot for the flanged trolley wheel. City fathers favored this type of track, but the street car companies had trouble when the grooves clogged with dirt or ice. The grooves also wore through and

Street railways had a perceptible influence on the United States socially as well as economically. Once the electric cars were a demonstrable success they became a status symbol. The smallest cities tried to attract a street car line and a Chamber of Commerce publication was not complete unless it included a picture of a trolley car on Main Street. There was also a degree of status associated with working for the traction company. Motormen became important members of society. Many men started with a company between seventeen and twenty-one, depending on the legal age, and stayed until they retired or the system folded. From school children to city officials, the public commonly associated a motorman and his car with a particular run until the three seemed inseparable.²²

One of the most lucrative aspects of street car service was providing entertainment for the public or the public for entertainment. Resorts and amusement parks were a special attraction and many companies started their own "trolley parks" to stimulate business. The Bureau of the Census in its 1902 report stated: "More important is the social service rendered by street railways in carrying the people from the crowded parts of the cities to places of outdoor recreation and amusement. The public parks of our municipalities find their usefulness immensely enhanced by the cheap and easy means of access afforded by street railways."²³

it was quite easy to drive a wagon on these broad rails.



Cross-section
"T" rail



Cross-section
"girder" rail

²²Rowsome, pp. 141-164.

²³SER, 1902, p. 30.

Cemetery routes became particularly profitable for most lines. Some companies went so far as to equip a special "funeral car" which they chartered when needed. The somber black car had a front section for mourners and a rear compartment for the casket and flowers.

During hot summer months, groups chartered open cars for "air conditioned" rides about town, serenades, or trips to the amusement park. Special cars or rates to athletic events provided yet another source of revenue. Some lines started their own teams or built a stadium outside of town. In Brooklyn, New York, a local baseball team became known as the "Trolley Dodgers" because of the abundance of street car lines in the area. The name "trolley" was later dropped.²⁴

The greatest social problem traction companies faced was improving public relations when it came to profits and accidents. The public often felt the lines were extremely profitable, which some were, initially. However, this feeling carried over into the Twentieth Century when companies attempted to raise fares to meet rising expenses. Company requests were met with counter-demands for improved service with the implication that increased revenues would take care of themselves. Accidents of two types provided a second problem. Fatal accidents usually resulted from an individual's failure to realize that a trolley car weighing several tons did not stop as quickly as did a wagon or buggy. Failure to board or disembark properly accounted for most injuries. Accidents occurred infrequently in proportion to the total miles traveled. But, they raised a cry of indignation from many segments of the public and often resulted in costly civil suits. Companies

²⁴ Rowsome, p. 95.

carried on an almost continuous propaganda campaign in an attempt to educate the public to the dangers of careless driving or boarding.²⁵

Local, state and national politics did not escape the trolley's influence. Initially, companies needed to concern themselves only with local politics to secure favorable route franchises from city councils, and, if possible, to get permission to use "T" rail. Sometimes it became necessary for a company to grant a rebate to the city for a favorable franchise and, in most cases, city governments reserved the right to regulate fares.²⁶

During the Progressive era, state Public Utilities Commissions or Railroad Commissions assumed some control over street railway affairs. It then became necessary for companies to work through the Public Utilities Commission to abandon unprofitable branches or increase rates. These bodies held public hearings to determine a "fair rate of return" and to decide how private companies might best be operated in the public interest. The commissions also broke up consolidated administration of public utilities and required companies to manage electric works, natural gas facilities and street railway lines independently to prevent customers of one utility from making up the losses of another.

The national government never regulated street railway systems except for economic guidelines established during the First World War.

²⁵ Rowsome, pp. 141-164. Middleton, p. 374.

²⁶ Delos F. Wilcox. Analysis of the Electric Railway Problem. (New York: Delos F. Wilcox, 1921), pp. 644-657, hereafter cited as Wilcox. In an attempt to secure favorable franchises from city governments, companies often promised a five cent fare which was written into the franchise.

Trolleys, nonetheless, almost drastically altered the nation's politics in 1902. On September 3, near Pittsfield, Massachusetts, a street car struck a landau in which newly-installed President Theodore Roosevelt was riding. A Secret Service man assigned to the President was thrown beneath the car and killed, Roosevelt, also thrown from the carriage, was severely shaken up but not seriously injured. He called the accident, ". . . the most damnable outrage I ever heard of."²⁷

Tangent to the development of electric urban transportation was the stimulation of interurban transportation. Eastern sections of the nation experienced booms in interurban construction from 1900 to 1903 and again from 1905 to 1907. By 1907, interest in the interurban had spread across the Mississippi River. Western states, particularly along the Pacific coast, began to experience a growth of rapid transportation facilities between cities. Heavier and faster than standard street cars, the interurban found its element outside the corporate limits of a city. There it could streak along its private right-of-way at speeds of sixty miles per hour or more. The interurban quickly grew to significance, but during the 1920's and 1930's it declined and died with its smaller city cousin.²⁸

Predictable, a decline in the street railway industry began when another means of transportation offered service as dependable and flexible. The bicycle was the first serious threat. In 1896, an estimated four million bicycles were in use. Although flexible, they did not

²⁷Rowsome, p. 95.

²⁸For an excellent study of the growth and decline of interurbans, see Hilton and Due.

offer the dependability, or comfort, of a street car, so the fad, and the threat, soon faded.²⁹

At the turn of the century, horseless carriages appeared destined to join bicycles as a passing craze. Noisy, smoky and often unreliable, the auto inconvenienced public and owner alike. Initially, street car men did not worry, but as the auto was perfected and began to appear on city streets in quantity, the urban transportation industry realized the threat it faced. The two means of transportation came into direct competition during the summer of 1914. Autos drove up to trolley stops and offered rides to waiting passengers for a nickel, or a "jitney." Unrestricted by city franchises or taxes, the jitney bus became a get-rich-quick scheme and a national fad.³⁰

Street railway company lawyers acted as quickly as new auto owners, reminding city councils of franchises and rebates. Most cities soon erected legal road blocks and unauthorized jitney service rapidly dissipated. The trolley emerged successful after its first rift with the auto, but the initial victory was short-lived. Licensed busses, taxis and an ever-increasing number of private cars began to cut into street railway revenues. Companies attempted to improve service, eliminate unprofitable branch lines and use new, more efficient, one-man cars; but their efforts proved ineffectual in the long run.

The rising cost of material and labor, coupled with the United States' involvement in World War I, put street railway companies in an economic dilemma. Contracts, city ordinances and custom fixed rates

²⁹Rowsome, p. 165,

³⁰Middleton, p. 381. Rowsome, p. 165.

at five cents. During the war the cost of materials spiraled upward and the National War Labor Board required companies to pay employees what seemed like an enormous wage. Trolley lines tried to get local and state agencies to approve rate increases to meet rising costs, but the process was slow and not always successful.³¹

At the urging of street railway owners, the Secretaries of Commerce and Labor submitted a joint recommendation to President Wilson on May 15, 1919. The recommendation called for the appointment of a Federal commission to study the plight of the industry. Companies wanted "a sort of national sounding-board before which they could beat the tom-tom and attract public attention everywhere to their financial distress and the inadequacy of the five-cent fare."³²

Wilson appointed an eight-man board which held hearings from June to October, 1919. The commission submitted its report to the President on July 28, 1920. The core of the problem, it concluded, was the loss of credit the companies had experienced. Underlying this was a loss of earning power, which, in turn, resulted from jitney competition and restricted fares. All these factors combined to make it difficult for electric railways to raise sufficient revenues to meet rising labor and material costs.³³ The report suggested: control or abandonment of auto competition; increased fares, cessation of rebates required by city governments; institution of more efficient and economical operations; abandonment of unprofitable branch lines; and public subsidies.³⁴

³¹Wilcox, p. ix.

³²Wilcox, p. ix.

³³Wilcox, p. 99.

³⁴Wilcox, p. 343.

The suggestion for public subsidies took form in a "service-at-cost" plan whereby the public paid for street railway operation directly, through increased fares, and indirectly, through the public treasury when fare revenues were insufficient. In cities that instituted service-at-cost plans, trolley lines became quasi-private enterprises, guaranteed a reasonable (6% to 7.5%) rate of return, but operated in the public service: "undoubtedly paramount . . . [when it] . . . conflicts with private enterprise."³⁵ These cities found such plans generally agreeable to both public and private interests.

Another suggestion stemmed from the government hearings. Some companies felt outright public ownership of transportation utilities provided a more viable solution than service-at cost plans.³⁶ Adverse public reaction to this proposal prevented it from achieving a major degree of national acceptance during the remaining life of the street railway industry.

The commission's report made official what street railway companies had realized for several years -- they were in financial trouble. The Federal government did not take action and the commission's findings did not decidedly alter the position of city or state governments. Electric railways reverted to improved service, new equipment and abandonment of unprofitable lines in an attempt to divert the ebb of traffic.

The stock market crash of 1929 hastened the end for the trolley lines, breaking the supports of tottering companies and undermining

³⁵Harlow D. Clark. Service At Cost Plans. (New York: American Electric Railway Association, 1920), pp. 7-8 and 67-68.

³⁶Wilcox, p. 343.

the foundations of stronger ones. The debris of the industry littered the depression decade which followed.

Presidents of twenty-five major street railway companies set out to solve their problems collectively the same year the stock market crashed. They formed the "Electric Railway Presidents' Conference Committee" and managed to raise over one million dollars which they invested in research and development.³⁷ The result was a "dream street car" unveiled in 1934. Commonly known as a "P.C.C.," the car was attractive to the public and efficient to operate. The streamlined, quiet-riding trolley looked and ran more like a bus than a street car. It succeeded in delaying the abandonment of some street railway lines in major cities, but it could not reverse the trend of the past two decades. Automobiles, taxis and motor busses had been perfected as dependable, flexible and comfortable means of transportation.

The collapse of individual companies and the industry during the 1930's, gave rise to a social cult and its ritual: the "fan" and the "last run." "Fans" grouped themselves into various official and semi-official organizations to preserve countless trolley cars and mementoes in museums and closets across the nation. They congregated at any time or place a given line ran its last car.

Only a handful of trolley lines are operational today. The era of electric urban and interurban transportation is gone. Against this background of national developments, the history of the street railways in Helena, Montana, takes shape and significance.

³⁷Middleton, p. 127. Rowsome, pp. 181-182.

CHAPTER II

THE BEGINNING

The history of street railway transportation in Helena, Montana, began May 16, 1883. On that date, agents of the Northern Pacific Railroad purchased approximately 342 acres east of Helena. Here railroad officials planned to develop passenger and freight facilities for the growing territorial city.¹

Helena was the largest town in Montana Territory by 1883.² The business center lay within the confines of Last Chance Gulch. Residential sections spilled out of the narrow valley to the east and west. The Northern Pacific depot location was approximately one mile from the business district of Helena. It remained for the City Council to platt a street connecting the two.

The Council considered the petition of a street railway before it concerned itself with the problem of a street. John H. Ming presented an application for a street railway franchise at the City Council meeting of May 23, 1883. Ming wanted to build a horse-drawn line from the intersection of Main Street (Last Chance Gulch) and Broadway, north to the depot. He promised to complete the line ninety days after the first Northern Pacific train arrived, provided the city laid out

¹The Helena Daily Herald, May 16, 1883, hereafter cited as HDH.

²U. S. Bureau of the Census. Fifteenth Census of the United States: 1930. Population, Vol. I, p. 634. The population of Helena in 1880 was 3,624. By 1890, it was 13,834. It is safe to assume that the population in 1883 reflected a proportionate increase between these two figures.

and graded streets between the two points. Ming filed a \$10,000 bond with the city to support his promise. The Council appointed a special committee to consider Ming's application and to draw up a general ordinance applicable to all future street railway grants.³

By June 2, 1883, the city engineer had surveyed a street between the business district and the station. The Council decided "Helena Avenue" would be the most appropriate name for the new thoroughfare. The avenue remained ungraded while the special committee deliberated on a general street railway ordinance. Therefore, when the first passenger train arrived in Helena, June 15, omnibusses, not street cars, provided the first mass transportation between station and city.

The special committee reported out its general street car ordinance in the meeting of July 20, 1883. Mayor T. H. Kleinschmidt signed Ordinance 47, entitled "Grants to Street Railways," which became the basis for future trolley car franchises.⁴ Nevertheless, aldermen did not take action on any specific franchise application.

³HDH, May 24, 1883 and June 11, 1885. The article on May 24, stated that the special committee was to consider street railway "applications" presented to the Council. The article did not mention specific names, but this would indicate the Council received more than one request. It is possible that the organizers of the Helena City Railway Company, mentioned below, sought a franchise at this time. The June 11, 1885 article was an interview with Ming, wherein he gave the details of his franchise application. He also stated that a question of right-of-way on Helena Avenue soon arose and the courts did not settle the matter until 1885.

⁴HDH, July 21, and July 24, 1883. The original copy of Ordinance 47 is missing from the files of the Clerk of the Commission, City of Helena. The Herald published an official text of the ordinance on July 24, 1883. A synopsis is included at this point because the ordinance provided a basis for all future Helena street railway ordinances.

Section 1: All future street railways were subject to all sections of this ordinance unless specifically excluded.

A group opposed to Ming's proposed street car route organized as the "Helena City Railway Company" on October 18, 1883. The Certificate of Incorporation was not filed with the Secretary of the Territory

- Section 2: Companies must lay track level with the grade of the street, as near the center as possible and in such a manner that it would not interfere with traffic or water drainage on the street.
- Section 3: Companies must use only iron or steel "flat rail"; "T" rail and "strap" rail were prohibited. Rails must be firmly spiked and the gauge was to be five feet, two inches from flange to flange. (Wagon wheel width.) [It is interesting to note at this point that all lines constructed in Helena were standard gauge -- four feet, eight and one-half inches -- not wagon width.]
- Section 4: Maximum speed for street cars in the city was eight miles per hour. [Future ordinances reduced the limit to six m.p.h.]
- Section 5: The city maintained the right to let any other street railway build across or beside the right-of-way of another. A company would share its track for up to three blocks if the city decided the street was too narrow for two tracks or that two tracks were unnecessary. If the companies involved could not make a working arrangement for sharing such track, the city would settle the issue.
- Section 6: Other vehicles (excepting fire apparatus) driven on the tracks had to yield to street cars.
- Section 7: Citizens were prohibited from placing obstructions on rails.
- Section 8: Franchises extended for twenty years.
- Section 9: The city reserved the right to take up track for maintenance of sewers, wires, etc., and promised to replace it in the same condition when work was completed.
- Section 10: Horses and cars could not stop where they blocked intersections.
- Section 11: No conductor or driver was to let women or children board or disembark while a car was moving.
- Section 12: Future city ordinance would direct the routes and schedules of the street cars.
- Section 13: Companies had to remove the rails at their own expense if the city decided to regrade or resurface a given street.
- Section 14: Future city ordinances would set fares.
- Section 15: Cars had to be kept clean and in good repair. Passenger cars could not carry freight except personal baggage placed on the car platform or held in the passenger's lap. The conductor or driver might charge for packages left in his care, but the rate would be determined by the city. [The city never set the freight rate.]
- Section 16: Companies were responsible for their right-of-way and twelve inches on either side of the track.
- Section 17: Companies were guilty of a misdemeanor for every forty-eight hours these provisions were not met. Fines could range from \$5 to \$500 for each offense.

until January 10, of the following year.⁵ It was the first company organized with the express purpose "To construct track and to maintain and operate lines of street cars, . . . for the transportation of passengers, baggage and freight in the City of Helena."⁶ The corporation's second purpose, reflected in a petition signed by property owners along Main Street south of Broadway, was to provide street railway transportation for all of Main Street, particularly the three-block section between Broadway and Bridge (Cutler) which Ming intended to exclude.⁷

The same day the Helena City Railway Company filed its incorporation papers, the City Council met and tentatively approved the Ming franchise. This action evoked responses from the City Railway officials and the Daily Herald. The former group sought to incite public support against Ming's proposed route. The newspaper felt the two lines were working to the detriment of one another. An editorial reflected the paper's opinion. If the demand for the two street railways was an outgrowth of legitimate travel and business, it was a constructive request. On the other hand, if the two lines were the result of

⁵Helena City Railway Company. Certificate of Incorporation, October 18, 1883. Filed with the Secretary of the Territory, January 10, 1884. The individuals incorporating this company were: Samuel T. Hauser, Ansalem J. Davis, John Kinna, Alexander C. Botkin, Anton M. Holter, Wilber Fisk Sanders, George C. Swallow, Joseph K. Toole, Edwin Stone, Joseph Davis and Richard Lockey, all from Montana. Capital stock was \$100,000, divided into 2000 shares worth \$50 each. The corporation was to start January 10, 1884, and last for twenty years.

⁶Helena City Railway Company. Certificate of Incorporation.

⁷HDH, January 9, and January 15, 1884. The company also proposed routes from Bridge Street to Rodney and then north to Helena Avenue; along Price Avenue to Clore and Benton streets and then to the city limits.

"overgrown ambition . . . to promote the sale or enhance the value of real estate in certain localities," they were not constructive. The editorial concluded that Helena could support only one street railway; two lines would mean the death of both. It recommended Council approval of one line. Aldermen should give the second company an opportunity to build only if the first group was unable to complete construction.⁸

City Council members settled the question in their January 30 meeting. Ordinance 50 gave final approval to Ming's franchise. The grant called for a street railway line from the depot, along Helena Avenue and Main Street to Broadway, on Broadway to Rodney and along Rodney to the depot. Ming had to begin construction in the spring of 1884 and complete work by January 1, 1885, with the exception of ungraded streets, i.e. Helena Avenue. The company had to finish construction within 100 days after work crews graded such streets.⁹ The Council tabled the City Railway petition after it approved Ming's franchise.

January 1, 1885 passed. Ming did nothing. In April a new city administration advocated grading Helena Avenue to force street railway construction, but it did not take action. In June, at the Council's request, city attorney E. D. Edgerton prepared an opinion on the consequences of Ming's inaction. Edgerton stated that while Ming had not fulfilled the provisions of the franchise, Ordinance 50 contained no penalty for non-compliance; therefore, the city could not take the franchise away. Edgerton suggested the city grant another franchise

⁸HDH, January 11, 1884.

⁹HDH, January 31, 1884. Ordinance 50 was subject to all the provisions of Ordinance 47.

over the same route or grade Helena Avenue and force Ming to lay track or abandon his project. The Council postponed a decision on either matter.¹⁰

A Helena Daily Herald reporter interviewed John H. Ming on June 11, 1885, and asked him what action he proposed to take. Ming stated that the delay caused by court action on the right-of-way and by the city's failure to grade Helena Avenue moved him to abandon his project. If the Council passed legislation to grade Helena Avenue, Ming went on, he would encourage and aid anyone who wanted to take over his franchise. But, he concluded, "it has hung fire for so long that I am disgusted with it."¹¹ On July 9, 1885, the Council met and passed Ordinance 68 repealing Ordinance 50. Appended to the new ordinance was a certificate in which Ming relinquished all rights he had to any Helena street railway.¹² Omnibusses continued to carry passengers between the depot and Helena's business district. The first attempts to establish a street railway in Helena had failed.¹³

The City Council commissioned the grading of Helena Avenue in the fall of 1885. Workmen completed the project in December, thus making it feasible to lay street railway track from down-town Helena to the Northern Pacific depot.

¹⁰HDH, June 9, 1885.

¹¹HDH, June 11, 1885.

¹²HDH, June 10, 1885.

¹³The Herald of September 18, 1885, reported that Samuel K, McDowell and associates presented a petition for a franchise along the old City Railway route. The Council referred the question to a committee. For the next three months the committee deferred its decision and continually asked for more time to consider the matter.

The second phase of Helena street railway construction began in the City Council meeting of February 27, 1886. Massena Bullard, representing the Helena Street Railway Company, petitioned the Council for a fifty-year franchise to operate street cars over all the city streets, particularly the route from Bridge to the depot via Main and Helena.¹⁴ A special committee approved the request and on March 10, aldermen passed Ordinance 78, granting a twenty-year franchise for a line from Bridge to the depot only. Individuals involved had fifteen days to associate themselves into a corporation and accept the franchise; thirty days to begin construction; and until the first of October to complete the route. The city set fares at ten cents for the first five years. After such time, the city could lower rates to five cents if the company realized ten percent or better on its investment.¹⁵ Despite some disagreement between city and railway officials, the Herald was optimistic work would start shortly and in a few months it would be possible to "take a spin to the depot in a street car, past the long line of elegant business blocks on Main Street, which thoroughfare is only deficient in metropolitan aspect and condition by the absence of street cars."¹⁶

¹⁴HDH, February 28, 1886.

¹⁵HDH, March 11, 1886.

¹⁶HDH, March 6, 1886. The backers of the street railway company were unhappy with Ordinance 78 as the Council originally passed it. They feared ruinous competition if they did not get the sole right to build on all Helena streets. In meetings on March 11 and 15, the Council reconsidered the matter, making some modifications in the original ordinance. Alderman gave the company a franchise for an additional route to the Grand Avenue Addition. The route began at the intersection of Main and Helena, ran along Main to Chesnut Street, along Chesnut to Villard Avenue, then to Aspen or Cedar, along one of those streets

Problems solved, promoters organized the Helena Street Railway Company on March 18, 1886, and accepted the modified provisions of Ordinance 78.¹⁷ "The necessity of reaching the railroad depot . . . moved these pioneer capitalists to establish Helena's first street railway."¹⁸ Short articles appeared in the Helena newspapers indicating general public support for the venture while the Board of Directors quickly moved ahead with construction plans, hiring John J. Palmer to build the line and ordering 200 tons of materials from St. Paul.

Early in the morning of August 10, 1886, word spread about town that Palmer was ready to begin laying track. At 3:00 P. M., a crowd gathered at the depot to watch the laying of the first rail. Workmen had already laid over 1000 feet of ties and continued work as the ceremony progressed. William Cannon, son of the company president, received the honor of driving the first spike. His father, L. A. Walker, H. M. Parchen, John B. Wilson and D. W. Fisk followed. "After this President Cannon made a few well timed remarks in his usual happy strain, and thereafter the assemblage dispersed for their homes."¹⁹

to Samuel Street and on Samuel to Chesnut. The company had until January 1, 1889 to complete work on this line. The city also agreed not to specify the fare rate for the first five years, and not to require a five cent rate after that time unless the company realized twelve percent or more on its investment. The company did not receive a monopoly for street railway operation in Helena.

¹⁷Helena Street Railway Company. Certificate of Incorporation, March 18, 1886. Filed with the Secretary of the Territory, March 19, 1886. Individuals incorporating the company were: Charles A. Broadwater, Charles W. Cannon, Henry M. Parchen, Anton M. Holter, Daniel A. G. Flowerree and John B. Wilson, all of Helena. Capital stock was \$50,000, divided into 500 shares of \$100 each. The company was to last for twenty years.

¹⁸Montana Board of Railroad Commissioners and Ex-Officio Public Service Commission. Annual Report, XIII, p. 199, hereafter cited as MBRC.

¹⁹MDH, August 11, 1886.

Track laying made the winding nature of Main Street evident.

"Major Palmer jocosely remarked . . . that passengers would surely become light headed riding over it."²⁰ Charles Cannon went ahead with other aspects of construction. He let bids for a wooden horse barn and a brick car house at the corner of Bridge and Main. He also purchased horses and ordered two street cars from the Pullman company.

"Horse Cars in Helena" began the headlines in the Herald. "Inauguration of the Helena Street Railway. Flags and Banners Flutter in the Morning Air and Small Boys Catch On." Packed with city and company officials, the two new cars began the first trip from the car barn to the depot -- 10:55 A. M., September 25, 1886. Two quarters, several nickels and a Confederate \$20 were the company's first receipts. According to the Herald: "The inauguration of the Helena Street Car Company to-day marks an era in the city that foreshadows wonderful changes in all things else that presage the requirements of a great metropolis." The newspaper concluded its report: "All success to the street cars."²¹

The first afternoon the horse cars carried 357 passengers; the second day, 870.²² One-way fare was ten cents. Helena residents had little trouble in adapting to street railway transportation and the line became popular very rapidly. The first year, company officials experienced heavy winter snows (The snow plow was "a triangular platform, . . . mounted on car wheels and armed with a steel prong.") and runaways ("the car jumped the track . . . and crashed into the rear of

²⁰HDH, September 1, 1886.

²¹HDH, September 25, 1886.

²²HDH, September 27, 1886.

a loaded beer wagon standing in front of Nick Kessler's saloon.")²³
 The line also made a profit. "The possibilities of remunerative returns from such a source now moved others to enter the field."²⁴

Real estate investors realized another source of profit from street car lines. Wallace and Thornburgh, agents for the Grant Avenue Addition, placed advertisements in the Daily Herald indicating that the street railway would soon extend to the addition -- lots were, therefore, at a premium. The City Council approved another extension in June of 1888. This franchise permitted the company to build on Rodney Street from Bridge to Helena.²⁵ The Rodney Street line began operation on October 26, 1888.

A second street railway sought to take advantage of Helena's prosperous business conditions in the spring of 1888. On April 24, the City Council granted Ordinance 125 to James P. Porter, William Muth and William E. Cox. The franchise, similar to Ordinances 47 and 78, permitted the use of "T" rail; approved steam, electric, cable or horse power; and designated an east-west route across the city.²⁶

Porter, Muth and Cox, along with J. B. Sanford, Robert Wallace and John J. Palmer (all of Helena) incorporated the Helena Motor

²³HDH, January 4, and September 27, 1887.

²⁴MERC, XIII, p. 199.

²⁵HDH, February 25, May 15, June 15, and June 26, 1888.

²⁶Ordinance 125, City of Helena, passed April 24, 1888. The original route began at the west limits of the city, followed Knight Street to Benton, Benton to Park Avenue, ran south on Park to Lawrence, east to Warren Street, north to Eleventh Avenue and east to the city limits.

Railway Company on June 20, 1888, to accept a modified form of Ordinance 125.²⁷ They hired Palmer to build the line.

The Motor line had legal and public relations problems from its inception. Once officials had decided on the route, residents along Warren Street and Eighth Avenue presented a petition to the City Council protesting the building and operation of the line. The Council refused to change the route when it discovered it would have to pay \$3,000 in costs the company incurred grading those two streets. On October 13, residents filed an injunction to stop construction; however, the District Court dissolved the action until such time as the line was operational and a demonstrable nuisance.²⁸ The greatest public relations problem the company faced was its motive power. Company officials

²⁷Helena Motor Railway Company. Certificate of Incorporation, June 20, 1888. Filed with the Secretary of the Territory, August 6, 1888. Helena Motor Railway Company. A Record of the Incorporation and the Minutes of the Shareholders' and Directors' Meetings from the date of Incorporation: June 20, 1888, pp. 1-3, hereafter cited as HMRC Records. Helena Motor Railway Company and Helena, Hot Springs and Smelter Railroad Company. Joint Stock Ledger: September 8, 1888, to December 31, 1890, pp. 5-8. Ordinance No. 140, City of Helena, passed June 27, 1888.

The capital stock of the Helena Motor Railway Company was \$100,000, divided into 1000 shares of \$100 each. Incorporators opened the stock subscription book on September 8, 1888, and purchased all company stock.

The proposed route of the Motor Railway extended from Broadwater Hot Springs west of Helena to the Helena and Livingston Smelting and Reduction Company, located near the present site of East Helena. Porter, Muth and Cox were real estate agents for the East Helena townsite and, no doubt, hoped land values in the area would rise when they projected a street railway to the site. Advertisements in the Herald read: "East Helena is the place to invest in Real Estate for Quick Returns."

The company successfully secured the passage of Ordinance 140, on June 27, 1888. This measure changed the route called for in Ordinance 125, permitting the company to abandon its Lawrence Street route in favor of a right-of-way along Sixth Avenue to Warren, north to Eighth Avenue and east along Eighth to the city limits.

²⁸HDH, September 4, September 15, October 4, and October 13, 1888.

planned to use small, "dummy" steam locomotives to pull their cars. Ladies found the smoking engines obnoxious and in spite of the builder's attempt to make the motors look like street cars, horses found the metal monsters frightening.

Nonetheless, when the Motor Railway began operation in the afternoon of October 22, 1888, it did so amid all the hoopla that accompanied the horse cars two years earlier. A two-car train, pulled by the motor "Prospector" made its first trip from the Payne Hotel on Benton Avenue to the Kessler Brewery where guests and dignitaries were all treated to a glass of beer. The Daily Herald felt the motor line was "one of the greatest public improvements of the times," to be "hailed with joy as another metropolitan convenience and another factor in the prosperity of Helena."²⁹

Palmer completed the eastern segment of the Motor line as far as Hoback street on November 2, and a branch to the Northern Pacific depot early in 1889; but, he did not complete a planned extension to the smelter in East Helena.³⁰ Officials secured the deed for the Motor line's track and equipment on November 24, 1888. In this document, J. J. Palmer turned over the roadbed, a steam motor, two cars and all

²⁹HDH, October 22, 1888.

³⁰HARC Records, pp. 49-50. On February 18, 1889, the Board of Directors approved the following rates:

In-town travel:	City limits, cash	\$.10
	12 tickets	1.00
	100 tickets	8.00
	School children tickets	
	(Book of 50)	2.50
	Teachers; tickets (50). . . .	2.50

Depot to the Kessler Brewery & Broadwater: 25¢ one-way; 40¢ round-trip.
 Sixth and Main to the brewery and hotel: 15¢ one-way; 25¢ round-trip.
 Special to workmen at the hotel: 50 to 100 tickets -- 10¢ each.
 Special Sunday passes were also issued.

other equipment to the company for \$50,000 in paid up stock and \$50,000 in seven percent company notes, payable on or before January 1, 1889. A first mortgage on all the line's property, franchises and equipment secured the notes.³¹

The Motor Railway Company held its first annual meeting in January of 1889. Officials discussed possible extensions into various Helena real estate developments and held an "informal discussion on the merits of electricity as motive power."³² The overriding problem facing the company in the first months of 1889 was the financial arrangement with J. J. Palmer. On January 26, the Board of Directors authorized the executive committee to borrow \$10,000 to relieve the company's indebtedness.³³ Three days later, a new corporation was formed.³⁴ The Helena, Hot Springs and Smelter Railroad Company eventually assumed the debts and affairs of the Motor Railway.

On May 2, 1889, the Motor line's Board of Directors agreed to sell all company property and rights to the Helena, Hot Springs and Smelter Railroad for \$150,000 in full paid stock and \$150,000 in six percent first mortgage bonds of the latter company. \$100,000 in bonds and a like amount of stock was divided among the stock holders of the Helena Motor Railway according to their respective holdings. \$50,000 in bonds

³¹HMRC Records, pp. 10-23. Palmer had moved to Chicago temporarily.

³²HMRC Records, p. 42.

³³HMRC Records, p. 48.

³⁴Helena, Hot Springs and Smelter Railroad Company. Certificate of Incorporation, January 29, 1889. Filed with the Secretary of the Territory, January 29, 1889. Individuals incorporating the company were: E. D. Edgerton, H. B. Palmer, C. G. Evans, W. E. Cullen and W. H. Hunt, all of Helena. Capital stock was \$150,000 divided into 1500 shares with a par value of \$100 each.

was delivered to the Farmers Loan and Trust Company of New York for the use of the Helena, Hot Springs and Smelter. The secretary of the railroad held a like amount of stock for use at the discretion of the directors.³⁵ Thirteen days later, the Motor Railway Directors gave the Northwestern Guaranty Loan Company of Minneapolis an exclusive thirty-day option for the purchase of \$100,000 in Helena, Hot Springs and Smelter bonds at the rate of 75¢ on the dollar: \$30,000 to be paid in cash before June 15, 1889, and the remaining \$45,000, due on or before July 15, 1889.³⁶

During these financial arrangements, Directors approved a resolution granting a special sports rate to teams using the Baseball Association grounds near the Broadwater Hot Springs. Cricket, LaCross and baseball clubs could take advantage of the 8 1/3¢, one-way rate, if they purchased tickets in lots of not less than twelve.³⁷

The day after officials approved the 8 1/3¢ rate, the Helena Motor Railway Company transferred everything (including all liabilities and the deed with J. J. Falmer) to the Helena, Hot Springs and Smelter Railroad for \$1 in cash and \$300,000 worth of stocks and first mortgage bonds. Liabilities enumerated in the company records included: \$1450 for construction materials on hand, \$400 in unpaid advertising accounts

³⁵HMRC Records, pp. 51-52.

³⁶HMRC Records, p. 55. William H. Clark represented the Northwestern Guaranty Loan Company in Helena. The company and/or Clark exercised the option immediately, and railway officials completed the transfer two days later.

³⁷HMRC Records, pp. 56-57.

and \$843.46 cash on hand.³⁸ Among the liabilities, but not mentioned in the records, was public antagonism toward the noisy, smoking, steam motors.

The Helena Street Railway Company enjoyed a better social and financial position in 1889. It expanded from the original three-mile line to "nearly five miles of well equipped paying road."³⁹

Street railway matters dominated the City Council meeting July 12, 1889. Initially, the Council castigated the Helena Street Railway executives for their failure to maintain daily service on the Rodney Street line. Cars had not run since May. Service must begin immediately, the Council warned, or the city would remove the tracks. Reluctantly, the company started one-car-a-day service on July 24, to maintain the route.

Primary interest in the meeting centered on two new franchise requests. The city granted both petitions. Ordinance 212 gave Michael H. Keefe a twenty-year franchise to build and operate an electric line from Broadway and Main to the depot, serving the extreme east side of the city.⁴⁰ Ordinance 214 covered service for the western portion of

³⁸HMRC Records, pp. 58-67. The transfer also included an enumeration of the route the railway had constructed. In addition to the original route (Ordinance 140) there were two branch lines. One began at Eighth and Idaho, ran along Idaho to Livingston, on Livingston to Roberts, on Roberts to Gallatin, east to Sanders then to the Northern Pacific depot. A second spur left the first branch at Roberts and Boulder and ran east on Boulder to the city limits.

³⁹Helena Board of Trade. Helena Illustrated. (Helena: F. T. Gilbert, 1889), p. 5. Trackage included a small spur from the corner of Main and Helena west to the Montana Central depot.

⁴⁰HDH, July 15, 1889. The ordinance followed the general pattern the city established, specifying a ten cent fare initially, setting the date for completion, and permitting horse, cable or electric power. The route began at Broadway and Main and ran to the N. P. depot via Broadway, Warren, Fifth, Montana and Bozeman.

Helena, via Richard A. Harlow and Donald Bradford's proposed West End Electric Railroad.⁴¹ Both franchises indicated the growing interest in electricity for motive power.

Later in July, the Council approved a Helena, Hot Springs and Smelter extension along Boulder Avenue. An August 7, 1889 letter from H. B. Palmer, secretary of the steam line, to Samuel T. Hauser shed light on the company's reasons for seeking extensions. Concerning the building of a line to the Hauser Addition, east of Helena, Palmer stated:

We know that in running the line adjacent property will be greatly enhanced in value, and that you may feel disposed to grant us the necessary 'Right-of-way' through your lands, and also give us a reasonable donation of land to assist the enterprise and partly to compensate for the loss in operating the road until such time as the district becomes settled up, and the line is on a paying basis.⁴²

Company president E. D. Edgerton clarified Palmer's request the next day with another letter to Hauser. Edgerton said his company did not come to Hauser "so much for the quantity of land to be given" as it did for his "influence and aid in a general way with others." Edgerton hoped Hauser would make his answer to the request as "liberal as possible," indicating that any necessary adjustments could be effected later.⁴³ Hauser's response was either negative or delayed, for the steam line's expansion was not forthcoming.

⁴¹HDH, July 15, 1889. Harlow and Bradford's franchise was identical to Keefe's. The route specified began at Lawrence and Main, running west to the Highland Park Addition on Lawrence, Meagher, Harrison, Holter, Hayes and Flowerree. The Helena, Hot Springs and Smelter completed a modified portion of this route: from Park and Sixth, south to Clark, west to Harrison, north to Flowerree, west to Hayes and north to the main line on Knight. The track remained in place but was not often used until 1906.

⁴²S. T. Hauser Papers.

⁴³Helena, Hot Springs and Smelter Railroad Company. Letter Book: letters sent out, p. 5, hereafter cited as HHS&S Letter Book.

Michael Keefe moved ahead with construction of his street railway line. By noon, September 4, 1889, he had a block and a half of roadbed on Broadway ready for iron ties. Keefe planned to begin operations with a horse car and convert to either cable or electricity as soon as possible. He finished the line to Montana Avenue in December and started service: "a great convenience to East Side residents."⁴⁴

Major J. J. Palmer returned to Helena in the fall of 1889 and made plans to run a cable or electric trolley east from Main Street to the Hauser Addition and eventually to the smelter at East Helena. He wanted to use Broadway for part of his track and ran into conflict with the Keefe line. The City Council surveyed the problem, decided Broadway was wide enough for two street car lines, and gave Palmer a franchise to build his line -- using any type of motive power except steam.⁴⁵

Electricity interested E. D. Edgerton as well. "I think we have a good chance here to make use of electricity . . .;" he commented in a letter to J. G. White of the Western Engineering Company, October 2.⁴⁶ Two days later, Edgerton revealed his motivation for converting the motor line to electricity. "There is no doubt in my mind, that a road down to our ground, [East Helena] equipped with electricity, would enhance the value of our property more than a steam line. . ."⁴⁷ He wanted to increase equipment as well as trackage. Edgerton sold

⁴⁴HDI, December 31, 1889.

⁴⁵The Helena Daily Independent, September 11, 1889, hereafter cited as HDI. Helena Board of Trade. Helena Illustrated. (Minneapolis: Frank L. Thresher, 1890), p. 12.

⁴⁶HHS&S Letter Book, p. 9.

⁴⁷HHS&S Letter Book, pp. 10-11.

company stocks to the Northwestern Guaranty Loan Company and thus secured \$3000 for the purchase of additional rolling stock. He also became involved with other financial manipulations.⁴⁸

Edgerton gave a more detailed account of the steam line's financial and physical situation in the company's annual report dated December 1, 1889. The statement covered the period from May 1, to November 30. During this seven month period, the line carried 153,734 passengers, received \$18,000 in gross revenues and expended \$23,250 for equipment and operations. "No net earnings" summarized the company's financial situation.⁴⁹

⁴⁸HHS&S Letter Book, pp. 10-14. HDH, April 22, 1890. Although official company records make no mention of the matter, indirect references in Edgerton's letters and contemporary newspaper articles indicate a change in the control of the steam line. Former Territorial Auditor James Sullivan, Senator T. C. Power and perhaps N. R. Terral, Assistant to the President of the Northern Pacific, "bought into" the corporation. Edgerton held enough stock to retain his position as president, but Sullivan became general manager.

⁴⁹Helena, Hot Springs and Smelter Railroad Company. Annual Report, December 1, 1889. Filed with the Secretary of State, December 1, 1889. This report is the first such statement available for any Helena street railway. For purposes of interest and future reference, it is summarized at this point:

Capital stock paid in: \$150,000, of which \$50,000 was in trust.

Funded debt: Same as above.

Floating debt: \$5,000.

Cost of construction, right-of-way and equipment: \$115,000 (approx.)

Total length of track: 29,289 feet (standard gauge).

Main line 5.05 miles.

4 sidings and 5 spurs . . 2621 feet.

Maximum grade: 10% for several hundred feet.

Shortest radius of curve: 50 feet.

Trestle: One 270 foot, wooden; 16 months old.

Rolling stock: 2 engines owned by the company, 1 rented; 6 passenger cars.

Highest rate of speed: 4-20 m.p.h., depending on engine.

Fares: 5¢ to 15¢, depending on distance.

55,000 miles of passenger runs with 153,734 total passengers.

Gross receipts: \$17,500 from passengers; \$500 from other sources.

Expenses: \$23,250.

By the end of 1889, the Helena Street Railway had expanded to include the new Rodney Street line and a total of eight cars and forty horses.⁵⁰ Keefe's Broadway-Montana Avenue line completed Helena's urban transportation roster as the decade closed -- two horse lines and a steam motor company.

Colonel C. A. Broadwater, one of the original Helena Street Railway supporters, a prominent Montana financier, and owner of the Broadwater Hotel and Natatorium, asked the City Council to hold a special meeting on January 7, 1890. When the Council assembled, Broadwater presented a petition requesting a franchise for an electric street railway from Sixth Avenue and Main to his new hotel. He promised to start construction within ninety days, to have the line finished by the end of the year and asked only that the city not require a fare lower than ten cents for the first five years and at least five cents after that.⁵¹

James Sullivan represented the interests of the steam line at this special meeting. He asked the Council not to grant Broadwater's petition. Sullivan stated he and his associates planned to electrify the steam line, at a cost of almost \$200,000, and wished to extend into the same territory Broadwater proposed to serve. Sullivan formally requested a franchise to cover his company's planned expansion and

⁵⁰Henry V. Poor. Manual of Railroads in the United States, XXIII. (New York: H. V. and H. W. Poor, 1890), p. 1210, hereafter, all Poor's publications will be cited as: Poor's.

⁵¹HDH, January 8, 1890. Broadwater promised to use a type of motive power other than steam. The proposed route began at the corner of Sixth and Main, ran along Sixth to what is now Fuller, along Fuller, the Montana Central right-of-way and Kessler Street to Lyndale, down Lyndale to Benton, north to Hollins and west along Hollins to the hotel.

reminded the Council that the steam line presently served the Broadwater Hotel, negating the necessity of the Colonel's company.⁵²

City officials considered both proposals and then passed Ordinance 247, granting the Broadwater petition as presented. In an open letter to the Daily Herald on January 9, an unidentified alderman justified the Council's decision and expressed the general public opinion of the steam street railway:

The attempt of the proprietors of the Motor line to kill off opposition was altogether too transparent to deceive anyone. Practically they say, We have a line there; it may be true that our line is [a] menace to life, an injury to property, and not a public convenience, but we don't propose to allow any other better equipped line to come into competition with us, provided we can get franchises over all the streets.⁵³

Helena Street Railway officials had different public relations problems in January of 1890. On the twenty-third, a street car struck Michael H. Wall near the corner of Main and Grand. The car dragged Wall thirty-five or forty feet before the driver, a boy fifteen, reined the team to a stop. Passersby succeeded in lifting the car and freeing the severely injured victim. On February 28, 1890, Wall filed suit in District Court claiming the company was negligent and asking \$5000 in damages. Witnesses testified that the young driver was not strong enough to handle the horses. Testimony also determined that the car was traveling seven miles per hour, a violation of the six mile per hour limit. The jury found the company at fault and awarded Wall \$2500 and \$56.70 in court costs. The Montana Supreme Court affirmed the verdict during its March term, 1892, but reduced the amount to \$623.30.

⁵²HDH, January 8, 1890.

⁵³HDH, January 9, 1890.

Company officials satisfied the judgment on April 21, 1892.⁵⁴

City Council members returned a decision on January 28, 1890, which precluded a flurry of franchise activity. The body passed Ordinance 250 over the Mayor's veto. This ordinance gave the Helena, Hot Springs and Smelter Railroad the right to construct a branch line along the route James Sullivan requested, January 7. The franchise required a \$10,000 bond which guaranteed construction within 100 days, completion by September 30, and exclusive use of electric cars on the line.⁵⁵

The Council's action in defiance of the Mayor encouraged Helena investors. By their decision, aldermen indicated they favored further street railway expansion. As a result, M. H. Keefe, F. R. Wallace and J. J. Palmer each submitted a new franchise at a special Council meeting February 4, 1890.⁵⁶ A committee took the three proposed ordinances

⁵⁴Montana First Judicial District, Case No. 87. Lewis and Clark County, Helena, Montana, hereafter cited as Montana First Judicial District, with case number. Reports of Cases Argued and Determined in the Supreme Court of the State of Montana, XII, pp. 44-46, hereafter cited as Reports of Cases. Montana First Judicial District. Judgment Docket, B, pp. 220-221.

⁵⁵HDH, January 29, 1890. The franchise granted two additions to the Helena, Hot Springs and Smelter Line. The first route would provide service for the Montana Central depot with track from Sixth and Fuller, north on Fuller to the depot and west on Central (Neill) to Park. The other branch would leave the present line at Garfield and extend north to the city limits.

⁵⁶HDH, February 5, 1890. Keefe sought a franchise to construct two branches on his horse car line. The first, left the main line at Jackson and Broadway, ran down the center of Jackson to Sixth and turned west to Main. The second spur started at Fifth, continued on Warren to Sixth, turned east on Sixth and connected with the main line on Montana. Keefe promised to use horse, cable or electric power, asked for permission to lay "T" rail and stated his intention to complete construction by September 30, 1890. He accompanied his request with a petition signed by residents along the proposed extensions.

F. R. Wallace wanted a franchise that would service the Grand Avenue Addition -- a matter the Helena Street Railway failed to accomplish. He wanted to begin construction at the corner of Main and Sixth, build north on Main, across the railroad tracks to the addition,

under consideration. The Daily Herald editorialized on the City Council's position concerning the possible franchise. "The position of the aldermen . . . is now one of doubt," the paper stated. "They admit that it is undesirable to throw any obstacles in the way of people with money, who desire to run street car lines out into the more thinly settled additions," the article went on; but, all the franchises were useless unless they ran into the heart of the city and the resultant congestion was obvious.⁵⁷

The editor concerned himself with the street railway question again, two weeks later. He discussed the necessity of a comprehensive street railway ordinance to replace fractioned interests in the city. The editor prophesied: "The time may come when it will be for the public interest that every city shall own and operate all the street railways for the public convenience at public expense." Any general ordinance "should provide for such a contingency. . ." At the present time, he concluded, it was better to let private enterprise work out urban transportation problems.⁵⁸

Aldermen clarified their position of doubt by the end of February. On the eleventh they approved the Wallace franchise with the provisions

complete a loop by laying track south on Roberts past the depot to Lyndale and west on Lyndale to Main. He proposed a second loop which would leave Lyndale on Warren, continue south to Grand, west to Main and north to the point of origin at Sixth Avenue. Wallace promised to use any type of motive power except steam and complete the entire line within two years -- one mile would be done within six months.

The franchise Palmer sought provided additional service for Helena's east side. Palmer's proposed line began at Sixth and Main, ran south on Main to Broadway, took advantage of his option to build a second route on Broadway, continued east to Montana, and returned to the original point via Sixth Avenue.

⁵⁷HDM, February 5, 1890.

⁵⁸HDM, February 13, 1890.

he had requested.⁵⁹ Fifteen days later, the Council passed Ordinance 257 which granted M. H. Keefe a modified form of the franchise he sought.⁶⁰ J. J. Palmer did not press his franchise request and the Council postponed any decision.

Ordinance 250 did not solve the difficulties of the Helena, Hot Springs and Smelter Railroad. E. D. Edgerton had problems with Sullivan, Power and the company's finances. Concluding a letter to Sullivan (then in St. Paul) on February 11, 1890, Edgerton stated: "There is not one cent with which to pay anybody with, and unless soon relieved, I shall not go ahead and keep contracting debts." He threatened to "close down" completely within a week if financial relief was not forthcoming.⁶¹

Action by Sullivan and Power, or inaction by Edgerton, prolonged the operation of the steam line beyond the February 18, deadline. However, by the end of the month the financial difficulties of the company came to public attention. Fred Zeising, an employee, filed an attachment against the company for \$163.25 in unpaid wages. The company's press release on the matter attempted to sooth the issue, terming the failure to pay employees a "managerial oversight."⁶² The problem went

⁵⁹HDH, February 12, and February 15, 1890. The line on Main from Sixth Avenue north to Helena was to run parallel to track the Helena Street Railway had laid. Instead of the sixth month date Wallace proposed for the commencement of construction, the Council gave him eighteen months to start work. Wallace's delay and/or forgetfulness on the part of the Council members caused a conflict during the summer of 1890.

⁶⁰HDH, February 27, 1890. The basic provisions of the ordinance were identical to those Keefe requested, but the Council modified the Jackson Street loop. Keefe was to build a branch from Broadway and Main on Main to Grand Avenue, laying track beside that of the Helena Street Railway. This, the Council hoped, would alleviate the congestion problem at the intersection of Sixth and Main.

⁶¹HHS&S Letter Book, p. 19.

⁶²HDH, February 28, 1890.

deeper than disorganized management. Numerous parties filed liens and attachments against the line. Between March 21, 1890 and April 25, 1891, the District Court of the First Judicial District processed sixty-four separate claims against the faltering company. Judgments totaled \$13,641.79, with \$701.88 in court costs appended to the amount.⁶³ The onslaught of serious financial problems brought the conflict over company control to a climax. Sullivan retained stock in the company, but resigned as general manager in April, 1890.⁶⁴

Edgerton hired W. C. Humbert to replace Sullivan. He did not make known the exact date of Humbert's employment, but the Herald noted improved service early in May and predicted increased patronage would result. An accident on May 22, 1890, darkened the optimistic mood of the refurbished company. The twelve-year-old son of William Kranich was crushed between a motor and the side of the round house after he failed to heed the warnings of an engineer. Employees took the boy to the nearby home of his parents where he died a few days later.⁶⁵

Helena still lacked a functional electric trolley line. In spite of the franchise flurry and many individual promises, no electrified street railway operated. Colonel Broadwater moved one step closer to the successful fulfillment of his franchise when he and his associates

⁶³Montana First Judicial District. Judgment Docket, C, pp. 204-221.

⁶⁴HDH, April 22, 1890.

⁶⁵HDH, May 22, 1890. The County Coroner held an inquest following young Kranich's death. The verdict exonerated the company of all responsibility for the accident. The boy's parents did not file suit against the company.

incorporated The Helena Electric Railway Company on March 10, 1890.⁶⁶ Workmen began grading and laying track from the corner of Sixth and Main to the Broadwater Hotel.

May 25, 1890, marked the first day of operation for Broadwater's new Helena Electric Railway. The small, single-truck trolleys carried capacity loads to the Broadwater Hotel from ten in the morning until midnight. Real estate agents A. J. Steele and Company used the trolley as well. They took immediate advantage of the newly completed line to attract buyers: "Why is the Broadwater Addition the Best? Because it has an Electric Motor!"⁶⁷

City councilmen renewed their franchise-granting role during the June 10, 1890 meeting. They gave J. J. Palmer permission to build his street railway east from Broadway to the Lennox Addition. He promised to begin construction of an electric line by July 1, and to complete the project within a year. Palmer stated his intention to invest \$100,000 developing the line and to operate at least twelve cars a day.⁶⁸ When it appeared that Palmer would actually begin work, real estate agents Wallace and Thornburgh advertised lots in the Lennox and Flowerree Additions "'dirt cheap,' or cheap dirt at the prices at which we offer them."⁶⁹

⁶⁶The Helena Electric Railway Company. Certificate of Incorporation, March 10, 1890. Filed with the Secretary of State, March 11, 1890. Those individuals incorporating the company were: C. A. Broadwater, R. L. McCulloch, C. K. Wells, C. W. Cannon, H. H. Parchen, W. A. Chessman, L. G. Phelps and F. Langford, all of Helena. The route specified was identical to that granted in Ordinance 247, with a provision for future expansion as necessary. Capital stock was \$100,000, divided into 1000 shares of \$100 each.

⁶⁷HDH, May 25, 1890. There was no official celebration when the line began service.

⁶⁸HDH, June 11, 1890.

⁶⁹HDH, June 12, 1890.

The Helena Electric Railway received a franchise to extend its line at the same Council meeting. Company officials planned construction of an electric line north on Main Street to Helena Avenue and eventually to the depot. Council members gave the company fifteen days to begin construction.⁷⁰ The situation at hand produced the competition and conflict the Herald foresaw in 1884 and the aldermen sought to avoid earlier in 1890.

⁷⁰HDH, June 11, 1890.

CHAPTER III

CONSOLIDATION

Workmen from the Helena Electric Railway became involved in a fight with workmen from the Wallace interests during the afternoon of June 21, 1890. The altercation quickly spread to the legal arena. The first flurry of incorporations and franchises was over. Helena investors realized the impracticality of service competition and duplication. Consolidation began.

The City Council granted each company the right to lay a second set of rails on Main Street between Sixth Avenue and Helena. The companies were to share the new rails, but the Council failed to specify who would lay the track. Each group of workmen attempted to build the new roadbed. The police chief and deputy sheriff broke up the resultant fight, arrested three workmen and dispersed the large crowd which gathered.

Wallace succeeded in getting a temporary injunction against Broadwater's company that evening. He felt the matter revolved around the franchise priority. His franchise began on February 11; Broadwater's on June 10. The injunction stopped all construction. Main Street remained torn up until the courts settled the matter.¹

Lawyers from the Helena Electric Railway Company contested Wallace's injunction. The District Court dissolved it on June 22, because of a legal technicality. The conflict in the streets began again; but, Wallace filed another injunction on June 26. This thirty-day injunction

¹HDH, June 23, 1890.

brought construction on Main to a standstill once more. The court upheld this action.²

The City Council removed itself from the conflict over franchise priority, and let the courts settle the matter. This position did not, however, prevent the aldermen from granting further franchises for the depot route. The Helena Street Railway was in the process of electrifying its system. On July 8, 1890, it sought and received a franchise permitting it to construct a second track on Helena Avenue from Main Street to the depot.³

Shortly after midnight, Saturday, July 26 -- legally Sunday the twenty-seventh -- 100 men from the Helena Electric Railway Company were back at work on Main Street, digging trenches for ties and getting ready to lay track. The thirty-day injunction had expired. Wallace and Thornburgh wasted little time in renewing it. They succeeded in getting a permanent injunction after first surmounting all the difficulties which resulted from attempting to get legal action in the early morning hours. The street remained impassable for horse and carriage traffic.⁴

Outside capital became interested and involved in the conflict. A Denver, Colorado, syndicate, represented by Peter Winnie, "invested liberally" in the Wallace and Thornburgh street railway. The new electric line, minus the Main Street segment, began temporary operation with

²Reports of Cases, X, pp. 24-57. HDH, June 26, 1890.

³HDH, July 9, 1890.

⁴HDH, July 28, 1890.

horse cars on August 15. Winnie promised electrification as soon as possible.⁵

Owners of the five lines now extant in Helena did not find competition for patronage in the city's sparsely settled suburbs very profitable.⁶ The competition, even when it did not become obvious confrontation, had its effects. The first consolidation took place between the Broadwater lines. The Helena Street Railway Company merged with the Helena Electric Railway Company on September 3, 1890. The resultant corporation took the name of the latter company, assuming the indebtedness and consolidating the officers of both firms.⁷

⁵HDH, August 15 and August 20, 1890. The temporary route began at the intersection of Helena and Main and ran north on Main across the Montana Central and the Northern Pacific tracks to the Grand Avenue Addition. It went through that addition on Chesnut to Villard, then north to the Richmond Hill Addition. A second branch began at the junction of north Main and Lyndale, followed Lyndale between the Central and Depot Additions on the north and the Central No. 2 and Lockey Additions on the south, to Roberts Street. There it turned north, crossed the railroad tracks and continued to the city limits in the Flower Garden Addition. The Denver syndicate also announced plans to build a branch to the Montana University located in the valley several miles north of Helena. On August 19, Winnie received additional franchises for branch lines on Lyndale east from Roberts and on Eleventh Street, east from Main.

⁶The lines in operation at this time were: Helena Street Railway Company (electric); Helena, Hot Springs and Smelter Railroad Company (steam); Keefe's Broadway and Montana line (horse); The Helena Electric Railway Company (electric); and the Wallace and Thornburgh line (horse). Major Palmer planned a third electric line -- to the Lennox Addition. The Helena Electric Railway Company had recently added a new branch line: from Main and Seventh along Seventh to Davis, south to State and back to Main.

⁷Helena Street Railway Company and Helena Electric Railway Company. Consolidation, September 3, 1890. Filed with the Secretary of State, September 3, 1890, Book H, "Incorporations," pp. 699-710. The capital stock of the new corporation was \$250,000, divided into 2500 shares worth \$100 each. The stock was divided as follows: The new company held \$100,000 of stock in trust for the Directors to use at their discretion. Stockholders of the Helena Street Railway Company divided forty-two percent of the remaining \$150,000 in stock among themselves. Fifty-eight percent of the \$150,000 in stock went to the stockholders

E. D. Edgerton and the Helena, Hot Springs and Smelter also reflected the pressure of competition. In a series of letters to the Northwestern Guaranty Loan Company, Edgerton attempted to persuade his creditor to accept more bonds to help pay expenses the line was unable to meet.⁸ Employees realized the economic squeeze as well. When the company acquired the old motor line, it hired firemen for the three "dummy" engines and raised engineer's pay from \$100 to \$115 per month. The company presently needed economy measures because of its financial difficulty. Superintendent Humbert released the firemen and required engineers to fire their own engines. To keep all three engineers on the payroll, he reduced their pay to \$100 per month. These measures became effective 7:00 A. M., September 22. At that time, the three engineers walked off their jobs, demanding the firemen's reinstatement and the \$115 pay rate. Humbert pressed into service a fourth engineer and the master mechanic to keep two steam motors operating. However, the walkout caused him sufficient inconvenience that he met the engineers' demands the following day. He also curtailed operations and thereafter ran only two motors. The Herald reassured the public that there had been only "good feeling" between Humbert and his men.⁹

of the old Helena Electric Railway. Members of the first Board of Directors of the new corporation were: C. W. Cannon, W. A. Chessman, H. M. Parchen, C. K. Wells, A. M. Holter, C. A. Broadwater and James Sullivan.

⁸HHS&S Letter Book, pp. 16-34.

⁹HDH, September 22, and September 23, 1890. The three engineers who struck were: Fred Duggar, George Luye and Alx. Patton. Dan Kendrick was the master mechanic and James Shively the fourth engineer who kept the motors in service. The strike on this line was the only publicized labor trouble any Helena street railway experienced.

"Judge Hunt handed down an opinion this morning in the street railwaycases which is against the Broadwater people and in favor of Wallace & Thornburgh," began the Herald report, September 29, 1890. "The question . . . resolved itself into priority of franchise," and the latter group held the first grant.¹⁰ The court's action cleared the way for a second street car line on Main Street. All the problems of Peter Winnie and the Denver syndicate were not solved, however. Early in October, Major Palmer notified Winnie that he would not be able to build his proposed street railway to the Lennox Addition. "Mr. Winnie said he and his partners were not particularly desirous of building it either, but that it was part of their contract with the people to whom they had sold ground."¹¹ The City Council granted Winnie the necessary franchise on October 7.¹²

Wallace, Thornburgh and the Denver syndicate operated from August to October without officially organizing a corporation. They solved this matter on October 18, 1890, with the formation of the Union Electric Railway Company.¹³ Company officials further unified the Helena

¹⁰HDH, September 29, 1890.

¹¹HDH, October 8, 1890.

¹²HDH, October 8, 1890. The proposed route began at the intersection of Montana and Eleventh, ran south on Montana to Broadway, east to Cakes, south to Winnie, east to Fee, north to the northern boundary of the addition and west on whatever street the company decided to use.

¹³Union Electric Railway Company. Certificate of Incorporation, October 18, 1890. Filed with the Secretary of State, October 18, 1890. Individuals incorporating the company were: Newton W. McConnell, Albert M. Thornburgh, Edgar C. Richards, George B. Hopkins and John B. Clayberg, all of Helena. Capital stock was \$500,000, divided into 5000 shares worth \$100 each. The route specified in the certificate included that already built under the Wallace franchise, an extension to the Montana University, the Lennox line and any additional expansion.

street railway system when they took over Keefe's Broadway and Montana Avenue horse car line late in 1890.¹⁴

Helena Electric Railway officers decided the Rodney Street branch, originally operated by the Helena Street Railway, was not profitable.¹⁵ They made no effort to electrify it. The city took up the tracks and graded the streets in November. Electrification costs and initial operating expenses were too great for the company, nevertheless. On January 1, 1891, the Helena Electric Railway Company gave a first mortgage to the Old Colony Trust Company of Boston. The six percent, twenty-year mortgage permitted the company to issue \$500,000 in first mortgage bonds to meet its debts. All the equipment, property and franchises of the Broadwater line provided security for the mortgage.¹⁶ This arrangement relieved the company's financial burden, temporarily.

The Helena, Hot Springs and Smelter filed its second annual report in November, 1890. This financial statement reflected a continued lack of adequate revenues. The annual number of passengers totaled 345,782 -- twice the number carried during the seven-month period the first annual statement covered. Revenues, on the other hand, increased by only \$1800; expenses rose \$5000.¹⁷ Competition forced the company

¹⁴R. L. Polk and Company. Helena City Directory, II. (Helena: R. L. Polk and Company, 1891), p. 108, hereafter cited as Polk.

¹⁵Poor's, 1891, p. 1191. Consolidation of the two companies and abandonment of the Rodney line left the Helena Electric Railway with nine miles of track in service. The company operated seven electric cars and eight additional, non-powered trail cars over this track.

¹⁶The Helena Electric Railway Company. First Mortgage, January 1, 1891. Filed with the Secretary of State, February 11, 1891, Book I, "Incorporations," pp. 239-257.

¹⁷Helena, Hot Springs and Smelter Railroad Company. Annual Report, November 30, 1890. Filed with the Secretary of State, November 30, 1890. Exact figures in the report were:

to resort to a five cent fare which was inadequate to cover operational expenses. Financial conditions worsened. Judgments in District Court mounted and the company went further into debt with the Northwestern Guaranty Loan Company. The steam line went into receivership in April, 1891. William H. Clark operated the line as a receiver until its affairs could be straightened out. "The steam motor railway line was sold at public auction in front of the court house at 12m to-day," reported an article in the Helena Daily Herald on September 1, 1891. In an attempt to recover a judgment of \$35,000, the Northwestern Guaranty Loan Company had the line sold.¹⁸

Two individuals bid on the property. A. K. Barbour, who said he represented Northwestern Guaranty, bid \$35,000. Kenneth McRae, reportedly from Galveston, bid \$36,000 and won. McRae said he represented no one but himself and had no present plans for the line. McRae either represented Northwestern Guaranty and did not say so, or was unable to fulfill his bid. One month later, the loan company was still in control of the street railway and several years later, they reported having paid only \$36,000 for the property. On October 1, Clark said Northwestern Guaranty would electrify the steam line by the end of the year, relegating "the puffing, smoking steam engine . . . to the things of the past."¹⁹

Gross earnings (November to November). . . \$19,808.35.

Expenses 28,257.40

Maintenance of right-of-way. \$ 5,504.57

Maintenance, cars, engines . 18,741.25

Other expenses 4,011.68

The company kept no record of the number of miles its engines traveled.

¹⁸HDH, September 1, 1891.

¹⁹HDH, September 1, and October 1, 1891, and September 18, 1894.

The Union Electric Railway was also busy. The line to Lennox neared completion, workmen were busy with a new power house north of the railroad tracks, and electrification was almost finished. Company officials predicted that with "favorable weather," the system would be running "by Christmas."²⁰

Northwestern Guaranty Loan Company and the Union Electric Railway accomplished more than their press releases indicated. Individuals from both concerns formed the Helena Rapid Transit Company on December 26, 1891. The route stipulated in the incorporation papers included the main and branch lines of the Union Electric Railway and the entire trackage of the Helena, Hot Springs and Smelter Railroad. The papers also made provisions for expansion to the University and any other point in the vicinity.²¹ The new corporation controlled over two-thirds of the trackage serving Helena and finished electrification of its entire system.²² Officials ordered four new trolley cars, completed the Union Electric power house and built the proposed line to the University. Despite several minor accidents with run-aways, 1892 passed without serious incident.

²⁰MDH, December 1, 1890.

²¹Helena Rapid Transit Company. Articles of Incorporation, December 26, 1891. Filed with the Secretary of State, December 30, 1891. Individuals incorporating the company were: J. H. Lawrence, William H. Clark and Ashburn K. Barbour. Capital stock was \$500,000, divided into 5000 shares with a par value of \$100 each. The marriage of the Union Electric Railway and the Helena, Hot Springs and Smelter was obvious in the first trustees named in the articles: J. H. Lawrence, R. S. Vivian, Peter Winnie, William H. Clark and Ashburn K. Barbour.

²²MERC, XII, p. 200. Consolidation was almost complete. The only other street railway line was the Helena Electric Railway.

The national panic of 1893 had disastrous effects on the finances of Helena's street railways. Helena Electric Railway financial and managerial affairs became increasingly involved.²³ Officers borrowed \$20,000 on March 20, 1893, and \$30,000 on March 28.²⁴ Throughout the summer and fall of 1893, the Helena newspapers carried stories of local financiers who had "gone under" financially -- several were Helena Electric Railway stockholders. On August 1, the Herald carried the bankruptcy declarations of W. A. Chessman and H. M. Parchen. Both men held stocks and bonds in the company. The line defaulted on its debts when the first six-month installment on the March loans fell due in September. Creditors secured writs of attachment and took the matters to District Court.²⁵ The financial structure of the Helena Electric Railway collapsed by the summer of 1894.

²³Polk, 1892, p. 302. Four of Helena's public utilities shared officers. Helena Electric Company and Helena Gas Light and Coke Company officers were identical: President, C. W. Cannon; Vice-President, H. M. Parchen; Secretary-Treasurer, H. L. Walker. Helena Consolidated Water Company officers were: President, W. A. Chessman; Vice-President, A. J. Davidson; Secretary, J. B. Clayberg; and Treasurer, S. T. Hauser. Helena Electric Railway officers included: President, C. K. Wells; Vice-President, W. A. Chessman; Secretary-Treasurer, H. L. Walker. Stock ownership no doubt reflected further involvement, but records to substantiate such involvement are not available.

²⁴Montana First Judicial District, Case 2280 and Case 2318.

²⁵Montana First Judicial District, Case 2318 and Judgment Docket, B, pp. 236-237. On November 30, 1893, the First National Bank of Butte received a judgment against the company for \$31,398.00 and \$21.85 in costs. This covered the March 28 loan, but the company did not satisfy this judgment. December 23, W. J. Cook, trustee of an unidentified individual or corporation, received a \$20,955.60 judgment against the railway with an additional \$1238.50 awarded to cover costs. (This was the March 20 loan.) Cook received payment for this judgment. On January 3, 1894, the Montana National Bank received a \$34,362.64 judgment, plus \$1001.05 in costs. The Electric Railway satisfied this judgment. This was the unsatisfied judgment the First National Bank of Butte received November 30, 1893, but did not collect.

Individuals associated with the financial affairs of the Helena Rapid Transit Company also attempted to relieve their financial burden in 1893. On May 13, they incorporated the Helena Rapid Transit Railroad. Provisions of the Articles of Incorporation were identical to those of the former company.²⁶ The change in companies did not solve the predicament. Late in July, the Northwestern Guaranty Loan Company went into receivership, and with it went the Helena Rapid Transit Railroad.²⁷ The Minneapolis Trust Company took over the financial affairs of both companies. A financial statement filed by the Rapid Transit Railroad in September, 1893, revealed its condition. Existing debts for the concern totaled \$7,703.20. The company did not admit to an additional \$5,908.81 in claims filed against it. A United States Circuit Court had also attached a lien on some property to satisfy a \$36,000 mortgage incurred by the Helena, Hot Springs and Smelter Railroad.²⁸ The Minneapolis Trust Company shuffled its financial holdings in an attempt to put Helena's street railways back in order. The trust company entered into a contract which officially consolidated the affairs of the steam line and the Union Electric Railway Company.²⁹

²⁶Helena Rapid Transit Railroad. Articles of Incorporation, May 13, 1893. Filed with the Clerk and Recorder, Lewis and Clark County, May 13, 1893. Individuals incorporating the company were: William H. Clark, Richard Lockey, Ashburn K. Barbour and Christopher A. Cahill.

²⁷HDH, August 2, 1893.

²⁸Helena Rapid Transit Railroad. Annual Statement, September 20, 1893. Filed with the Clerk and Recorder, Lewis and Clark County, September 20, 1893. The report broke the company's finances down even further: of the existing debt, \$7,000 was due the Minneapolis Trust Company as receiver of Northwestern Guaranty, and \$703.20 was due the Northwestern General Electric Company.

²⁹HDH, September 18, 1894. To effect the consolidation, Union Electric Railway paid \$10,000 as its pro rata share to satisfy the \$36,000 mortgage against the steam line's property. The steam line surrendered all its stock and accepted in lieu thereof, \$75,000 in first mortgage bonds and \$75,000 in stock of the newly consolidated company.

The Panic of 1893 accomplished a final consolidation among street railways and other public utilities serving Helena. The Helena Power and Light Company commenced operation on September 28, 1894, and soon became Helena's only public service corporation, "acquiring all the properties of its predecessors who thereupon ceased their efforts."³⁰ The new concern consolidated the Helena Gas Light and Coke Company, the Helena Electric Company and the two remaining street railway systems: Helena Electric Railway Company and the Helena Rapid Transit Railroad.³¹

Quick to recognize one of the problems competition created, the Power and Light Company petitioned the City Council for an ordinance to raise street car fares from five to ten cents. The Daily Herald predicted the ordinance would pass when the Council met November 27, 1894: "No city of the population of Helena can possibly keep in operation a street car service the equal of ours at the minimum five-cent fare. Indeed, an abandonment altogether of portions of the system would logically follow should the privilege sought by the company be denied."³²

When a quorum failed to assemble on November 27, the mayor

³⁰Helena Power and Light Company. Articles of Incorporation, September 26, 1894. Filed with the Secretary of State, September 28, 1894. Individuals incorporating the company were: Charles W. Cannon, H. M. Parchen, Theodore H. Kleinschmidt, Charles K. Wells, Herman Gans and Anton M. Holter, all of Helena. The company had one million dollars capital stock, divided into 10,000 shares of \$100 each. It was to last for forty years. The corporation's defined purpose was to purchase and operate street railways in addition to all means of power and water rights for Helena. Specifically mentioned were trolley lines to the Broadwater Hotel, East Helena, Fort Harrison, Kenwood, Lennox and the Montana University. Quote cited in the text is taken from MBRC, XIII, p. 200.

³¹The Helena Rapid Transit Company continued to file annual statements until September 21, 1899. All statements were identical and listed the company's debt at \$4,025.00.

³²HDH, November 27, 1894.

scheduled a special meeting for the thirtieth. The Council considered and rejected the proposed fare increase in a record two minute meeting on November 30. "It Did Not Pass," the newspaper headline announced the following day. Company officials were disappointed, but not taken back. Under the advice of its legal counsels, the company raised the rates anyway. The single fare on all lines was ten cents after December 3. However, special six and one-half cent tickets, for in-town travel, were available in sheets of eight or sixteen, and in books of fifty. The company charged a straight ten cent fare for travel outside the city limits.³³ In addition, the new corporation made some modifications to improve service and eliminate unnecessary duplication.³⁴

³³HDH, December 1, 1894. The City of Helena acquiesced to the fare increase. The ten cent fare remained in effect until after 1900.

³⁴Polk, 1895, pp. 69-70. Because all modifications after 1894, altered routes as the Helena Power and Light Company operated them, a complete route description is included at this point. The company used the Helena Electric Railway car barn at Cutler and Main. One route began at the car barn and ran to the Northern Pacific depot via Main and Helena. A branch left Main on Seventh Avenue, ran to Davis, then to State and returned to Main. The Lower Broadwater route began at Main and Sixth, went down Fuller to the Montana Central depot, followed the Montana Central right-of-way and Kessler to Lyndale, ran west to Benton, north to Hollins and west to the hotel. A small branch ran from the intersection of Main and Center on Center to the Montana Central depot. The Lennox line began at Main and Sixth, ran down the center of Sixth to Allen, to Seventh, to Davis, to Fifth, to Montana Avenue, south to Broadway, east to Oakes, south again to Winnie and east to the end of the line at Fee. The University branch started at Broadway and Main, ran north on Main across the railroad tracks to Chesnut and Villard, then continued past the city limits and the Helena Cemetery to the University. The final line began at the Northern Pacific depot, ran south on Idaho, west on Eighth, south on Warren, west on Sixth, north on Park and Benton avenues and west on Knight to the Broadwater Hotel. The route along Knight to the hotel was the Upper Broadwater Line. An additional branch was in place but was not in use. This line began at Park and Sixth, ran on Clark to Harrison, then to Floweree, to Hayes and to the Upper Broadwater line on Knight. The company did not abandon any of its major branch lines at this time.

Charles K. Brown, newly elected Populist state representative from Lewis and Clark County, also had some street railway changes in mind. On January 15, 1895, he introduced legislation aimed at furthering the welfare of trolley line employees throughout the state. The proposed measure required street car companies to construct suitable structures on the car platforms to protect employees from inclement weather during the winter months. The Herald termed the bill "most interesting," but the proposal did not reach fruition.³⁵ The Montana Bureau of Agriculture, Labor and Industry mentioned the economic welfare of Helena street railway employees in its 1896 report. According to the Bureau's statistics, the sixteen Helena trolley men earned between \$2.15 and \$4.50 for a ten or eleven hour day.³⁶

Helena Power and Light officials consolidated street railways to twenty miles of main line and one and three-quarter miles of secondary track. They used both "T" and girder rail and operated a total of twenty-four cars: eight trail cars and sixteen trolleys.³⁷ Part of the system served one of the proposed sites for the state capitol building. The Winnie site (where the capitol now stands) received official approval on August 30, 1895. The beautiful location and an electric trolley line on Montana Avenue were responsible for the designation.³⁸

³⁵HDH, January 16, 1895.

³⁶Montana Bureau of Agriculture, Labor and Industry. Annual Report, 1896, p. 122, hereafter cited as BALI. Per diem wages were:

Motormen . . . \$2.15-\$3.00	Machinists . . . \$2.50-\$4.00
Conductors . . . 2.50- 3.00	Car Repairmen. . . 2.50- 3.50
Engineers. . . 2.25- 4.50	Trackmen 2.25- 3.50
Electricians 4.00	

³⁷Foor's, 1896, p. 1142. The company used thirty-five and forty-five pound rail on its right-of-way.

³⁸HDH, August 31, 1895.

The street railway's Board of Trustees selected a new source of electric power in a special meeting on May 20, 1896: "Resolved: That the President and Secretary of this Company be and are hereby authorized to enter into and execute a certain contract for electric power, with the Helena Water and Electric Power Company." The resolution also authorized Samuel T. Hauser, a large stock holder in the trolley company, "to subscribe for and on behalf of this Company" \$25,000 worth of Helena Water and Electric Power Company stock, once that company signed the agreement.³⁹ By 1898, the Helena Power and Light Company received its power from one of the new hydro-electric dams on the Missouri River east of Helena.

Operations during 1896 and 1897 remained virtually unchanged. The company abandoned its branch on Seventh, Davis and State, but its work force remained essentially the same according to the Bureau of Agriculture's annual report. The 1898 report, covering the fiscal year ending June 30, 1897, included car miles and passenger statistics. Helena trolleys traveled 185,000 miles carrying approximately 880,952 passengers and averaging .21 miles per passenger.⁴⁰

The Light and Power Company continued to enjoy home-town support and approval. The Herald included the company in a series of features on Helena's major business establishments in the spring of 1898. "The Helena Power & Light Co., is largely a home institution, most of the

³⁹Resolution of the Board of Trustees of the Helena Power and Light Company, May 20, 1896. S. T. Hauser Papers.

⁴⁰BALI, 1897, p. 133 and 1898, p. 69. The 1898 report gave the figures for total miles traveled by company cars and the .21 miles per passenger figure. The passenger tabulation is the author's.

stock being held here, and its officers and directors are well known and able financiers and businessmen." The article reached the conclusion that "no street railway in the northwest" gave better service.⁴¹

Officials of the street railway company reached some conclusions of their own in 1898. On June 30, they announced their intention to cease operation of the unprofitable Lennox line. Company workmen would dismantle all associated equipment on the branch unless ordered to do otherwise. July 11, a group of Helena realtors with holdings in the addition, sought a writ of mandamus to prevent the abandonment. The District Court refused to sustain the writ on the grounds that the company could not be forced to operate the line at a loss.⁴² The realtors appealed the decision, but Montana's Supreme Court denied a rehearing. The higher court's decision stated that if the company failed to operate a given line of railroad, it forfeited its franchise for that portion. Any franchise granted by the city did not impose on the company "the duty to continue the operation of any portion of the line."⁴³ The case set an important precedent for the street railway company regarding the future abandonment of unprofitable lines.

The company abandoned a second unprofitable branch -- the line north to the Wesleyan University -- during the summer of 1899. Track taken up on this branch was relaid to East Helena. The Helena Power

⁴¹HDH, March 21, 1898.

⁴²Montana First Judicial District, Case 4461. The case was: State ex rel. Knight et al, vs. Helena Power and Light Company.

⁴³Reports of Cases, pp. 391-397. Abandonment began at the intersection of Warren and Seventh and included all trackage to the junction of Winnie and Fee. This abandonment left the capitol site without street car service until 1902.

and Light Company began operations to East Helena and the smelter on September 10, 1899. The route started at Roberts and Boulder Avenue, continued east on Boulder, crossed the Montana Central and Northern Pacific railroad tracks and followed its own private right-of-way to the center of East Helena.⁴⁴

Street railway operations continued to be unprofitable. The corporation had an accumulated debt of \$600,000 when it began operation in 1894. This debt took the form of thirty-year, five percent, gold bonds held by the Central Trust Company of New York City.⁴⁵ The existing debt increased to \$657,453.15 by the time the company filed its first annual report, September 8, 1898. In 1899, it was \$678,953.68; in 1900, \$698,646.60.⁴⁶ This financial burden encumbered company revenues making overall operations unprofitable.

Tuesday, January 3, 1901, the Helena Power and Light Company held its annual meeting in Helena. Stockholders elected Thomas A. Marlow president of the corporation. He (and to a lesser extent, H. M. Farchen)

⁴⁴HDI, September 21, 1913. MBRC, XIII, p. 200 and XX, p. 146. When street cars began operation, motormen initiated an informal freight delivery service to accommodate East Helena merchants and residents. Motormen delivered parcels of reasonable size the weight between the two communities for a minimum charge of fifteen cents. A latter company attempted regular freight service to East Helena, but it was unprofitable.

⁴⁵Poor's, 1896, p. 1142. Interest on the bonds was due January 1, and July 1, or each year.

⁴⁶Helena Power and Light Company. Annual Report, September 7, 1898. Filed with the Clerk and Recorder, Lewis and Clark County, September 8, 1898. Annual Report, September 7, 1899. Filed, September 8, 1899. Annual Report, September 14, 1900. Filed, September 17, 1900. An accident worsened company financial affairs late in 1900. On August 15, John W. Mitchell was injured when a street car hit his lumber wagon. The District Court ultimately awarded Mitchell \$2500 and costs for his injuries. The Montana Supreme Court refused to hear a company appeal.

represented the estate of Colonel C. A. Broadwater, who died in 1892. Marlow had been a director of the company from its inception. He took decisive action as the head of the corporation.

Judge J. M. Clements authorized the Broadwater estate to give a ninety-day option, beginning April 1, 1901, to George W. Brill for the purchase of \$52,000 in first mortgage bonds and 1841 shares of Helena Power and Light Company stock.⁴⁷ This action initiated five years of financial juggling for Helena's street railways. Brill represented a group of Chicago financiers interested in purchasing the Power and Light Company. He indicated he would exercise his option if the City Council passed a favorable ordinance. The ordinance Brill sought would give him, or his assignees, a twenty-five year franchise to operate all of Helena's public utilities. He indicated that his backers would spend \$25,000 to \$40,000 annually improving the utilities. Brill also hinted that the city might receive a rebate for a favorable franchise.⁴⁸ In essence, Brill sought the type of comprehensive ordinance the Herald suggested in 1890.

T. A. Marlow presented Brill's proposed franchise to the aldermen on April 1. He asked immediate approval, and provided incentive by promising to reduce a street light bill the city owed the Helena Power and Light Company.⁴⁹ The Council considered the proposal. Three days

⁴⁷The Helena Evening Herald, April 1, 1901, hereafter cited as HEH.

⁴⁸HEH, April 1, 1901.

⁴⁹HEH, April 2, 1901. The City of Helena paid the utility company \$800 per month for electricity the city used for lighting. The City was thirteen months in arrears on its payments which had accumulated to \$10,499.60. Marlow offered to lower the monthly rate to \$550, retro-active for thirteen months. This action would save the city approximately \$3500.

later it granted the "Brill Ordinances": 489, 490 and 491, covering electric power, gas and street railways respectively.⁵⁰ Ordinance 491 covered all Helena street railway operations. It adhered generally to the provisions of Ordinance 47, but made significant modifications. It specified routes the Helena Power and Light Company then operated; required a minimum of six cars per day on each route; allowed the use of "T" rail; and permitted cars to operate at not more than ten miles per hour, but restricted the speed to six miles per hour on Main Street from the car barn to Helena Avenue.

The ordinance's most important provisions defined fare rates and the rebate due the city. Cash rates within the city were ten cents.⁵¹ If, however, the trolley's carried over 900,000 passengers a year, the rate dropped to five cents per ride and remained at that figure until such time as the annual passenger rate dropped below 900,000. The ordinance further required the company operating the street railway to pay a rebate to the City of Helena. The rebate varied on a sliding scale from one percent to two percent, based on the gross receipts of the Helena Power and Light Company for the year ending December 31,

⁵⁰Ordinances 489, 490 and 491. City of Helena, passed April 4, 1901.

⁵¹Ordinance 491. A complete rate scale follows:
In-city travel:

- 10¢ cash, single fare for one continuous ride.
- 4 tickets for 25¢, 8 tickets for 50¢, good for one continuous ride.
- 40-ride card for purchaser and family for \$2.00.
- Strips of 10 tickets for school children on school days, 25¢.
- Transfers were available at Sixth and Main.

Rates on the East Helena line were 10¢ cash, except between 6:00 A. M. and 5:10 P. M., when they were 5¢ each way.

1900.⁵² A final provision in Ordinance 491, was a concession to the company. The franchise did not require continued operation "of said railway lines or any part or portion thereof at a loss."⁵³

George Brill did not immediately exercise his option to purchase the Helena Power and Light bonds and stocks. The company defaulted on its bond interest and the Central Trust Company instituted receivership proceedings, October 15, 1901. T. A. Marlow retained the company presidency, but a Federal court named H. L. Walter, receiver.⁵⁴ The corporation's affairs remained under the court's jurisdiction until July 2, 1902.

The Bureau of the Census made a comprehensive study of all street railways in the United States in 1902. The report included an enumeration of Helena Power and Light Company physical property and a breakdown of its business during the 1901-1902 fiscal year. Cars traveled 103,000 total miles, logged 25,920 car hours and carried a total of 349,239 fare passengers.⁵⁵ The number of passengers carried was well

⁵²Ordinance 491. The sliding rebate scale was:

- a. 1900 receipts or less.1% of gross receipts.
- b. Amounts 20% above 1900 receipts. . . .1.25% of gross receipts.
- c. Amounts 40% above 1900 receipts. . . .1.50% of gross receipts.
- d. Amounts 60% above 1900 receipts. . . .1.75% of gross receipts.
- e. 80% or more above 1900 receipts. . . .2% of gross receipts.

The 1900 gross receipt figure is not available.

⁵³Ordinance 491. The ordinances pertaining to electric and gas utilities contained the same rate and rebate principle.

⁵⁴IDI, October 16, 1901.

⁵⁵SER, 1902, pp. 232-233, 252-253, 288-289, 314-315, 392-363. The company had seventeen cars in service, all equipped with fenders and hand brakes. The number included fifteen passenger cars (eleven closed electrified cars and four open trailers), one work car and one snow plow. Helena trolleys carried no mail or freight on a commercial basis. The trackage included seventeen miles of main line, .10 miles of sidings and turnouts and four miles of private-right-of-way, owned by the company.

below the 900,000 figure mentioned in the Brill Ordinances.⁵⁶

The court order of October 15, 1901, called for the "arrangement" of Helena Power and Light affairs. Thomas A. Marlow made those arrangements. On June 2, 1902, the City Council passed Ordinance 513. This gave Marlow "the rights and privileges heretofore granted to George W. Brill." Marlow also received permission to extend street railway service to the state capitol.⁵⁷ Brill was not out of the picture. The interests he represented controlled Helena street railway finances, but continued operations through Marlow under the Power and Light Company name.⁵⁸

Thomas A. Marlow, Henry M. Parchen, Albert L. Smith and Norman B. Holter formed the Helena Light and Traction Company to take over Helena's public utilities, June 26, 1902. The new corporation began operations

⁵⁶It should be noted that this figure was also considerably less than the 880,000 passengers carried in 1897. The company did not complain about a decline in patronage, so it may have juggled the 1901-1902 figures to maintain the ten cent fare.

⁵⁷Ordinance 513, City of Helena, passed June 2, 1902. The route to the capitol connected with the system at the intersection of Eighth Avenue and Idaho. It ran along Eighth to Montana, jogged south to Sixth, continued east in front of the capitol on Sixth to Roberts and rejoined the main line at the intersection of Roberts and Livingston.

⁵⁸HDI, September 21, 1913. The Independent of September 21, 1913, recapitulated the history of the Helena street railways to date. It stated that Brill and his associates purchased the Helena Power and Light Company sometime in 1902. These parties later sold the property to the Helena Light and Traction Company. No mention of the exact date of this first sale appeared in the Helena newspapers or in the official records the author located. Individuals in Helena were, nonetheless, aware of this sale. In discussing the ordinance granted to Marlow on June 2, the Evening Herald stated: "The city council last evening granted the new owners of the street railway a franchise for a line to the capitol." Brill's associates remained anonymous to Helena news sources. Later financial statements revealed that the Fidelity Trust and Savings Bank of Chicago was the trustee for the bonds of the Helena Light and Traction Company. It is possible that this institution or some facet thereof was associated with Brill or vice versa.

on July 2, and officially purchased the holdings of its predecessor from George M. Brill and associates.⁵⁹ The complicated affairs of the Helena Power and Light Company were not straightened out until May 14, 1906, but the concern ceased to function when the Light and Traction Company purchased its facilities.⁶⁰

The new corporation modified Helena's street railway system. Company officials ordered a new, electric, open car from the American Car Company of St. Louis.⁶¹ Numbered "12" and known unofficially as the "Big Open" it became one of the system's most remembered cars. It

⁵⁹Helena Light and Traction Company. Certificate of Incorporation, June 26, 1902. Filed with the Secretary of State, July 2, 1902. All incorporators were from Helena. The capital stock was \$100,000, divided into 1000 shares worth \$100 each. The incorporators and Kenneth Clark (perhaps representing the Chicago interests) each purchased one share of stock in the new company. These individuals increased the capital stock to \$250,000 on August 2, 1902. The new corporation purchased the Helena railway facilities from Brill and his associates the same day.

⁶⁰The Helena Power and Light Company filed annual reports with the Clerk and Recorder of Lewis and Clark County on September 5, 1902, January 7, 1904, and January 17, 1905. These reports were identical and listed the company's existing debt at \$488,276.39.

On May 14, 1906, various bondholders of the Helena Power and Light Company signed an agreement in which they released one another from any responsibility, debts, suits, etc., they had or might have as company bondholders. These individuals and the amounts of their holdings were:

Thomas A. Marlow.	\$163,425.00
Thomas A. Marlow as assignee of the heirs of C. A.	
Broadwater, deceased	51,775.89
Montana National Bank	42,708.33
H. M. Parchen	96,937.51
A. M. Holter.	9,375.00
A. L. Smith, trustee.	39,111.61
C. W. Cannon.	175.00
Henry Cannon.	21,491.66
	<u>\$425,000.00</u>

A copy of this agreement may be found in the T. A. Marlow papers.

⁶¹For a brief history of the American Car Company and other companies from which Helena lines ordered cars, refer to E. Harper Charlton. Railway Car Builders of the United States and Canada. Special 24, (New York: Interurbans, 1957).

was particularly popular on the line to the Broadwater Hotel. Local groups chartered the "Big Open" for special occasions, such as a serenade about Helena. Workmen in the car barn completed other "new" cars for the line. They remodeled two of the old passenger coaches the steam motor line used a decade before. The company renumbered the cars "No. 3" and "No. 4," although townspeople referred to the former trolley as the "Three Spot."⁶² Administrators changed routes as well as rolling stock. Construction crews completed a line to Fort William Henry Harrison, west of the Broadwater Hotel, in 1904.⁶³ The Fort Harrison line ran sporadically when the army stationed men at the installation. Another addition to the company's facilities was a new office building and power plant on Jackson Street.⁶⁴

Helena Light and Traction officials filed only two annual reports: one for 1903, the other for 1904. Capital stock paid in with property was \$249,500; that purchased with cash, \$500. The existing debt was \$225,676.30 in 1903 and \$225,921.40 in 1904.⁶⁵ The company did not realize a profit either year.

Local competition and outside events stimulated Helena street railway interests to consolidate from 1890 to 1894. Those interests demonstrated their inability to operate profitably until 1905. The debts of

⁶²IDI, December 2, 1906.

⁶³Polk, 1905, pp. 56-57.

⁶⁴This now deserted building is still standing.

⁶⁵Helena Light and Traction Company. Annual Report, January 5, 1904. Filed with the Clerk and Recorder, Lewis and Clark County, January 7, 1904. Annual Statement, January 6, 1905. Filed, January 7, 1905.

each company burdened the operation of its successor. Outside capital became more and more involved with each financial failure. The trend was obvious. Helena's financial resources were not adequate to alleviate the financial burden and operate the street railway on a profitable basis.

CHAPTER IV

CONTINUITY

J. G. White and Company of New York had resources adequate to relieve the financial burden which rested on the Helena street railway.¹ Helena's public utilities came under the complete influence of outside capital when Thomas A. Marlow sold all Helena Light and Traction Company property and rights to J. G. White and Company on September 11, 1905.² Two decades of uninterrupted street railway service began.

Marlow received "something over five hundred thousand dollars" for the Light and Traction property: approximately \$250,000 in cash and \$250,000 in bond assumption by the buyer.³ White and Company held the assets of Helena's public utilities for over one month while it made the necessary arrangements. Lewis Sperry, Harry W. Reynolds and Warren B. Johnson (all of Connecticut) completed a portion of those arrangements on September 21, 1905, when they incorporated The Helena Light

¹J. G. White and Company was a Connecticut corporation, organized in March of 1903 to succeed a New York company of the same name. "The company acts as consulting and construction engineers, and also finances and operates electric railroad, electric light and power, water power, gas and other properties." It had branch offices or representatives in Manila, London and Montreal. For further details on J. G. White and Company see Poor's, 1909, p. 1381.

²HDI, September 21, 1913. The May 14, 1906 agreement referred to in the previous chapter officially ended any significant local influence in the operation of Helena's public utilities. Marlow acted for George W. Brill and his associates who controlled the utilities. His precise relationship with those Chicago interests at that time is not known.

³MERC, XIII, pp. 202-203. The actual balance on the books of the Helena Light and Traction Company at that time was \$468,909.08. Neither Marlow nor J. G. White and Company made the exact amount of the sale known to the public.

and Railway Company under the laws of Connecticut.⁴ Officers were in Hartford, but Howard S. Reynolds represented the company in Helena.⁵ This corporation had a capital stock of \$1,500,000 and on September 30, it gave a \$850,000, twenty-year, first mortgage to the Knickerbocker Trust Company of New York. The five percent gold bonds were due September 1, 1925.⁶ A second step in the arrangements involved the hiring of a New York engineer to assess the total value of the former Light and Traction properties. The figure arrived at was \$2,350,000.⁷ October 15, 1905, J. G. White and Company sold all Helena street railway, gas and electric light and power utilities to the Helena Light and Railway Company for \$2,350,000.⁸

⁴The Helena Light and Railway Company. Certificate of Incorporation, September 21, 1905. Filed with the Secretary of State, September 26, 1905. The stated purpose of the company was to operate all manner of public utilities. The corporation was to last for forty years.

⁵The company had six agents during its operation in Helena. These men and the official dates of their employment were: Howard S. Reynolds (September 26, 1905 - November 25, 1905); C. E. A. Carr (November 25, 1905 - December 27, 1911); J. H. White (December 27, 1911 - June 26, 1912); W. C. Sharp (June 26, 1912 - November 26, 1913); W. C. Callaghan (November 26, 1913 - May 15, 1922); and Andrew T. Schultz (May 15, 1922 - November 3, 1925). Schultz continued as receiver after November 3, 1925. It should be noted that these are official dates of employment. Discrepancies and overlapping employment occurred.

⁶Poor's, 1906, p. 1020. The Helena Light and Railway Company. Annual Statement, May 21, 1906. Filed with the Secretary of State, May 26, 1906. Capital stock was divided into 600 shares of five percent cumulative preferred stock and 9000 shares of common stock. The \$850,000 first mortgage constituted the corporation's entire liability in 1906.

⁷MBRC, XIII, pp. 202-203. The basis for the difference between the buying and selling price was only the affidavit of this unidentified New York engineer.

⁸MBRC, XIII, p. 202. The exact terms of the sale were: \$1000 in cash, used for the purchase of five shares of preferred stock and five shares of common stock; 5995 of the 6000 shares of the cumulative preferred stock in the Light and Railway Company; 8995 of the 9000 shares of common stock; and 850 of the first mortgage bonds valued at \$1000 each. In addition, the president of the Helena Light and Railway agreed to discharge all the indebtedness of the Helena Light and Traction.

Helena residents were unaware of the complicated financial arrangements between the J. G. White company and the newly incorporated Light and Railway. Local concern focused on nickels and dimes, not stocks and bonds. "Nickel Car Fares in Capital City" read the headline in the Independent, October 15, 1905. "The Helena Light & Railway company puts into effect this morning its reduced street car fare of five cents. No more red tickets, no more two-dollar books. It's a nickel if you want to ride and that is the whole story."⁹

The "whole story" involved much more. J. G. White and Company controlled the Light and Railway, a fact which became more obvious with the new year. In an agreement signed January 1, 1906, the Helena corporation hired the New York concern as its general manager. The annual fee was seven and one-half percent of the utility's net earnings. Helena Light and Railway's Board of Directors also authorized the J. G. White company to make \$140,000 in improvements on Helena's gas, electric and street railway facilities.¹⁰ Stockholders held their first annual meeting in Hartford, Connecticut on February 7, 1906. Those in attendance approved the directors' actions and elected new administrators for the coming year. A list of stockholders, included in the official minutes of the meeting, revealed J. G. White and Company retained 7541 shares

Company except such debt as was secured by mortgage or other lien on its property. This referred to a \$175,000 first mortgage of the Helena Gas Light and Coke Company, due July 10, 1910 at the office of the trustee, the Minneapolis Trust Company. J. G. White and Company satisfied this mortgage.

⁹HDI, October 15, 1905. The Brill rates were in effect.

¹⁰The Helena Light and Railway Company. Minute Book, II, pp. 9 and 28, hereafter cited as HL&R Minutes.

of stock -- forty-one more than fifty percent.¹¹

¹¹Peor's. 1906, p. 1020. Moody's Investors Service. Moody's Manual of Investments, Public Utilities Securities, 1927. (New York: Moody's Investors Service, 1927), pp. 263, 430 and 914, hereafter cited as Moody's. HL&R Minutes, pp. 3-6. The first officers were: President, P. G. Gossler (N. Y.); Vice-President, H. M. Gerry, Jr. (N. Y.); Secretary, H. S. Collette (N. Y.); Treasurer, G. W. Bunnell (N. Y.); Assistant Secretary-Treasurer, H. L. Walker (Helena); Manager, C. E. A. Carr (Helena). The first elected Directors included: C. A. Coffin, Arthur Coppel, P. G. Gossler, S. Z. Mitchell, F. H. Reed, F. S. Smithers and J. G. White, all of New York. A list of the ten largest stockholders, and the amount of stock each held, follows:

H. S. Collette.	697
Arthur Coppel.	470
Electric Bond and Share Company	700
Engineering and Electrical Securities Corporation. .	680
H. M. Gerry, Jr..	850
Mainland Coppel and Co.. .	240
S. Z. Mitchell.	281
J. G. White and Co., Ltd. .	380
J. G. White and Co., Inc. .	7541
J. G. White	610

12,449 shares of 15,000 total.

The affairs of the Helena Light and Railway Company were and became more involved. At this point the reader should be aware of such involvement only in that it is indicative of the outside control which influenced Helena's public utilities. The author makes no attempt to delineate the extent of these financial holdings or arrangements beyond the stock listed above. These holdings changed, no doubt, but the requisite statistics are not available to substantiate any specific conclusions. Two examples may suffice to suggest the complicated nature of these affairs.

H. M. Gerry, Jr., was, in 1906, the General Manager of the Missouri River Power Company and the Helena Power and Transmission Company. The Helena Light and Railway Company purchased its electrical power from the former corporation. These two power companies later became part of the Montana Power Company and Gerry assumed an official role in this concern while retaining his stock-holding relationship with the Helena Light and Railway.

The Electric Bond and Share Company was a New York corporation which supervised various public utilities holding companies throughout the United States. Among these holding companies was the American Power and Light Company, incorporated under the laws of the State of Maine, September 20, 1909. S. Z. Mitchell was Chairman of the Board of Directors of the American Power and Light Company and a director of both the Helena Light and Railway and the Montana Power companies. In 1928 and 1929, the American Power and Light Company assumed complete control of the Montana Power Company and the Helena Light and Railway's successor, eventually merging the two. In the interim, however, the influence of these outside interests should not be discounted.

Two accidents marred the Helena Light and Railway's first year of operation. On the evening of April 15, 1906, Alvin Robinson, a minor and an enlisted soldier at Fort Harrison, slipped while attempting to board a trolley from the wrong side at the fort. The car crushed his ankle and necessitated amputation of the foot. W. H. Hirst, Robinson's guardian, brought a negligence suit against the company. A District Court jury awarded Robinson \$10,000 and \$98.95 in costs, February 17, 1908. The street railway company appealed the decision. Montana's Supreme Court reversed it during the December term, 1908, ruling that because Robinson attempted to board the car from the wrong side, he was not an official passenger and the company had no responsibility for his safety.¹²

Under the headline "Yergy Meets Sudden Death" the Montana Daily Record ran a full-column story reporting the December 1 death of George O. Yergy, a prominent Helena lumber dealer. The collision occurred at the intersection of Lyndale and Benton when Car 3 struck and demolished Yergy's buggy. "The accident is hard to explain," the story stated. Motorman Stephen Peterson was one of the "oldest and most careful employees [sic] of the system. On the other hand Mr. Yergy is known to have been a clear headed man, in full possession of his faculties."¹³ Witnesses at the inquest December 3, testified the car was traveling at a moderate rate of speed, the motorman rang the gong well in advance of the intersection and yet Yergy remained oblivious to the impending collision. The coroner's jury felt the accident was due to "the absentmindedness of the deceased in attempting to cross the street at the time . . ."

¹²HDI, April 16, 1906. Montana First Judicial District, Case 6453 and Judgment Docket, 1, p. 207. Reports of Cases, XXXVIII, pp. 222-250.

¹³The Montana Daily Record, December 3, 1906, hereafter cited as MDR.

The verdict went on to recommend city authorities "compell the street car company to equip their cars with proper safety guard."¹⁴ The Helena Independent's editor felt the accident "should serve as a caution to drivers and pedestrians who . . . have come to take it for granted that 'the other fellow' will get out of the way or stop in time to prevent a collision." The editor went on to philosophize that "The danger of these collisions is one of the penalties of a great modern convenience," and concluded that the driving public should realize street cars were unable to stop quickly.¹⁵

Yergy's wife, Mary Alice, did not share the opinion of the inquest. On March 1, 1907, she sued the company for negligence and asked \$50,000 in damages. A District Court jury concurred with Mrs. Yergy's point of view, awarding her \$40,000 and \$209.50 in costs on April 4, 1908. Company lawyers filed an appeal, September 28, 1908. The Montana Supreme Court reviewed the testimony and concluded that Yergy had not acted with all due caution. It also noted Yergy's estate was worth approximately \$70,000 plus life insurance. In lieu of these facts, the high court felt damages were excessive and there was, perhaps, some prejudice demonstrated against the company. The court modified the judgment to \$15,000 and costs.¹⁶ The company's Directors eventually settled the matter for the sum of \$16,849.47.¹⁷

¹⁴HDR, December 4, 1906. HDI, December 4, 1906. The City Council ultimately passed such an ordinance.

¹⁵HDI, December 3, 1906.

¹⁶Montana First Judicial District, Case 6397 and Judgment Docket, 1, p. 208. Reports of Cases, XXXIX, pp. 213-243.

¹⁷HL&R Minutes, II, p. 97. Company officials stated that the payment of the judgment forced them to operate at a loss during 1909, but available financial statements do not bear this out. The officials probably meant only the company's railway department operated at a loss.

Helena Light and Railway officials concerned themselves with matters other than accidents during 1906. Helena's public utilities needed reconditioning. Three new single-truck, closed passenger cars arrived from the Jewett Car Company of Ohio; the utility made minor modifications in its agreement with the Missouri River Power Company; and workmen relayed several worn segments of track throughout the system. The City Council granted Ordinance 619 on December 3, 1906, permitting the railway to make certain route modification. These changes provided increased service for east and west side residents.¹⁸ Regular freight service to East Helena began early in 1907, but proved unprofitable. The new company's overall efforts were effective. Its financial statement for 1906 revealed an increase of \$1,685 in new profits.¹⁹

Tangent to the reorganization of Helena's trolley line was the organization of street railway labor. Company employees formed the Street Railway Men's Union, Local No. 30, during 1906, but the brotherhood remained inactive for several years.²⁰ Labor interests on a state

¹⁸HL&R Minutes, II, pp. 54-57. HDI, December 4, 1906. Folk, 1906, p. 57. Ordinance 619 authorized the company to modify an old branch of the Helena, Hot Springs and Smelter, and to add several spurs to improve service. The company ceased operation and removed tracks from Sixth and Park, south on Park to Clark Street, on Clark to Harrison, on Harrison between Clark and Lawrence, and all track on Flowerree and Hayes. In place of the track removed, the company laid track on Lawrence from Park to Harrison, then on Harrison from Flowerree to Knight, and a second line of track on Knight from Harrison to Hayes. (There was a single line of track on Knight already.) The company completed additional spurs between Fuller and Park on Placer, between Montana and Roberts on Eighth, and from Main on State Street to Chaucer.

¹⁹Foor's, 1907, p. 1175. Compared with 1905, gross earnings for the year ending December 31, 1906, increased \$18,075; operating expenses increased \$16,389; and net earnings, \$1,685. (See Appendix A.)

²⁰BALI, 1906, p. 241. Letter from O. J. Mischo, Secretary-Treasurer, Amalgamated Transit Union, Washington, D. C., dated March 20, 1968. When Helena street railway employees formed an active union, they did so under

level were active, nonetheless. The State Legislature approved the "enclosed platform" law Populist Charles K. Brown sought in 1895. This act required companies to provide a structure of "suitable material" to protect motormen from inclement weather between November 1 and May 1 of each year. The law excepted open cars operated for not more than four consecutive hours and permitted motormen to remove the front glass pane if it impaired vision during heavy snows. Companies not complying with the law's provisions were guilty of a misdemeanor punishable by fines of at least \$50, but not more than \$150 for each offense.²¹

The Bureau of the Census completed a study of the nation's street and electric railways in 1907. The published report included a detailed breakdown of the Helena Light and Railway Company's operations. The line maintained eighteen and eight-tenths miles of track over which its seventeen passenger cars traveled 373,094 miles and carried 1,820,657 customers during 1907. Total rolling stock included twenty cars, all equipped with hand brakes: the seventeen passenger cars (thirteen closed and four open), two non-powered work cars and one snow plow.²²

W. M. Briggs, Chairman of the Montana State Fair Association's Executive Committee, wrote to the trolley line's Board of Directors on

the auspices of the Amalgamated Street Railway Employees Union. Division No. 495, Helena, Montana, received its charter on January 31, 1908. The division was active for a short time but experienced a period of inactivity from approximately 1910 to 1914 or 1915. After 1915, the union remained active until the company abandoned operations in 1927. The union never struck. Available information indicates Division No. 495 and the Helena Light and Railway Company had amicable relations throughout their histories.

²¹Montana Railroad and Public Service Commission. The General Laws and Constitutional Provisions of the State of Montana, 1913, pp. 322-323.

²²U. S. Bureau of the Census. Street and Electric Railways, 1907, pp. 352-353, 404-405, 436-437, 504-505.

March 4, 1903. Briggs asked the company to consider extending its tracks to the fair grounds north of Helena. The Board discussed the matter in its April 15 meeting. After examining the cost and possible revenue of such a branch, the directors decided against the extension. The company did not feel "warranted in extending its street railway tracks to the State Fair Grounds." A "careful estimate of the earnings from this extension" showed that "the returns therefrom would not be sufficient to pay the operating and fixed charges on same."²³ Board members felt warranted in allocating company funds for another recreational project later in 1903. September 13, they passed a resolution authorizing expenditures totaling \$1800 for the construction of a skating pond and building near the Broadwater Hotel.²⁴ The skating pond attracted winter passengers while summer service to the Broadwater plunge and Central Park proved most lucrative for the company.

City-wide service improved during 1909 when the company received two new, single truck, urban cars from the Cincinnati Car Company. Car 12, the "Big Open," was in the news on September 16, 1909. Returning from Fort Harrison, motorman Harry E. O'Neil attempted to slow down the big car, using the standard manual brake. Suddenly the handle snapped out of O'Neil's hand and struck him in the chest. The force of the blow was sufficient to knock the motorman unconscious, puncture his lung and cause him permanent injury. O'Neil brought suit against the company and the car inspector June 3, 1910. The suit charged the line and the inspector with negligence in car safety, and asked for \$20,000 in

²³HL&R Minutes, II, pp. 75-76.

²⁴HL&R Minutes, II, p. 84.

damages. A District Court jury returned a verdict in O'Neil's favor on October 18, 1910, awarding him \$500 in damages and \$170.30 in costs. A higher court refused to hear the company's appeal so the trolley line satisfied the judgment February 24, 1911.²⁵

J. G. White and Company achieved consolidation and continuity within Helena's street railway system. By 1909, however, competition arose from without. Automobiles began operation on Helena's streets. The City Council passed the first ordinance regulating the use of automobiles on September 22, 1905. It required car owners to register vehicles with the Chief of Police, to sound horns when approaching intersections and to limit speed at all times to eight miles per hour.²⁶ A second ordinance, passed four years later, made note of the fact that automobile owners carried passengers for hire -- in competition with trolley cars. The September, 1909 ordinance specified rates for the budding taxicabs. Taxi business was best during the State Fair week, and over-charging ran rife. The Chief of Police stated in a newspaper interview that he was aware of the practice and he asked passengers to note the car number and get the driver's name if over-charged.²⁷

Helena Light and Railway total liabilities in 1909 exceeded the original \$850,000 first mortgage. The company realized a surplus each year since 1906 and declared regular dividends on common and preferred stock, but total liabilities rose to \$901,226.13.²⁸

²⁵Montana First Judicial District, Case 7216 and Judgment Docket, 1, p. 209.

²⁶MDR, September 23, 1905.

²⁷MDR, September 27, 1909.

²⁸The Helena Light and Railway Company. Annual Statement, April 26, 1910. Filed with the Secretary of State, May 2, 1910. Annual Statement,

Labor costs rose in 1910. The three-year agreement between the company and its conductors and motormen expired October 31. That contract specified wages of thirty cents per hour. In a hasty meeting on October 28, directors decided the company could not afford to raise the pay scale above the thirty-cent level. Nevertheless, the Board informed its Helena manager, J. H. White, that if this was inadequate, he might make adjustments.²⁹ The adjusted pay scale proved satisfactory to conductors and motormen, who renewed their agreement with the company.

State legislators, members of the State Fair Commission and residents of Helena sought to convince Light and Railway directors to reconsider their 1908 resolution against a fair grounds branch. Company administrators, re-examining their figures in 1911, again concluded it would cost approximately \$90,000 to construct such a line, which would be unprofitable to operate for only one week each year. Local interests persisted and eventually prevailed. On January 26, 1911, the company's

June 16, 1909. Filed, June 23, 1909. Annual Report, July 31, 1911. Filed, August 7, 1911. Total liabilities in 1908 were \$885,140.07; the first mortgage with Knickerbocker Trust secured \$835,000 of this. \$860,000 of the 1909 liabilities was secured by the mortgage, indicating the company sold more of its gold bonds which had a total authorized issue of \$1,500,000. Total liabilities in 1910 declined to \$899,322.19. The company sold no more bonds.

²⁹HL&R Minutes, II, pp. 132-133. The adjustments authorized and ultimately accepted were:

First year employees. . . . .	.30¢ per hour.
Second year . . . . .	.31¢
Third year. . . . .	.32¢
Fourth year . . . . .	.33¢
Fifth year. . . . .	.34¢
Sixth and subsequent years. . .	.35¢

directors authorized construction of the branch line to the fair grounds with reservations: 1) the City of Helena, the State of Montana, or some other responsible party, must build the requisite viaduct across the steam railroad tracks; 2) the City of Helena had to grant the company a twenty-year franchise to operate the line and permit the company to charge an extra fare; 3) the Missouri River Power Company had to charge a reasonable rate for the excess power the company used during State Fair week and not increase its annual charge; and 4) Helena must renew its present street lighting contract for five years or longer and promise not to enforce a reduction in lighting rates for at least five years.³⁰ Company stockholders and the necessary Montana parties agreed to the board's stipulations. On June 23, the City Council passed Ordinance 804 which opened the way for construction. Company workmen completed the branch in time for the State Fair in the fall of 1911.³¹ Construction costs caused a predictable rise in the company's total liabilities

³⁰HL&R Minutes, II, pp. 138-139. Company records indicated the Helena Commercial Club was responsible for applying considerable pressure for a fair grounds branch.

³¹HL&R Minutes, II, pp. 144-147, 157, and 164-165. Stockholders who met on February 1, 1911, were adamant that someone else construct the steam railway crossing. They did, however, approve a tunnel or viaduct, whichever was more feasible. In spite of previous protestations, the directors later allocated \$5000 to help defray the cost of constructing the railway undercut. Ordinance 804 authorized the Helena Light and Railway to construct a single track on Neill Street from Fuller to Park; second and additional track on Benton from Park to Hollins and on Hollins to Henderson; and a double track on Henderson from Hollings to Maukasha and State Fair Boulevard, then north to the fair grounds. The ordinance set the fare at fifteen cents one-way and twenty-five cents round trip. It required service on the branch only during State Fair week.

for 1911 -- an overall increase of \$85,942.77 above the 1910 figure.³²

Expansion continued in 1912. Workmen constructed a new loop of track at Central Park and reconditioned much of the rolling stock. But, the most important improvement was a new car barn and shop. The company inherited the old Helena Electric Railway car house at Main and Cutler in 1905. Expanded operations and increased rolling stock over-crowded the thirty-year-old structure. Contractors completed a new, brick, steel and concrete car barn -- "undoubtedly the finest of its kind in Montana" -- in May of 1912, at a cost of \$38,500.³³ It was the pride of the company for many years.³⁴

An accident and rising liabilities plagued the Light and Railway company as 1912 closed. Car 11 hit Mary A. Cole, a vegetable dealer, on September 28, as she drove her light spring wagon to the State Fair. She filed a complaint on December 21, charging motorman Frank Vickery with negligence and asking \$15,000 in damages from Vickery and the company. A District Court jury, and later the Montana Supreme Court, decided Mrs. Cole was careless and that Vickery had done everything in

³²The Helena Light and Railway Company. Annual Statement, April 30, 1912. Filed with the Secretary of State, May 7, 1912. Construction of the branch to the fair grounds cost the company approximately \$81,000, plus the \$5000 allocated for the undercut. To finance this construction, the directors sold an additional \$80,000 in gold bonds to the Knickerbocker Trust Company, raising its indebtedness under the first mortgage to \$940,000. Total liabilities in 1911 were \$985,264.96.

³³HL&R Minutes, II, p. 136. The quote is taken from HDI, September 21, 1913.

³⁴The building is still standing at the corner of Last Chance Gulch and Cutler. Signs on the front of the building attest to the fact that it has been used as the "Placer Hotel Garage" and "Norm's Tire Service."

his power to stop the car. The company paid only \$28.00 in court costs.³⁵ If the company won the legal battle, it lost the conflict with rising liabilities. The total increased to \$1,070,395.77 by the end of 1912.

1913 was a year of courts and commissions for the Helena Light and Railway Company. Legal difficulties carried over from 1912 when the City of Helena sought to require the street railway company to light the entire length of streets on which it operated. An early city ordinance required all railroads to light their entire right-of-way within Helena. Aldermen now sought to group the street railway with the steam railroads. A District Court decision supported the city's demands, but on February 13, 1913, the Montana Supreme Court overturned the ruling. The upper court decided there was a distinct difference between "railroad" as the ordinance specified, and "street railroad." The city could not, under the guise of its police power, require the company to light an entire street -- that was the duty of the city itself.³⁷

Company lawyers were soon back in District Court, this time on an accident claim. Mary Batch boarded Car 4 at 5:40 on the evening of April 30. Conductor James King reached to pull the register strap to record Mrs. Batch's fare. The car rounded a corner, the strap broke, and King was thrown against Mrs. Batch so hard she received permanent injuries. Her husband filed suit charging the company and King with

³⁵Montana First Judicial District, Case 8012. Reports of Cases, XLIX, pp. 443-454.

³⁶The Helena Light and Railway Company. Annual Statement, May 15, 1913. Filed with the Secretary of State, May 20, 1913. First mortgage liabilities held by Knickerbocker Trust increased to \$1,019,000.

³⁷Reports of Cases, XXXIX, pp. 18-38.

laxity in keeping equipment in proper repair. The case eventually reached Montana's Supreme Court which exonerated King of all guilt, but held the company responsible for the condition of its equipment. Helena Light and Railway officials eventually satisfied the judgment for \$200 in damages and \$139.50 in costs.³⁸

Progressive reform reached Montana's state legislature in 1913. A series of laws passed in March and April of that year exerted considerable influence on street railway operations in Helena as well as other cities throughout the state. The first act (March 1) required trolley car vestibules to be heated in the same manner as the interior. The second measure (March 13) stipulated that all cars must have two independently operated brake systems -- one mechanical and the other air, electric short-circuiting or electric-magnetic. The third law (March 15) set further regulations "for the protection of street car employees" in the form of a windshield across the front of all open cars operated during winter months.³⁹ The most influential act of the Thirteenth Legislative Assembly was yet to come. Chapter 52, Session Laws 1913, made the Board of Railroad Commissioners ex-officio the "Public Service Commission of Montana," having jurisdiction over any and all public utilities. Section 3 of the new law defined public utilities to include, among other things, gas, electric and street railway service. Section 10, gave the Commission power to set rates; but Section 12 forbade it from taking action that would "have the effect of suspending, recinding, invalidating or in any way affecting existing contracts." Section 13

³⁸Montana First Judicial District, Case 8142 and Judgment Docket, 1, p. 211. Reports of Cases, LII, pp. 517-527.

³⁹IBRC, VI, pp. 204-205, 323 and 324. Violation of each law was a misdemeanor and was punishable by a \$10 per car per day fine.

vested the Commission with the power to set schedules as well as rates and stipulated that all public utilities must abide by the decisions of the Commission.⁴⁰ The body organized at a special meeting March 19, and adopted rules and practices for cases presented, on April 7: "Should any public utility desire to change, alter, modify or extend any rate, toll, charge, rule, regulation or service, . . . application shall be made to the Commission, and such application shall set forth explicitly the nature thereof, and the Commission shall either grant or decline such application."⁴¹

F. J. Edwards, Fred Naegele and the City of Helena desired to change, alter and modify the rates and service of the Helena Light and Railway Company. They charged the company with excessive, unreasonable and discriminatory rates and practices in the furnishing of electricity in Helena. The P. S. C. held a series of hearings from July 7 to July 14 and compiled over 600 pages of testimony, the bulk of which was primarily concerned with "the value of property involved," "a reasonable return upon the investment," and "a consistent basis of rate making." The Commission issued Report and Order No. 74 on November 3. It adjusted electric rates to what the commissioners felt was a more equitable basis, but it did not question the right of the company to operate all three utilities under one management. The report cited Chapter 52, Section 12 of the 1913 Session Laws and the Brill ordinances of 1901,

⁴⁰MBRC, VI, pp. 166-167 and 172. Quote taken from page 172. The Montana Board of Railroad Commissioners and Ex-Officio Public Service Commission will hereafter be referred to in the text of this work as "the Public Service Commission," "the P. S. C.," or "the Commission."

⁴¹MBRC, VI, pp. 182-186. Quote taken from page 186.

concluding that these ordinances permitted operation of all three public utilities under one management.⁴² This action set a precedent for future rulings on the Helena Light and Railway's operations. The Commission often mentioned the unusual nature of its permissiveness and noted the tacit approval of Helena residents.

A glowing article in the State Fair Edition of the Helena Daily Independent in September of 1913, indicated the Light and Railway company enjoyed press support as well as public approval. The Helena Light and Railway Company "must be reckoned among the agencies that have exerted an influence in the up building of Helena and placing it in the forefront of wideawake and progressive western municipalities. There are few towns, if any, in the west that can boast of a better equipped street railway system . . . operated by a courteous, accommodating and competent gathering of men."⁴³ The newspaper also noted that this "gathering of men" worked continually to keep the line in repair and to improve service.

Helena's Eagles Lodge and John D. Ryan, president of the Montana Reservoir and Irrigation Company, sought improved service in a specified direction -- east to Hauser Lake. The Eagles built a club house on the lake and wanted trolley service to their door.⁴⁴ Ryan sought interurban service to the Prickly Pear Valley which he hoped to develop.⁴⁵ Throughout September, October and November of 1913, Ryan offered to contribute

⁴²MBRC, VI, p. 195.

⁴³HDI, September 21, 1913.

⁴⁴Interview with Lester H. Loble, Helena, Montana, April 9, 1968.

⁴⁵Earlier, Helena and Butte interests attempted to construct an interurban between the two cities. James Deering of the Collins Land Company returned to Helena after a three-week trip to the Seattle-Tacoma area, on March 12, 1907. He visualized an interurban line

\$50,000 to the construction of such a line.⁴⁶ Despite additional pressure by Helena's Commercial Club, the Light and Railway Company never extended its track beyond East Helena.

Autos and indebtedness increased although trackage did not. Helena residents purchased more and more automobiles as the new transportation medium improved. 1913 was the first year the state licensed motor vehicles. The Secretary of State registered 242 in Helena; the Helena Cab Company owned nine of these.⁴⁷ Company liabilities also increased to a new figure in 1913: \$1,168,439.02. The total dropped the following

between the two Montana cities as profitable as those he witnessed in Washington. Such a line received backing from influential men both inside and outside of Montana, including then Governor Joseph K. Toole. F. M. Shire, S. E. Roberson and Harry W. Davis (all of Delaware) incorporated the Montana Rapid Transit Company on January 16, 1909. The company's existence was perpetual; its capital stock was \$5,000,000. When company officials filed the incorporation papers on April 2, 1909, Helena's newspapers ran broad headlines announcing the event. The articles and a subsequent prospectus which the company published, included two pictures of a three-car interurban train lettered "Montana Rapid Transit Co." The negatives were etched, for the line never operated, in spite of the commotion it created. Officials dissolved the corporation on March 3, 1925. Had the line been built, it would have served the Frickly Fear Valley.

Additional information on the Montana Rapid Transit Company may be found in articles in the Helena Daily Independent, March 13, 1907, March 15, 1907, and April 3, 1909; in the undated prospectus (a copy of which is on file at the Montana State Historical Library in Helena); and from the Certificate of Incorporation and the Annual Reports on file with the Secretary of State, Helena, Montana.

⁴⁶These offers appeared in the Electric Railway Journal, Vol. XLII, No. 13 (September 27, 1913), p. 522; No. 17 (October 25, 1913), p. 954; and No. 20 (November 15, 1913), p. 1080.

⁴⁷Montana Secretary of State. Automobile Registrations, I, 1913 to October, 1916, pp. 1-119. The Secretary of State's figures disclosed a total of 5916 motor vehicles registered in the state during 1913. There is no record of the Helena Light and Railway owning any motor vehicles at this time.

year, only to inch upward once more.⁴⁸

The trolley line was popular in Helena as the first years of World War I passed in Europe. The company made minor trackage modifications, but cars ran much as usual. Local groups chartered the "Big Open" and rode about town serenading or traveled en masse to the Broadwater plunge. On the Fourth of July, and other festive occasions, workmen decorated the cars. An American flag flown from the trolley rope of each car was the most common adornment. Boys from Mount St. Charles College (now Carroll College) occasionally rocked the Lower Broadwater car until it came off the track; consequently, it was not uncommon to find the institution's Dean of Men riding the small, single-track trolley on a Saturday.⁴⁹ The United States moved slowly along the track toward war.

Emet R. Griffin, Butte's city auditor, claimed he slipped and injured his leg disembarking from a Helena Light and Railway car on

⁴⁸The Helena Light and Railway Company. Annual Statement, May 15, 1914. Filed with the Secretary of State, May 23, 1914. Annual Statement, May 18, 1915. Filed, May 22, 1915. Annual Statement, April 20, 1916. Filed, April 29, 1916. Annual Statement, March 26, 1917. Filed, March 30, 1917.

The amount the Knickerbocker Trust Company held under the first mortgage increased to \$1,085,000. Total liabilities and first mortgage indebtedness declined in 1914. The figure for the former was \$1,114,119.57; for the latter, \$1,063,000. Total liabilities in 1915 were \$1,125,915.50, and in 1916, they were \$1,134,854.99. First mortgage indebtedness was \$1,067,000 in 1915 and \$1,043,000 in 1916.

⁴⁹Ordinance 899, City of Helena, passed March 15, 1915. Ordinance 902, passed April 14, 1915. These two ordinances provided for the company's only track modifications during 1915 and 1916. Ordinance 899 granted permission to remove rails, poles and other equipment from Fuller and Placer streets and to replace them with new track beginning at the intersection of Neill and Fuller and running east on Neill to Main. Ordinance 902 gave the company the right to construct a small spur on Beattie Street, south from State. Information on the social events of this period was taken from an interview with Rev. George B. Gerner, Butte, Montana, March 3, 1968.

January 29, 1917. He sued the company for \$10,300 but a District Court jury "could not see it that way, and unanimously denied damages." The company experienced a rash of suits for alleged boarding accidents during 1917, but it won all the cases.⁵⁰

The trolley line's most trying problems in 1917 were automobiles and route changes, not legal cases. Motor vehicle registration increased in Helena and the state as a whole. The Secretary of State licensed 1068 vehicles in Helena and an additional seventy-six in East Helena during 1917. Even the Light and Railway company found the flexible new travel medium a necessity. It purchased two Fords and a Hudson for its own use.⁵¹ The most disturbing use of motor vehicles was not the company's, but the competitive taxis operating throughout Helena. Street railway officials applied pressure to the City Council and secured an ordinance which regulated automobiles during the State Fair week. Ordinance 972 required all motor vehicles to come to a complete stop twenty feet from a street car taking on or letting off passengers. The measure also closed the business district on Main, between Lawrence and Sixth, to all vehicles except trolley cars. It further regulated automobile routes to the fair grounds and demanded the horseless carriages yield the right-of-way to everyone and everything. Severe fines and jail sentences awaited violators.⁵²

Equipment and labor costs rose after the United States entered the First World War in April of 1917. Helena Light and Railway administrators

⁵⁰HDI, January 19, 1918.

⁵¹Montana Secretary of State. Automobile Registrations, II, pp. 83-87, 203-204, 268, 319 and 354-355.

⁵²Ordinance 972, City of Helena, passed September 24, 1917.

sought to alleviate increased expenses by discontinuing or modifying unprofitable branch lines. One such branch was the Upper Broadwater line. The company presented its case before the Public Service Commission on December 3, 1917. Officials presented voluminous statistics which convincingly demonstrated that: 1) only three people would be affected in the sparsely settled section beyond Mountain View Avenue on the upper line; 2) through traffic from the hotel and the State Nursery could be handled adequately on the lower route; 3) the track on Knight and the old Helena Motor Railway trestle were unsafe and would be expensive to rebuild; and 4) the entire system operated at a loss, but the Upper Broadwater route was particularly unprofitable. The company proposed to connect the two lines by means of a new track on Mountain View Avenue from Knight to Hollins and to improve service to the hotel. The company's arguments persuaded the Commission, which issued Report and Order No. 223, January 21, 1918.⁵³ Workmen quickly completed the route change, but the financial dilemma created by rising costs did not ease.⁵⁴ A rate increase appeared to be the only solution.

Do You Know
There are Four Things in Helena
That Have not Raised in Price
Street Railway Fares
Electricity -- Gas -- Coke⁵⁵

⁵³MERC, XI, pp. 76-79.

⁵⁴The Helena Light and Railway Company. Annual Statement, April 10, 1918. Filed with the Secretary of State, April 15, 1918. Total liabilities in 1917 were \$1,170,613.23. Columbia Trust Company of New York assumed the first mortgage the Knickerbocker Trust Company held. The mortgage itself remained unchanged from the 1916 figure: \$1,043,000.

⁵⁵The quote is taken from a half-page advertisement which first appeared in the Helena Independent December 31, 1917. The advertisement was in bold, one-and-one-half and one-inch print. It was bylined: "The Helena Light & Railway Co."

Members of the street car union opened 1918 with an annual installation of officers and a party. They met in the Labor Hall, "held a big social session, and altogether made a night of it." The festivities broke up in time for the men to go to work the next morning.⁵⁶

As labor celebrated, management despaired. The five cent fare was inadequate. On August 7, Helena Light and Railway officers petitioned the Public Service Commission for a rate increase to ten cents for in-city travel and trips to the Broadwater Hotel or Fort Harrison; fifteen cents to East Helena; and twenty-five cents to the fair grounds.⁵⁷ The Commission scheduled hearings for August 21, 22 and 23. Vice-President J. H. Pardee occupied the witness stand all day August 21. He was not happy. The company operated at a \$7,214.41 deficit for the first six months of 1918, he reported. Wages were up six to forty-two percent over those of 1916. Material costs increased twenty-two to 144 percent during the same two-year period, Pardee went on.⁵⁸ The State Fair branch

⁵⁶HDI, January 18, 1918.

⁵⁷MBRC, XI, pp. 169-170.

⁵⁸MBRC, XI, p. 171. Montana Department of Labor and Industry. Third Biennial Report, 1917-1918, p. 143. The Commission broke down the wage schedule by position and the material prices by item. Select percentage increases over 1916 costs were as follows:

Wages:

Motormen and conductors. . .	.133-21%
Railway shop foremen . . . . .	.11%
Track foremen. . . . .	.47%
Track laborers . . . . .	.35%
Groundmen. . . . .	.25%
Stationmen . . . . .	.6%

Price of Materials:

Car wheels . . . . .	.96%
Gear wheels. . . . .	.132%-144%
Poles. . . . .	.97%
Wire . . . . .	.22%
Ties	106%
Track spikes . . . . .	.69%

was the most unprofitable line. The Light and Railway imported extra workmen from Butte to operate sufficient cars for the fair. It paid Butte motormen higher wages in addition to transportation and lodging costs. Revenues during fair week were inadequate to meet these expenses. Pardee predicted a \$14,673.18 deficit during 1918 and foresaw possible cessation of street railway operations if the P. S. C. did not approve the rate increase.⁵⁹

Commission members examined the testimony, consulted some figures of their own and issued their decision in Report and Order No. 245, November 18, 1918. The company was, indeed, not receiving sufficient revenue to meet expenses. The causes, the report concluded were three-fold: 1) the war effort increased labor and material costs; 2) a recent influenza epidemic closed places of public entertainment and resulted in a Public Health Department recommendation that people not ride trolley cars; and 3) the trolley's old nemesis, the automobile, appeared in ever-increasing numbers on Helena's streets and constituted the most serious threat to street railway revenues. The Commission approved a rate increase to alleviate these problems, but it was not the ten cent rate company officials sought. The in-town rate, effective December 1, 1918, was six cents. Other rates increased proportionately.⁶⁰ But, the report

⁵⁹HDI, August 22, 1918. MBRC, XI, pp. 171-178.

⁶⁰MBRC, XI, pp. 169 and 180-181. The rates were:

Helena:

All in-city lines.	6¢
Broadwater Hotel	8¢
Fort Harrison.	10¢

East Helena:

One-way.	15¢
Round trip	25¢

Smelter rate 7¢ each way. The smelter rate was good only on a special car making one round trip in the morning and one round

went on, the Helena Light and Railway needed to make some modifications itself. Effective January 1, 1919, the company must establish a separate fund for renewals and replacement instead of charging such items to standard operating expenses. The company must also furnish the P. S. C. with a detailed statement of the street railway department's physical valuation and provide that department with its own set of books.⁶¹

The Helena Light and Railway Board of Directors received official notice of the rate increase on November 20. Board members were upset, particularly because the government had recently required street railways to raise wages -- a matter that would cost the company an estimated \$3,700 for the coming year.⁶² The directors asked Pardee to return to Helena and ask the Commission for a rehearing on the rate increase.

The City of Helena filed an informal protest with the Public Service Commission the day new rates became effective. The city protested discontinuation of thirty-minute service on the Kenwood and Lower Broadwater lines. The company promised such improved service when they modified operations on the Upper Broadwater line.⁶³ The Commission agreed

trip in the afternoon.

Fair Grounds:

One-way.25¢

Round trip40¢

Transfers and special half-fares for school children were available.

⁶¹HBRC, XI, pp. 169-182.

⁶²HL&R Minutes, III, pp. 156-157 and 184. A contract signed with the Amalgamated Association of Street and Electric Railway Employees, Division 495, November 1, 1919, reflected the new wage rate specified by the government. Motormen and conductors received fifty-two cents per hour for their first year of employment; fifty-four for the second; and fifty-seven for the third and succeeding years of continuous employment.

⁶³The company designated the portion of the Upper Broadwater line used on Knight Street to Mountain View and Hollins as the Kenwood line. The district had few residents and provided little revenue.

with the City of Helena and ordered company officials to resume such service no later than February 10, 1919.⁶⁴

J. H. Pardee was unsuccessful in pressing the P. S. C. to grant a rehearing on the rate increase. The Light and Railway directors were resentful, but resourceful. Using a resolution adopted January 3, 1919, the company's administrators applied pressure to the Commission:

WHEREAS the railway department of this company has been operated at a loss, and

WHEREAS the franchise under which this company operates its railway provides that its railway need not be operated if such operation is at a loss, and

WHEREAS the Public Service Commission upon application has granted an increase in fares which increase has been in effect since December 1st, and

WHEREAS this increase in fares is entirely inadequate to stop the loss in operation:

NOW, THEREFORE, BE IT RESOLVED that Vice-President, Mr. O. W. McConnell be and he is hereby instructed, authorized and empowered to

First: Make immediate application to the Public Service Commission of Montana for a further increase in rates;

Second: that if an adequate increase in rates is not promptly obtained then to negotiate with the City of Helena regarding the taking over and assuming the operation of the railway or to take the necessary steps to discontinue operation of the railway or of such portions thereof as may be deemed advisable.⁶⁵

Newly-elected Vice-President O. W. McConnell arrived in Helena later in January. He presented the resolution to the P. S. C. and requested a new hearing. Commissioners set the dates for September, 1919.

⁶⁴MBRC, XII, pp. 107-109. When the company began operations under the new six cent rate on December 1, it discontinued thirty-minute service on the Lower Broadwater and Kenwood lines.

⁶⁵HL&R Minutes, III, p. 159-160. A second section of this resolution read: ". . . it is the opinion of this Board that it is advisable to pass the payment of the dividend on the preferred stock of this company for the quarter ended December 31, 1918 and until such time as the affairs of the company are in more prosperous condition." Officials later renewed dividends on common and preferred stock and paid both for 1919.

An investigation of the gas rates in Helena was underway when the Commission scheduled a new hearing for the street railway fares. Consequently, the commissioners also began an investigation of the electric services. Rate hearings on the three utilities began September 15, and continued for three days. The result was "295 pages of valuation analyses, 487 pages of testimony, 200 pages of exhibits in affidavit form, 320 pages of auditor's analyses of accounts and 259 pages of legal arguments, not to mention several hundred pages of correspondence."⁶⁶ The hearings delved into the complete history of Helena's public utilities, attempting to ascertain a "fair rate of return" and "the value of the service to the public." What the Commission discovered was already obvious to the Helena Light and Railway Company. The trolley's physical plant was in poor condition because much of it was very old. In addition, street railway rates were inadequate to "enable the company to earn operating expenses, taxes and set aside a proper depreciation reserve" -- hence deficit operations. Gas rates were such that the company could meet a minimum of its expenses, but could not realize a fair rate of return. The electric department, on the other hand, realized sufficient revenue to pay its own expenses, make up the deficits of the other branches and give the company an overall profit. "The electric utility is now bearing the burden of a fair return on the combined properties."⁶⁷

The Commission proposed to raise the rates of the street railway and the gas utility to a level where they paid for themselves and lower the electric rates to a more appropriate rate. Such action would,

⁶⁶MBRC, XIII, p. 197.

⁶⁷MBRC, XIII, p. 242.

however, increase rates for the first two services to a prohibitive level. "This result would mean nothing more or less than that the street railway utility and possibly the gas utility must cease to function . . ." The Public Service Commission thus reiterated and re-justified the position it assumed in 1913. "We are satisfied that patrons of The Helena Light and Railway Company would rather recoup street railway losses out of electric earnings, thereby insuring the continued function of the railway, than abandon the railway system for greatly decreased light and power rates. It must be distinctly understood that we yield the principle of separation only because of the facts of this particular case, and herein only for so long as necessary."⁶⁸

Report and Consolidation Order No. 286, issued May 10, 1920, carried the Commission's decision. The order made moderate increases in gas and street railway rates and lower electric charges slightly, but the latter utility continued to bear the financial burden of the other two. Car fares increased to seven cents for in-town service, which according to P. S. C. estimates, would raise an additional \$13,204.67.⁶⁹ Commissioners promised the adjustments would give the corporation a fair rate of return -- 8.04%.⁷⁰

⁶⁸MBRC, XIII, p. 249.

⁶⁹MBRC, XIII, pp. 252 and 256. Rates under the new order were:
 In-city: Cash -- 7¢; tickets -- 6 $\frac{1}{4}$ ¢.
 Central Park, Broadwater, Ft. Harrison -- 10¢ cash.
 School children tickets -- 3¢.
 East Helena: One-way -- 15¢ cash.
 Smelter rate (one-way) -- 8¢.
 School children (round trip) -- 12 $\frac{1}{2}$ ¢.
 Fair Grounds: One way -- 25¢ cash.

⁷⁰MBRC, XIII, pp. 191-261. The Commission used figures taken from the five-year period ending January 1, 1918, to arrive at its estimates of expenses, total valuation and a fair rate of return.

Rate changes provided the topic for conversation at the monthly Board of Directors meeting on June 3. President J. H. Pardee expressed his disappointment with the seven cent fare. New rates would yield only \$7,500.00, he said. The directors discussed the matter at great length, then formed a committee consisting of Pardee, S. Z. Mitchell and P. G. Gossler to take the necessary action to induce the City of Helena to purchase the street railway. If the city refused, the committee had the power to cease operation on all or portions of the line and relinquish the franchise.⁷¹

Pardee's estimates were more accurate than those of the Commission, while the special committee's efforts were more frustrating than fruitful. The committee filed for a rehearing on July 31, 1920. The petition stated that the five-year period the P. S. C. used to assess costs and valuation was incorrect. Company administrators pointed out that labor and material costs had risen from one-third to one-half since January of 1918. The Commission was satisfied with the statistics it used and denied the rehearing.⁷² The committee then went to court in an attempt to abandon the unprofitable Kenwood line. Helena's lawyers succeeded in getting an injunction against the abandonment, but a District Court declined to make the action permanent. The matter subsequently found its way to Montana's Supreme Court, which decided only the Public Service Commission had the right to relieve the company of its contract to operate the Kenwood line. The upper court went on to order the District Court to grant a temporary injunction until such time as the Commission

⁷¹HL&R Minutes, IV, pp. 1-2.

⁷²MBRC, XIII, p. 261-272. The Commission also pointed out that Pardee agreed to this five-year period during the course of the hearings.

decided the matter.⁷³ Company directors could take little solace in the accuracy of Pardee's predictions -- the railway's gross deficit for the year ending December 31, 1920, was \$33,851.35.⁷⁴

Helena Light and Railway officials pressed the Public Service Commission for a new hearing and a chance to demonstrate that nothing short of a ten cent fare would relieve the financial plight of the trolley line. The P. S. C. condescended to a May 7, 1921 hearing. It suggested the company try an eight cent cash fare and a two dollar, forty-ride commutation ticket for 150 days beginning May 20. If this did not bring the needed revenue, commissioners promised a ten cent fare.⁷⁵ Helena officials reported the inadequacy of the eight cent fare to their eastern counterparts on June 20. October 3, the company's representatives appeared before the Commission once more with proof that eight cents was insufficient -- the trial rate produced \$4,523.23 less revenue than the company received during the like period in 1920.⁷⁶ The Public Service Commission issued Report and Order No. 325 November 2, 1921, and approved the ten cent fare.⁷⁷

⁷³Reports of Cases, LXIII, pp. 108-121.

⁷⁴MBRC, XIV, p. 564. The Helena Light and Railway Company. Annual Statement, June 27, 1921. Filed with the Secretary of State, July 2, 1921. (See Appendix A.) It should be noted that the company realized an overall gross income of \$67,232.00 for 1920.

⁷⁵MBRC, XIV, p. 287-288.

⁷⁶HL&R Minutes, IV, p. 32. MBRC, XIV, pp. 287-288.

⁷⁷MBRC, XIV, pp. 293-294. The new rates were as follows:
In-city lines:

Depot, Eighth Avenue to the end of the line at Kenwood or State Street
-- 10¢ cash; 6¼¢ ticket.

Lower Broadwater line:

From Helena to Lang's Crossing, Broadwater Station or the State Nursery -- 10¢ cash; 6¼¢ ticket plus 4¢ cash.

Fort Harrison line:

Report and Order No. 325 made additional analyses beyond the fare rate. It noted that "pioneer entrepreneurs" over-extended street railway lines physically and financially, and that Helena had not expanded to their expectations. It discussed the automobile's threat to the trolley car, but suggested improved service -- routes and schedules tailored to suit the customer, not the company -- as a means of offsetting motor vehicle competition. The report went on to point out the short-sighted nature of the original Brill ordinance: electricity and labor costs alone in 1920 amounted to \$1000 more than revenue the company would realize from 900,000 passengers at five cents per trip; yet, that marked the turning point from ten to five cent fares. Finally, the report suggested company and city officials investigate the possibility of eliminating the annual gross receipt bonus the City of Helena received.⁷⁸ P. S. C. commissioners hoped that with these modifications and a ten cent fare, Helena's trolley system would again realize a profit. It never did. The annual street railway deficit for 1921 was \$38,658.71.⁷⁹

Fort Harrison to or from the City -- 15¢ cash; 6 $\frac{1}{4}$ ¢ ticket plus 9¢ cash; or two 6 $\frac{1}{4}$ ¢ tickets and 3¢ cash.

Fort Harrison to or from Broadwater station -- 5¢ cash.

East Helena line:

Within Helena city limits -- 10¢ cash; 6 $\frac{1}{4}$ ¢ ticket.

To or from East Helena (one-way) -- 15¢ cash; 6 $\frac{1}{4}$ ¢ ticket and 9¢ cash.

To or from Helena city limits only -- 10¢ cash; 6 $\frac{1}{4}$ ¢ ticket and 4¢ cash.

Special Smelter car (one-way) -- 8¢ cash.

Fair Grounds line:

One-way -- 25¢ cash; Round trip -- 50¢ cash.

School children tickets:

Helena (one-way) -- 3¢; Helena (round trip) -- 6¢.

East Helena (one-way) -- 6¢; East Helena (round trip) -- 12¢.

⁷⁸MBRC, XIV, pp. 289-294

⁷⁹MBRC, XV, p. 614. The Helena Light and Railway Company. Annual Statement, May 8, 1922. Filed with the Secretary of State, May 16, 1922. (See Appendix A.) The company's overall gross revenue was \$77,084.50. The electric utility continued to support the street railway.

Accidents also plagued the company. Mrs. C. F. Kelleher was riding a company trolley on May 18, 1921, when the car derailed and overturned. Nineteen months later, Mrs. Kelleher decided the company was negligent and sued for \$2500. A District Court jury returned a verdict on May 14, 1925, awarding the injured passenger \$2890 in damages and \$29.70 in costs. Company lawyers did not file an appeal and officials paid the judgment in full, September 14, 1925.⁸⁰ An accident early in 1922 resulted in more publicity, but did not produce a suit against the company. A street car struck and killed eighty-two year old Mrs. Lydia M. Tatem, widow of the late B. H. Taten, at the intersection of Laurence and Benton about two o'clock in the afternoon of January 24. B. H. Tatem had been a major owner of the Bald Butte Mine in Marysville and a highly respected Helena resident before his death. Local residents were grieved to learn of Mrs. Tatem's death, but the coroner's jury decided motorman J. M. Dunlap had done everything in his power to stop the car and prevent the accident. The jury's investigation also revealed that the Kenwood trolley did not have a fender which might have prevented the tragedy.⁸¹ The Kenwood car was the only one in the system not equipped with fenders as a city ordinance required.

Helena Light and Railway officials continued to reduce expenses and attempted to further curtail service on unprofitable branch lines. They announced an immediate decrease in the wages of workers in the electric department, but declined to reduce street railway wages which had "at all times been lower than other places in the state."⁸² The company also made

⁸⁰Montana First Judicial District, Case 11,801.

⁸¹HDI, January 25, and January 26, 1922.

⁸²HL&R Minutes, IV, p. 55.

known its intention to cease payment of the revenue bonus to the City of Helena. M. S. Gunn, the company's legal counsel, said the city could not collect it because the Commission termed it discriminatory taxation.

A second step in the company's economy drive was the curtailment of service to East Helena. The utility's directors petitioned the Public Service Commission for its consent to discontinue the operation of the East Helena cars between Sixth Avenue and the car barns on Main Street -- except for two daily trips at 10:00 A. M. and 2:00 P. M. Such a change, the petition claimed, would save the company \$4500 per year: \$3700 because the two-man East Helena cars would be replaced with one-man cars, and \$800 in remaining operating expenses. Businessmen along Main Street quickly filed a rebuttal. They claimed their business would drop if the trolleys discharged passengers several blocks from their establishments and that the company's petition was really a cover-up for its intended use of one-man cars.

The Commission held its standard hearing April 12, 1922, and delivered its opinion in Report and Order No. 1340, May 29. It denied the company's petition. Commenting on one-man cars to East Helena, the report expressed strong disapproval. Collecting tickets, handling packages and controlling large numbers of school children on the car would be difficult for one man. More important than this, the report continued, the line crossed steam railroad tracks in three places, and for the safety of the car and its passengers, there should be two men to check crossings. The P. S. C. then turned its attention to the \$800 savings in operational expenses. The failure to serve five or six blocks along Helena's business district would cause the public great inconvenience.

An \$300 saving did not justify this inconvenience. The report's concluding statement reprimanded Helena's businessmen for their selfishness. The Commission could not require one private business (the trolley) to operate at a loss for the convenience of other private businesses.⁸³

East Helena service was before the Public Service Commission again, less than one month after the previous decision. Smelter workmen and residents of Seaver Park, a small community one mile west of East Helena, presented an informal schedule and rate complaint. The Light and Railway Company operated its special smelter car when smelter employees could not catch it. This forced workmen to pay the regular fifteen cent rate on some other car. Seaver Park residents complained about the ten cent rate between East Helena and their community. Interested parties met in the Commission's office June 12, and adopted a plan to be initiated July 1, 1922. Beginning on that date, the company sold a one-month identification ticket to workmen for \$1.50. This ticket entitled the holder to ride the smelter car for five cents and any other car for ten cents. A five cent rate between East Helena and Seaver Park pacified residents of the latter community.⁸⁴

Three days after the informal meeting in the Commission's office, company officials made another formal application to abandon the Kenwood line. Appended to this was a petition to abandon the equally unprofitable

⁸³MBRC, XV, p. 431-437. Commissioners carefully justified their decision in terms of possible public inconvenience rather than continued business convenience.

⁸⁴MBRC, XV, pp. 510-511. HL&R Minutes, IV, p. 75. The company was quick to protect its right to serve East Helena. When an eighteen-passenger motor bus began service to that community September 20, 1922, the street railway's attorney immediately reminded Helena of the exclusive nature of the Brill ordinance. Bus service stopped.

State Street line. The City of Helena and Kenwood residents filed their answers June 21, 1922. They requested the petition's denial on the grounds that abandonment of the two lines would: 1) require property owners to pay street paving costs; 2) cause property values along the lines to depreciate; 3) violate the company's franchise; and 4) be unjust because the company operated three utilities as one and realized a profit from the total operation. The P. S. C. felt it had the right to approve the abandonment of unproductive branches, but it declined to do so. It went on to maintain that the company forfeited its right to insist on abandonment of an unprofitable branch line by requesting and receiving permission to operate all three utilities as a unit. "As long as the properties are consolidated and earn a fair return at the request of the company, and as long as Helena patrons are satisfied with that arrangement, the present service should be maintained and improved as far as possible." The statement continued: "The trimming away of the dead or dying branches of the street railway becomes of relatively little consequence when the railway is not to be singly considered." Such consideration would remain in effect until such time as there was a "volte face in the treatment of the local problem."⁸⁵

The Helena Light and Railway Company was ready for the volte face in the treatment of its problem. The Commission continually pressured corporation officials to lower the profitable electric rates, but it

⁸⁵Quotes taken from MBRC, XVI, p. 217. The company filed its petition on June 15, 1922; the Commission held a hearing December 15, and issued Report and Order No. 1356, denying the petition, on April 6, 1923. The Commission was correct -- the company did realize an overall profit, although the street railway branch continued to operate at a loss. Gross income for all three utilities in 1922 was \$93,279, inspite of a deficit of \$33,247.34 for the trolley line. (These financial statistics are taken from Poor's, 1925, pp. 508-509, and MBRC, XVI, p. 367.)

refused to permit modifications in the street railway routes or the gas rates. June 4, 1923, the Public Service Commission, at the company's suggestion, directed the Helena Light and Railway to show cause why it "should not effect such economies in service and operation in the three public utilities . . . as will enable it to effect a substantial reduction in its rates for electric service, providing that such economies shall not be construed to mean the suspension or abandonment, as a whole, or any of the utilities operated by the company. . . . This order was prompted by our conviction that . . . [it is] . . . unfair to permit patrons of the electric utility to bear any more of the street railway burden. . . . Instead of increasing electric rates, the most burdensome lines of the street railway and those least necessary to public convenience, . . . must be cut away."⁸⁶ Company officials lost no time in showing cause. They offered the following suggestions:

1. Abandon the entire State Street line from Main Street east.
2. Abandon the Kenwood line from Lawrence and Park and replace it with a line on Laurel Street from the Lower Broadwater line to the Hotel.
3. Establish cross-town service between the capitol and the Broadwater and Laurel Street lines. A car would leave the capitol on the half hour and make alternate trips over each line, providing hourly service to each district.
4. Establish a new schedule on the Eighth Avenue and Helena Avenue lines, treating the two as a loop and operating an hourly car each way over the loop providing half hour service on the loop and fifteen minute service on Eighth Avenue from Sixth and Main to the capitol.
5. Permit a new line of double track on Main Street from the car barn to Sixth Avenue.
6. Increase fares.

Such changes, the railway maintained, would provide better service and

⁸⁶PERC, XVI, p. 219.

permit continued operations. The company also sought a gas rate increase.⁸⁷

The Commissioners' minds were already made up. June 16, the day after the hearing, they issued their order. It lowered the charges for electricity and permitted the company to make all requested modifications, save the increased trolley and gas rates. The order also permitted the company to discontinue its bonus payments to the City of Helena, "to the extent of the jurisdiction of this Commission in the premises." The P. S. C. further encouraged the Light and Railway Company to purchase three new double-truck cars to supplement the system and eliminate the older single-truck trolleys.⁸⁸ The changes went into effect July 1, 1923, although it took workmen over six months to complete all the necessary modifications.

These alterations generally please Light and Railway officers and the editor of the Helena Daily Independent. The latter partly expressed the feelings of both in an editorial on June 17. "It is hoped meddlesome politics will permit the Helena Light & Railway company to conduct its business in an orderly manner for a period, at least long enough to get the new rates entered on the books. [It] should be given an opportunity to try out its new rates and street car schedules for two or three years without any more 'hearings' or 'changes' or other political fishing trips which interfere with its business or demoralize the service."⁸⁹

Expenses resulting from street railway changes totaled \$92,500.00: \$53,500.00 for construction; and \$39,000 for three, light-weight, double-truck, one-man safety cars which directors ordered from the

⁸⁷MBRC, XVI, pp. 219-220.

⁸⁸MBRC, XVI, pp. 218-224.

⁸⁹HDI, June 17, 1923.

Perley A. Thomas Car Company, High Point, North Carolina.⁹⁰ Work crews completed track modifications on the Kenwood and Lower Broadwater lines in February of 1924. The company sought and received the Commission's additional approval to abandon the portion of its Lower Broadwater line near the Kessler Brewery and Central Park -- the park was no longer in use. The change gave the company a single line to the Broadwater hotel.⁹¹

New rolling stock sparked considerable interest and activity in Helena during the first half of 1924. The Board of Directors made arrangements with the J. G. White corporation to purchase the three new cars. The New York concern bought the new units and sold them to the Helena company, but held title to the cars as security until the latter organization paid for them. Local administrators scrapped five old single-truck cars and seven non-powered trailers in anticipation of the new trolleys. "The cars came through in record time -- 12 days from High Point. The time from St. Louis on a banana special as far as Billings was five days." They arrived in Helena on the evening of June 16, 1924. "The cars are the latest type of safety control, and are of steel construction throughout. The exterior finish is in maroon. Inside

⁹⁰HL&R Minutes, IV, p. 117. In spite of the railway department's apparent affluence, it operated at a loss during 1923. The deficit was \$47,184.97. The company continued to operate at an overall profit. Total net profits for the year were \$74,480.15, according to the annual statement. (Railway department statistics are taken from MBRC, XVII, p. 765.

⁹¹MBRC, XVII, p. 713. The company requested the change on February 15, 1924 and it went into effect May 10. The single line of track to the Broadwater Hotel began at Sixth and Main, followed Sixth to Benton, ran north to Hollins, west to Laurel, south to a portion of the old Upper Broadwater line beyond Knight Street, and west to the hotel and Fort Harrison.

finish is cherry with cream ceilings. The cars are airy and roomy inside with a seating capacity of 44 passengers. . . . The seats are upholstered with cane and comfortably adjusted."⁹²

Shop crews worked all night the sixteenth and most of the seventeenth to put the trolleys in shape for the opening of a veteran's reunion at the Broadwater, June 19. Manager A. T. Schultz showed the new cars -- numbered 40, 41 and 42 -- to the people of Helena on June 18. Schultz, with Superintendent Arthur G. Hann and George Lunn of General Electric, gave Helena's Rotarians a special ride to the Broadwater and back. "The guests thoroughly enjoyed the trip. The big new car ran smoothly with no swaying and no motion reminiscent of the 'Galloping Goose' of Flathead county fame. . . . The automobile contingent aboard was of the opinion that only one thing remained to make the car perfect in all details -- the addition of balloon tires. All of the more or less ancient quips about the 'car with the square wheel' and the old-timer about the driver of the Kenwood car who won the bucking broncho contest at the state fair, were rehearsed for the benefit of Manager Andy Schultz, who listened as intently and grinned as cheerfully as if he had never heard them."⁹³ Two of the Thomas-built cars began service on the cross-town lines. The third found use as a substitute car when other trolleys came into the shop for service or inspection. The Perley A. Thomas company was as proud of the new units as was A. T. Schultz.

⁹²Quotes are taken from HDI, June 18, 1924. Letter from J. T. Vance, Director, Sales Promotion, Perley A. Thomas Car Works, Inc., High Point, North Carolina. (March 11, 1968.) The cars' overall dimensions were: 38', 9" long; 8', 2" wide; and 10', 5" high. The color for all the Helena Light and Railway cars was a deep red or maroon.

⁹³HDI, June 19, 1924. Lunn accompanied the cars to Helena and assisted local shop crews in readying them for service.

Their advertisements during the fall of 1924 pictured car 42 with the byline: "These attractive, one-man double-truck safety cars were delivered to the Helena (Mont.) Light and Railway Company."⁹⁴

New cars and new routes did not alleviate the street railway's financial problems. Economy efforts succeeded in reducing 1924 expenses by fifteen percent, but the reduction was to no avail. Revenues decreased sixteen and two-tenths percent during the same period.⁹⁵ Attempting to relieve its deteriorating condition, the company petitioned the Public Service Commission in November, 1924, for a ticket rate increase of two cents. The P. S. C.'s decision was negative, its mood, philosophical: "We are firmly of the opinion that the increase proposed will be fruitless. We are not gifted with any more prevision that other humans similarly situated, but for the past 12 years we have granted . . . every rate increase the company has asked for its street railway system, and at the same time we have gone even further than the highest authority indicates is correct to lop off dead branches in the hope of conserving life in the trunk. But all without success. The fortunes of the street railway ebb and ebb. Most tides turn out but this one appears to recede steadily. Motor vehicle competition, both regulated and unregulated is primarily responsible for the reduction in revenues; increased fares

⁹⁴Advertisement reprinted in E. Harper Charlton. Railway Car Builders of the United States and Canada.

⁹⁵IBRC, XVIII, p. 159. The Commission appended an editorial note to the statistics. "No criticism can be made of the management so far as operating expenses are concerned. At the same time the service offered by the company and now furnished is generally conceded to be the best ever afforded Helena patrons. The local manager deserves the thanks and support of the Helena public for his extraordinary efforts at rehabilitation of the service."

have undoubtedly played a part, while subnormal business conditions have persuaded walking where street car riding was formerly a habit."⁹⁶

1924 was a year of sharp contrasts for the Helena Light and Railway Company. The festive air brought about by the new cars shattered at 11:20 A. M., December 16: "Great Northern Train and East Helena Street Car Crash; Four Killed." Four were injured. Motorman Rudolph Houle, a company employee for twenty years, died instantly; Henry Norton, son of smelter employee A. B. Norton, died shortly thereafter; Gorege Benjamin, father of five children and former Gilman resident, passed away in a car of the train waiting for a doctor; C. W. Wilson, a constable in Helena, died on the operating table. Conductor Oscar Miller, East Helena post-mistress Mrs. Robert Cory, G. H. Brockway (a smelter employee), and a Seaver Park painter, Richard Stearns, eventually recovered from their injuries. A coroner's jury met December 17, and concluded that the blizzard with gale force winds impaired the vision of the motorman and the engineer and contributed to the accident. The jury did not fix responsibility for the collision.⁹⁷

Light and Railway directors received word of the accident later on the sixteenth. They immediately notified the company's insurance agent and made hasty arrangements to procure two second hand cars from Spokane to replace destroyed Car 1, and to provide a spare.⁹⁸

⁹⁶IBRC, XVII, pp. 157-160. Commissioners held the hearing November 6, 1924, and published their decision on April 10, 1925, in Report and Order No. 1410. The "highest authority" referred to in the report was a United States Supreme Court case decided March 2, 1925: Fort Smith (Arkansas) Light and Railway Company vs. Bourland.

⁹⁷HDI, December 17, and December 18, 1924. The quote and details concerning the accident appeared in the December 17 paper.

⁹⁸HL&R Minutes, IV, p. 157. The company carried catastrophe insurance in the amount of \$100,000 to protect it should such an emergency occur.

Events in 1925 continued in the same tragic vein. The new victim was the Helena Light and Railway Company itself; the cause of the street railway system's death was a malignant financial deficit.⁹⁹

Street railway officials ceased bonus payments to the City of Helena at the Public Service Commission's suggestion. The city took the matter to court and won. The court ruled such matters were not within the Commission's jurisdictional limits because Helena granted the franchise, or contract, before the creation of the P. S. C. The company was then \$17,635 in arrears on its payments and the city wanted its money in monthly installments of \$1000. A. T. Schultz eventually succeeded in settling the matter for \$17,600: \$6700 down and \$600 per month. The City Council also gave Schultz a reasonable assurance that it would renew the company's gas franchise.¹⁰⁰

March 24, 1925, Frances M. Benjamin, widow of George Benjamin, filed the first court action to result from the tragic train-trolley accident. Mrs. Benjamin claimed the Great Northern, the Helena Light and Railway Company and their respective conductors were guilty of negligence in the accident. She asked for \$40,000 in damages from each of

⁹⁹Poor's, 1925, pp. 508-509. The railway department lost approximately \$46,055.00 during 1924. The company's net income, on the other hand, was \$15,734.00.

¹⁰⁰HL&R Minutes, IV, pp. 157 and 169. Schultz made formal application for the gas franchise renewal on April 1, 1925. April 5, the City Council declared a special election for May 18. The electorate approved the renewal of the franchise. However, Ordinance 1128, which granted the franchise, passed May 7, 1928. It gave the franchise to the Helena Gas and Electric Company, the Light and Railway Company's successor. The former company's receivership proceedings (see below) probably caused this delay. The company operated its electric utility under an indeterminate grant from the State of Montana. The Brill ordinance for the street railway expired March 31, 1926. The company made no attempt to have the city renew it.

the four defendants.¹⁰¹ Alfred B. Norton, father of Henry B. Norton, filed a similar suit on April 1, 1925. He asked \$30,000 in damages from each defendant.¹⁰² G. H. Brockway filed a third complaint against both parties and their conductors, September 3, 1925. He sought \$15,000 for injuries received in the accident.¹⁰³ Both the street railway and the steam railroad felt the other was responsible for the accident and should bear the entire cost thereof. Each company contested the suits separately, and although the Benjamin case went to the Montana Supreme Court, neither company nor its conductors paid a court judgment.¹⁰⁴

¹⁰¹Montana First Judicial District, Case 12,572. The Independent noted the filing of the Benjamin case, but no further mention of legal action resultant from the December 16 accident appeared on its pages.

¹⁰²Montana First Judicial District, Case 12,580.

¹⁰³Montana First Judicial District, Case 12,690.

¹⁰⁴Montana First Judicial District, Cases 12,572, 12,580 and 12,690. HL&R Minutes, IV, pp. 175-176. Reports of Cases, LXXIX, pp. 144-158. Mrs. Benjamin's case was the most complicated of the three. The Great Northern apparently settled out of court, for Mrs. Benjamin's lawyers filed a stipulation dismissing the action against the railroad and its conductor, August 21, 1925. June 8, 1926, a District Court jury found street railway conductor Oscar Miller innocent of negligence in the accident, but fined the company \$19,545 in damages, which it rounded off to \$20,000. Company lawyers appealed the decision to the Supreme Court. During its March term, 1927, this court voided the trial because of the jury's misconduct in rounding off the judgment. The higher court ordered a new trial. The new trial was never held. On July 29, 1927, Mrs. Benjamin's lawyers again filed a stipulation, this time dismissing the action against the street railway company. The company or its insurance agent may have settled the action out of court, or Mrs. Benjamin may have given up because of the complicated nature of the Helena Light and Railway's finances.

Jury members in the Norton suit found their verdict "against the plaintiff and in favor of all the defendants. Unavoidable accident." Norton's lawyers did not appeal the decision. Brockway's lawyers had his suit dismissed March 19, 1926. Again, the matter may have been settled out of court. In any case, the verdict in the Norton suit may have discouraged other individuals from filing additional suits concerning the December 16 accident.

The Light and Railway Company convinced the Public Service Commission to change its judgment on the matter of a ticket rate increase. Commission members heard new statistics the company gathered the past year. These facts and figures demonstrated that 1924 fares produced more revenue than would five cent fares -- a matter which negated the earlier opinion that higher rates would alienate patrons and lower income. Company representatives also proved increased automobile usage was responsible for declining street car revenues and that the bulk of the nation's cities resorted to a straight ten cent fare. Samuel Ross and Daniel Boyle, two of the Commission members, acquiesced and permitted the company to raise its ticket rates. The third member, Leonard C. Young, felt the company should improve its service, not raise its rates. Indeed, Young concluded, the company was not entitled to any rate increase.¹⁰⁵ Nonetheless, the ticket rate rose, but it was too late.

Certain bondholders in the Helena Light and Railway Company formed a protective committee and signed an agreement to make the necessary arrangements to reorganize the company, July 30, 1925. In August, the committee notified all bondholders of its formation. It asked that bondholders place their bonds -- due September 1, 1925 -- on deposit with the Irving Bank-Columbia Trust Company of New York or designated banks in London and Amsterdam. Similarly, stockholders received notification of a committee headed by J. H. Fardee, organized to protect their interests. The notice asked stockholders to deposit their certificates with the National Bank of Commerce in New York City.¹⁰⁶

¹⁰⁵MBRC, XVII, pp. 176-182. The Commission held a rehearing on June 26, 1925, and delivered its decision, July 22.

¹⁰⁶Poor's, 1926, p. 311.

Rumors of pending receivership proceedings floated about Helena. Three separate interests filed applications with the Board of Railroad Commissioners to establish motor bus service in the same basic area the trolley line covered. Commissioners called the interested parties, and a representative of the street railway, to an informal meeting, October 24, 1925. The street railway representative verified the rumors but assured applicants that the company would not abandon its operations. The parties left their applications on file until such time as the railway decided to abandon.¹⁰⁷

United States District Court Judge Charles N. Pray of Great Falls heard the receivership suit against the Helena Light and Railway Company, November 2, 1925. He appointed A. T. Schultz receiver and established the legal framework to reorganize the company and its holdings.¹⁰⁸ The Helena Daily Independent did not take note of the receivership proceedings, but it reported on a discussion held during the November 6 Commercial Club meeting. The club did not take a position for or against street railway abandonment. It did receive assurances that any decision to abandon would be made with sufficient notice to permit the formation of a bus line.¹⁰⁹

Reorganization plans were obvious. A notice sent to the bondholders March 16, 1926, spelled them out in detail. Properties subject to the company's mortgage would be sold at a foreclosure sale and vested into two corporations. A new electric company would hold all the properties

¹⁰⁷MBRC, XX, pp. 138-139. Those individuals presenting petitions for motor bus lines were: A. P. Halm; L. F. Schroeder and R. P. Crago; and V. W. McCarthy and William McHattie.

¹⁰⁸Poor's, 1926, p. 311.

¹⁰⁹HDI, November 7, 1925.

not exclusively devoted to the street railway business. A new traction company would assume possession of all street railway facilities.¹¹⁰

"This severance of the assets of the insolvent corporation was made with the object in view of withdrawing the street railway system from public use."¹¹¹ In the midst of the financial arrangements, the Brill franchise expired, unacknowledged.

The foreclosure sale took place at noon on December 1, 1926. It lasted five minutes. Cassius M. Clay bid for the company's bondholders and purchased the property for \$584,100.¹¹² The other qualified bidder, R. B. Marchant of New York, represented the J. G. White Company, but he did not bid. A report circulated in Helena that the Montana Power Company would absorb the gas and electric portions of the old Light and Railway company and that the American Smelting and Refining Company in East Helena would purchase the trolley system to operate an interurban service for its employees and their children.¹¹³ Clay and Marchant refused to comment on the rumor and left shortly for New York. A. T. Schultz remained as receiver. Pretty maroon cars with wicker seats continued their cross-town runs. Twenty-one years of continuous Helena Light and Railway operations were at an end.

¹¹⁰Poor's, 1926, p. 2378. Further reorganization plans called for the new electric company to issue six percent, twenty-five year bonds, secured by a lien on all the electric company's assets and on all the new railway company stock (which the electric company would control.) Helena Light and Railway bondholders would receive, for each \$1000 bond, \$600 in bonds of the new electric company and \$400 in cash, together with a small amount of interest due on the old bonds since September 1, 1925.

¹¹¹MBRC, XX, p. 237.

¹¹²HDI, December 2, 1926. Clay bid \$583,500.00 for Parcel A (property included under the mortgage lien) and \$500.00 for Parcel B (all remaining property.) He then bid \$584,100.00 for both parcels. R. B. Marchant also represented the stockholders.

¹¹³HDI, December 2, 1926.

CHAPTER V

COLLAPSE

Termination of Helena's street railway service was not long in coming. The reorganization plan for the Helena Light and Railway Company specified the formation of two separate corporations. Rumors notwithstanding, the new electric company eventually became a part of the Montana Power Company. The trolley car line became a part of history.

J. G. White and Company still controlled the future of Helena's utilities. It also dictated the actions of Eugene H. Southall, George H. Sibley and A. M. Stackhouse. These three individuals transferred their rights and holdings in the Helena Electric Railway Company to J. G. White and Company for the sum of one dollar each on July 26, 1927. The following day the same three men incorporated the Helena Electric Railway Company under the laws of the State of Delaware. The company's stated purpose was to run any type of public utility any place in the world. It began street railway operations in Helena, September 14, 1927.¹

¹Helena Electric Railway Company. Certificate of Incorporation, June 27, 1927. Filed with the Secretary of State, September 13, 1927. Helena Gas and Electric Company (of Delaware). Certificate of Incorporation, June 7, 1927. Filed with the Secretary of State, September 13, 1927. Helena Electric Railway Company. Minute Book: July 26, 1927 to April 9, 1929, pp. 31-33, hereafter cited as HER Minutes. The Helena Gas and Electric Company was incorporated under the same circumstances and with the same wording as the electric railway. J. G. White and Company controlled both. The capital stock of the Helena Electric Railway was 2000 shares without nominal or par value. J. H. Pardee was the President, Joseph K. Choate, Vice-President. All directors were from New York, as were the three men who incorporated both companies. The officers, directors and personnel of both the Gas and Electric and the Electric Railway companies were identical.

The Helena Electric Railway Company received "certain street railway properties" valued at \$50,000 from J. G. White and Company the day it began operations. These properties included the entire physical plant of Helena's trolley system, save the car barn. In return for these facilities, the railway company issued 1000 shares of its common stock to the Helena Gas and Electric Company.² The brief history of the new corporation was underway.

M. S. Gunn, the company's attorney, prepared the necessary abandonment papers. October 11, 1927, he presented a petition to the Public Service Commission to "discontinue and abandon the further maintenance and operation" of Helena's street railway system. The Commission scheduled a formal hearing for November 15. The hearing was but a formality.

Many interested parties appeared at the session. Lester Loble, City Attorney, represented Helena; attorney Raymond T. Nagle represented Helena realtors; East Helena Mayor John M. Sullivan spoke for his community;

²HER Minutes, pp. 46-48. F. E. Buck. Engineer's Report of the Montana Public Service Commission, 1927. No. 44, p. 16. The opening trial balance of the Helena Electric Railway was:

<u>Assets</u>	
Plant and property.	\$50,690.02
Stores and material	7,071.42
Prepaid amounts	712.74
A. T. Schultz, receiver	1,349.54
	<u>\$59,823.72</u>
<u>Liabilities</u>	
Common stock.	\$50,000.00
Accrued taxes	8,474.18
Accounts payable.	499.99
Ticket liabilities.	849.55
	<u>\$59,823.72</u>

J. G. White and Company made a stipulation when it transferred the street railway properties to the new company. This stipulation stated that neither J. G. White and Company nor the Helena Gas and Electric Company had any further obligation or liability in any way connected with the 1000 shares of stock the Helena Electric Railway Company issued.

Charles E. Pew represented the American Smelting and Refining Company; and W. G. Ferguson, secretary of the Helena Commercial Club, represented that organization.³ Abandonment of the street railway system influenced all these interests.

Evidence the company presented was "exceedingly brief." Submitted figures demonstrated that the street railway system operated at an increasing deficit for more than eight years and that the trend continued into 1927.⁴ Other data showed the total number of passengers the utility carried "dwindled progressively at the rate of approximately one hundred thousand per year" from 1919 to 1926.⁵ No one present at the hearing contested the figures. Charles E. Pew and John M. Sullivan suggested the East Helena line be divorced from the rest of the system and operated independently, but statistics from 1926 indicated this branch accounted for twenty-five percent of the railway's losses. The Commission dismissed the suggestion.⁶ "The case presented by the records is simply one of a public utility whose available traffic has diminished to a point where further operation is economically impossible, asking the authority of the State of Montana, acting through its Public Service Commission, to withdraw its property from public use."⁷ The matter was the first complete street railway abandonment question brought before the Commission.

³MBRC, XX, p. 236.

⁴MBRC, XX, p. 238. The company presented figures beginning in 1921. (See Appendix A.)

⁵MBRC, XX, p. 238. Total passengers carried in 1919 were 1,500,688. The total dwindled to 736,691 in 1926. (See Appendix A.)

⁶Losses on the East Helena branch during 1926 were \$12,917.78.

⁷MBRC, XX, p. 238.

The P. S. C. noted briefly that the City of Helena could not legally protest because the Brill franchise expired in 1926 and East Helena had no grounds for complaint because it did not incorporate until August 7, 1927. Commission members also noted that the interested parties "recognized at least tacitly, the right of the petitioner to withdraw from the field. Their import, generally speaking, is that the city and environs should not be left without transportation facilities."⁸ Helena and East Helena also asked the trolley line to leave city streets in a good state of repair after it removed poles and track. The Commission promised to provide for transportation facilities in the city and its environs and to require the utility to leave the streets in good repair.⁹ It then approved the trolley's abandonment, effective midnight, December 31, 1927.¹⁰

⁸MBRC, XX, p. 239.

⁹MBRC, XX, pp. 138-147 and 239-240. Ordinance 1126, City of Helena, passed November 8, 1927. Following the hearing on the street railway system's abandonment, the Commission conducted a hearing to establish transportation facilities for the Helena area. It reviewed the motor bus petitions on file and approved the request of Schroeder and Crago, doing business as the Crago Transfer and Storage Company -- later the Service Transit Company. The new company promised to begin bus service January 1, 1928, with four busses, serving essentially the same area and routes the street railway covered. Its rates were slightly higher than the trolley line's. Schroeder and Crago posted a \$20,000 bond to guarantee the fruition of their promise. In a third hearing the same day, commissioners approved the petition of a motor freight line between Helena and East Helena to replace the informal package delivery service motor-men provided for so many years.

The City of Helena passed Ordinance 1126 to cover abandonment of trackage on city streets. This ordinance required the trolley line to repair all paved streets after it removed rails. In the case of welded rails or ties imbedded in concrete, the company did not have to remove the track, but had to pave over it, making it conform to the street grade. The company had to plow, grade and roll dirt streets in their entirety after it removed rails. The company also had to post a bond with the city to guarantee the completion of such street work.

¹⁰MBRC, XX, pp. 236-241. The Commission issued its formal decision on November 18, in Report and Order 1497.

A. T. Schultz managed both the street railway and the new gas and electric company. He took immediate steps to settle the affairs of the trolley line and dispose of its equipment. Schultz offered to sell the track and equipment for \$30,000 and the car barn to the highest bidder. A Seattle interurban company purchased some heavy track for use on a line it was building, and a Madison County, Montana, mining company expressed an interest in several car loads of light rail. Railway employees A. G. Hahn and Otto Kreig secured an option to purchase the car barn and use it as an auto repair shop. The City of Helena was interested only in the repair of its streets. It sought a \$50,000 bond from Schultz guarantying the work. Schultz ultimately succeeded in satisfying the city with a \$25,000 bond.¹¹

A few Helena residents began to have second thoughts about street railway abandonment as December 31 approached. Kiwanis Club members and interested city officials pondered the possibility of purchasing the entire trolley facility for \$30,000 and operating it under direct public ownership. The city attorney suggested turning the line over to the Montana Power Company to operate. However, a review of the line's continued losses for the past decade convinced most parties that continued operation meant financial disaster. The editor of the Helena Independent admonished supporters to abandon a sinking ship. He suggested that bus service might be better than street car service. It would surely be more profitable.¹²

¹¹HDI, December 28, 1927.

¹²HDI, December 30, 1927. Helena Electric Railway Company. Annual Statement, May 28, 1928. Filed with the Secretary of State, June 5, 1928. Helena Gas and Electric Company. Annual Statement, May 28, 1928. Filed, June 5, 1928. The unprofitable nature of the street railway line was

"At 12:30am, the last car entered the barn and the street car system ceased operation officially. The car was the Broadwater car operated by Joe Zoubeck."¹³ Bus service began at six the next morning.

The cessation of street railway service put the line's eighteen employees out of work.¹⁴ The men shared an average service record of sixteen years. Steve Peterson was the employee with the longest work-record -- twenty-eight years. Peterson began work on the East Helena line after its construction in 1899. He was in charge of the East Helena car when it finished its last run. Superintendent Hahn and mechanic Kreig completed plans to purchase the car barn and opened the A. A. Garage. Oscar Miller, Sid Dalin and Walter Bour secured employment as drivers with the new bus company. Bill Nichols, Joe Zoubeck and Steve Peterson entered

still obvious. During the three and one-half month period the new company operated, the system lost \$4,264.31. The gas and electric company, on the other hand, continued to realize a profit. These utilities had a net profit of \$31,256.30 during the entire calendar year, 1927.

¹³HDI, January 1, 1928.

¹⁴HDI, January 1, 1928. The eighteen employees, their positions and their years of service were:

Steve Peterson, motorman. . . . .	.28 years.
Any Lyle, motorman. . . . .	.24 years.
A. G. Hahn, superintendent. . . . .	.23 years..
Mike Sevelist, track man. . . . .	.23 years.
H. Washburn, conductor. . . . .	.22 years.
R. C. (Bob) Barnes, motorman. . . . .	.21 years.
H. M. Locks, motorman . . . . .	.21 years.
C. Hildebrand, track foreman. . . . .	.20 years.
W. E. Leffler, motorman . . . . .	.17 years.
Bill Nichols, motorman. . . . .	.15 years.
Otto Kreig, master mechanic . . . . .	.15 years.
I. M. Dunlap, motorman. . . . .	.10 years.
Joe Zoubeck, motorman . . . . .	.10 years.
Oscar Miller, motorman. . . . .	.10 years.
Sid Dalin, motorman . . . . .	.9 years.
H. Anderson, trackman . . . . .	.9 years.
Paul Knapp, welder. . . . .	.7 years.
Walter Buor, car repairer . . . . .	.5 years.

the taxi cab business while Any Lyle and Paul Knapp opened the Montana Tire and Welding Shop. The eight other men remained unemployed despite repeated newspaper pleas to hire them.¹⁵ The seventeen members of the Amalgamated Association of Street and Electrical Employees, Division 495 (Hahn was not a member) met at the Eddy Cafe in Helena on January 7, 1928. A. T. Schultz and A. B. Sibley (Assistant Secretary-Treasurer and long-time company employee) also attended the final banquet. The union members surrendered their charter, "divided the cash on hand in the treasury as well as the proceeds from Liberty bonds which the union bought during the World war, and officially closed the books of an organization which has existed here for many years. . . . Every man present was called upon by Joe Zoubeck, who presided as toastmaster. He swung the controller over to the last notch and signalled full speed ahead. The boys took him at his word and they made the last trip without applying the air. If the oratorical track became a bit slippery at times, the sand box was vigorously shaken, the wheels bit into the rails and all hands arrived safely, despite an occasional broken brake chain. The members realized that it meant the breaking up of the family."¹⁶

A. T. Schultz attempted to sell as much of the company's rolling stock as possible. He retained a few cars to help with track removal and had the unmarketable trolleys scrapped. Workmen stripped eight cars and trailers of their seats and brass and burned them before December 31. Five more cars shared a similar plight early in 1928, while

¹⁵HDI, January 1, and January 29, 1928.

¹⁶HDI, January 8, 1928.

local farmers purchased several cars for sheds.¹⁷ On February 5, Schultz announced the sale of three closed cars and the "Big Open" to the Great Falls Street Car Company. The following day he sold the three new Thomas-built cars to the Butte trolley line. "The street cars were out again on the tracks yesterday and it looked as if the clock had been turned back and the past revived. However, the cars were merely being taken through town to be shipped to Great Falls and Butte. Soon the former glories of the Helena street car system will be rolling over the streets of [the] two cities named."¹⁸ The trolleys were coupled into Great Northern freight trains and taken to their respective destinations.

Track dismantlement and street repair continued. Schultz signed a contract with S. Birch and Sons Construction Company of Great Falls to pave the city streets by August 1, 1928. The sale of surplus street railway property provided the necessary \$15,000 to cover surfacing costs.¹⁹ Schultz hoped to sell 40,900 ties for wood and market an estimated 1100 tons of steel and 100,000 pounds of copper separately. Company workmen and the Great Falls construction company completed their tasks by the August 1 deadline.²⁰

The American Power and Light Company announced its pending absorption of the Helena Gas and Electric Company the day workmen completed

¹⁷HDI, January 1, 1928. The company sold scrap metal from the burned cars to local junk dealers.

¹⁸HDI, February 6, and February 9, 1928. The quote is taken from the February 9 article.

¹⁹HDI, January 19, 1928.

²⁰HDI, February 6, March 11, and June 23, 1928. By June 23, the company shipped 830 tons of rail, most of it going to the Seattle inter-urban company. The heavy rail came from the line's Fort Harrison and East Helena branches.

paving Helena's streets.²¹ American Power and Light representatives incorporated a new concern to assume the assets and property of the Helena utility. The new corporation was the Helena Gas and Electric Company, incorporated in New Jersey, August 8, 1928.²² The American Power and Light Company had complete control over this New Jersey corporation. J. G. White and Company conveyed all the property and assets of the Delaware Helena Gas and Electric Company to the new concern, August 14. The Delaware corporation promptly went out of business and notified Montana of its withdrawal from the state.²³

Helena Electric Railway directors met and approved a resolution formally abandoning operation, March 18, 1929. The same group met again as stockholders on April 9, and approved their own resolution.²⁴ Company

²¹HDI, August 2, 1928. Moody's, 1930, pp. 395 and 1498. HER Minutes, pp. 51-59. The American Power and Light Company, it will be remembered, was a Maine public utilities holding corporation, supervised by the Electric Bond and Share Company of New York. The latter corporation owned a portion of the Helena Light and Railway stock through J. G. White and Company. The American Power and Light Company acquired complete control of the Montana Power Company through an exchange of stock prior to August, 1928.

²²Helena Gas and Electric Company (of New Jersey). Certificate of Incorporation, August 8, 1928. Filed with the Secretary of State, August 14, 1928. Individuals incorporating the company were: H. Clinton Crowin, Joseph A. Grimmig, Todd G. Tiebout, Geoffrey H. Down and Raymond R. Fiero, all of New York. The corporation's duration was perpetual. It issued 10,000 shares of common stock, without par value.

²³Helena Gas and Electric Company (of Delaware). Notice of Withdrawal, August 8, 1928. Filed with the Secretary of State, August 14, 1928.

²⁴HER Minutes, pp. 61-65. Helena Electric Railway Company. Annual Statement, April 30, 1929. Filed with the Secretary of State, May 15, 1929. The company's officers and directors listed on the annual statement were: President, Todd G. Tiebout; Vice-President, Robert Fulleyn; Secretary, Raymond R. Fiero; Treasurer, Abbot Southall; and Director only, Durant H. Van Doren. All these men listed addresses in New York.

president T. G. Tiebout and secretary Raymond R. Fiero filed an annual statement for 1928, April 30, 1929. The company's operations during 1928 "consisted solely of dismantling plant and selling second hand equipment and material thereby obtained."²⁵ The corporation withdrew from the state August 2, 1929.²⁶ The history of Helena's street railway operations ended.

The history of some Helena equipment did not end in 1929. Two single-truck cars -- one open trailer and a closed car -- stood in a farmyard north of Helena for several decades. The closed car saw use as a work shed and later as an animal shelter. Early in the 1960's, a junk dealer in Silver Star, Montana, purchased the two cars and trucked them to his yard. He rebuilt the open car and it is now on display as part of a railroad exhibit in Nevada City, Montana.²⁷ The closed car remains in the junk yard amid other relics from past eras.²⁸

²⁵Helena Electric Railway Company. Annual Statement, April 30, 1929.

²⁶Helena Electric Railway Company. Certificate of Withdrawal, August 2, 1929. Filed with the Secretary of State, August 19, 1929. Poor's, 1930, p. 1972. Helena Gas and Electric Company. Certificate of Dissolution, April 15, 1930. Filed, May 16, 1930. The Montana Power Company acquired all the property and assets of the Helena Gas and Electric Company (of New Jersey) October 1, 1929, and the latter corporation dissolved.

²⁷Carl Engelbach. Letter dated February 19, 1968. The open car on display in Nevada City is repainted yellow and made to look as if it were horse-drawn. Lettering on the car reads: "Brownell Car Company, St. Louis, No. 251." This is one of the cars 16-19 listed in Appendix B. The number, however, is in error. The car is also inaccurately depicted as a horse-drawn trailer.

²⁸The closed car in Silver Star is Car 3 (see Appendix B, Car 3b). It is one of the Cincinnati Car Company trolleys the Helena Light and Railway Company purchased in 1909. The farmer who owned it boarded over the windows and vestibules and painted the exterior green. Located in the same yard with the Helena car are two Butte trolleys: open car No. 12, and closed Car No. 63. The street railway system in Butte ceased operation in 1937.

The four cars sold to the Great Falls street railway company served on that line until its abandonment in 1931. They were then scrapped. The three Perley A. Thomas cars sold to Butte enjoyed more service. The Butte company repainted them yellow-orange to match its other equipment and renumbered them 69, 70 and 71. They ran on the Englewood line in that city until the company ceased operations, September 22, 1937. Car 71 (42) became private living quarters in Butte but vanished during a latter-day clean-up campaign. Car 70 (41) served a variety of functions at Butte's rodeo grounds until it too was dismantled.²⁹ The last Thomas-built car (69 or 40) still survives. "Street car No. 69 which traveled thousands of miles during its service on Butte and Helena streets made its last journey yesterday, hauled on a truck to a ranch east of Arlee, where it will be used as a bunkhouse."³⁰ Weather-worn and deteriorating, the car still stands on its cement foundation near Arlee, Montana.

Street railway historians and trolley car "fans" have written little concerning the history of Helena's lines. The longest article appeared in a 1946 issue of the Electric Railroader's Association Headlights, beneath a schematic drawing of Helena's traction system. One Robert S. Wilson supplied the data for the map and the article. Unfortunately, this article contained several errors which a more recent publication perpetuated. The article begins by naming the "Helena Railway Light and Power Company" as the owner of the track system depicted. Wilson reported on the major branch lines to East Helena, Fort Harrison and the Broadwater Hotel and mentioned a small spur "penetrating a little further up the canyon behind the carbarn." Wilson went on to relate "an

²⁹Carl Engelbach. Letter dated February 19, 1968.

³⁰Quote taken from the Montana Standard (Butte), October 23, 1937.

interesting rumor" concerning the Broadwater line: ". . . it was intended as a link in an interurban to connect western Montana with Portland, Oregon (and what an interurban that would have been!)" The article concluded with a discussion of the three cars purchased from the Perley A. Thomas Company in 1924. "Although delivered to the Capital City, they were, for some reason, never given a chance to prove their worth there. Instead, the entire traction property was summarily abandoned and the three brand new trolley cars languished, alone and unwanted, in the dismal car house for considerable time. Then a fire in the car house of [the] Butte Electric Railway deprived that company of much of its rolling stock, and much embarrassment resulted in filling out its schedules. The three 'Cinderellas' were hastily brought south and saw their first service in the mining city. . . ."31

The Electric Railway Historical Society duplicated this information when it compiled its Bulletin Number 9, entitled Car Plans of the Perley A. Thomas Car Company, High Point, North Carolina. Notes under design twenty-two read as follows: "Design 22 was an order of 3 cars for the Helena (Montana) Light and Railway Co. Built in 1923 for the long suburban runs to East Helena and Fort Harrison, they never saw service there, as operations were abandoned upon delivery. A few years later they went to the Butte Electric Railway and were renumbered from 40-42 to 69-71."32

The information supplied by Robert S. Wilson deserves mention in

³¹E. R. A. Headlights, Vol. 8, No. 2 (February, 1946).

³²Car Plans of the Perley A. Thomas Car Company, High Point, North Carolina. Bulletin No. 9. Electric Railway Historical Society, [n.d.], p. 15.

this thesis for the inaccuracies it included. Initially, no line extant in Helena ever bore the name "Helena Railway Light and Power Company." There is also no record of any line constructing or seeking a franchise to construct a branch line up Last Chance Gulch above the car barn. The "interesting rumor" is interesting indeed for it never found its way into print during the history of Helena's street railway systems or in the plans of the Montana Rapid Transit Company during the first decade of the Twentieth Century.

The mental picture of the three "Cinderella" cars languishing alone and unwanted in Helena's "dismal" car barn may conjure pangs of emotion for a sincere, yet ill-informed trolley "fan," but it is, nonetheless, highly inaccurate. The Thomas-built cars saw continued service throughout Helena from the inaugural run June 18, 1924, to the last day of operation, a three and one-half year period which disproves the statement that the "entire traction property was summarily abandoned." These trolleys remained in the car house for one month before A. T. Schultz sold them to the Butte traction company. There is also no record of a disastrous fire in Butte which necessitated the cars' immediate delivery. The three trolleys did not, in any case, see their first service in Butte.

Helena's street railway collapsed officially when the Helena Electric Railway Company withdrew from Montana, August 2, 1929. Yet, in another sense, it continues as long as the vestiges of its operation exist in a junk yard at Silver Star, in a field near Arlee, or in the memory of its "fans."

CHAPTER VI

CONCLUSION

Helena's street railways provided a microcosm of the industry's national trends. There were specific differences extant within the history, yet they were characteristic of the local situation or only served to further substantiate national generalization. What, then, were the broad trends and developments within the history of Helena's trolley lines and how do these serve to substantiate the characteristics of the nation's traction industry?

The overall history of mass urban transportation in Helena was the nation in miniature. It began with omnibusses, progressed to horse cars, experimented with "dummy" steam motors or flirted with the idea of cable cars, then expanded to all-electric operation. The city witnessed an initial flurry of franchises and resultant competition shortly after Frank J. Sprague perfected his trolley in 1888. Periods of consolidation and continuity followed. Increased labor and material costs, along with the perfection of the automobile as a means of dependable and flexible transportation, resulted in a shrinking revenue base for Helena's trolley system. Collapse was imminent.

Closer examination of specific events or developments further substantiate Helena's correlation with the remainder of the nation. The first operational company -- the Helena Street Railway Company -- provided increased flexibility from the cumbersome Northern Pacific locomotives, which arrived one mile north of town, to the condensed business center in Last Chance Gulch. Businessmen from the backers of the Helena City Railway to W. G. Ferguson and the Helena Commercial Club, realized the

advantages of a street car line. Representative newspaper advertisements, letterheads and Chamber of Commerce publications bear this out. Wallace and Thornburgh, S. T. Hauser, A. J. Steele and Company and many other realtors were equally quick to realize the inflationary effect a street railway exerted on land prices.

Competition for passenger traffic between sparsely settled housing developments and a few key points within Helena stimulated consolidation. The economic vicissitudes of the national Panic of 1893 acted as a catalytic agent for these mergers. Mounting losses from low rates and limited traffic placed a considerable financial burden upon many lines. Consolidation of fractional franchises into a single company made it possible for the resultant corporation to eliminate unprofitable routes and rates. Consolidation also had an adverse effect. It combined fractional debts as well. The result was an accumulated debt too great for local financiers to bear or overcome.¹ They called for outside investment in increasing quantities. Heavy outside investment -- in material, men and money -- by J. G. White and Company relieved the accumulated financial burden, provided efficient, unified control and effected truly profitable operation of Helena's street railway system.²

Helena traction companies realized their greatest business volume transporting segments of the city's population to school, work or play. They used special cars like the "Big Open" to the Broadwater, or the East Helena smelter car, and special rates for sports teams, teachers

¹William Andrews Clark, Marcus Daly or other upper-echelon financiers in Montana, did not invest in the Helena system. Colonel Broadwater, perhaps the richest single individual to invest in a Helena company, died in 1892 and his holdings became divided.

²The May 14, 1906 financial agreement referred to in Chapter III, marked the official end of local control in Helena traction affairs.

and students.

Ordinance 47 provided for track of wagon-wheel width and girder type. However, all track laid in Helena was standard gauge and companies often succeeded in securing a franchise which permitted "T" rail. This matter saved not only construction effort, but also operational inconvenience. It meant fewer wagons and buggies disputed the trolley's right-of-way during inclement weather.

Many injuries and fatal accidents occurred on Helena's trolley lines, yet with the exception of the Yergy claim, judgments were not excessive.³ The two steam motor lines were the only companies that did not enjoy general public favor. Helena's press was always favorably disposed toward the trolley cars, and like many newspapers across the nation, it continually warned local residents of the dangers involved in contesting a street car's right-of-way.

Railway officials from John H. King to Thomas Marlow and A. T. Schultz dealt successfully with the City of Helena in securing favorable franchises from 1883 to the Brill ordinances and the regulation of bus traffic. Montana's Public Service Commission was typical of its counterparts across the country in its resistance to fare increases and route abandonment. Commissioners were more than aware of the Helena Light and Railway's overall profitability and often suggested improved service would increase revenues.

The Helena Light and Railway Company did not successfully stymie motor vehicle competition which eventually overwhelmed it. Equally unsuccessful were the company's efforts to stem the rising wage scales and

³Court settlements were generally favorable to companies throughout the history of street railway operations in Helena.

material costs the First World War accelerated. Either automobile competition or rising expenses could have eventually decreased company revenues to an unprofitable level. But, the combined effect of the two produced deficit operations in a short period of time. The restrictive nature of the Brill franchise and the Montana Public Service Commission prevented the Light and Railway company from taking immediate action to alleviate its growing financial burden.⁴ The unified nature of Helena's three public utilities under the Helena Light and Railway Company sustained the operation of the street railway. The Commission repeatedly acknowledged the lack of public objection to such operations, but "political fishing trips," as the Independent called them, applied pressure through the Commission forcing the company to separate its operations. Dwindling fares and increased expenses would have eventually caused Helena Light and Railway administrators to prune the unproductive utility, the actions of the P. S. C. exasperated this action.

Street railway officials in Helena did not officially acknowledge the findings of the President's Commission after World War I.⁵ But, the company did attempt to initiate several resultant suggestions: discontinuance of city rebates, use of new equipment, and abandonment of unprofitable branch lines.⁶ When these methods failed to stem the ebb of passenger traffic, the company's administrators separated the street

⁴The Brill franchise and the Commission's actions held rates down when the company sought increases to meet mounting expenses. The Commission also prevented the corporation's rapid abandonment of unprofitable branch lines.

⁵J. G. White and Company in New York was closer to the President's Commission and its decisions.

⁶City Council members never seriously considered a service-at-cost plan or public ownership, although the railway's directors frequently advocated the latter course of action after 1917.

railway from the two more profitable utilities and abandoned it.⁷

Throughout the history of street railway operations in Helena there is a record of excellent labor-management relations. Companies were loyal to employees and employees were, in turn, faithful to the company. A manager or superintendent quickly defended his motormen or conductors after an accident. Officers and directors did the same. A further example of company faith may be found in the fact that when Helena Light and Railway officials economized during the early 1920's, they did not fire a single street railway employee. Long employment records of men with the company when it ceased operations in 1927 attest to good labor-management relations.⁸

Few exceptions to the national trends in the traction industry are to be found in the history of Helena's lines. The most noteworthy of these was the continued public acceptance of consolidated utility operation and Montana Public Service Commission condescendence in the matter.⁹ Continued political pressure on the P. S. C. eventually reversed this position.

⁷The possible consequences of the accident in 1924 may have moved the company directors to place the line in receivership, but this is unlikely. The company carried adequate insurance and quickly ordered replacement cars to continue service.

⁸The company did release employees from other departments as an economy measure. Helena Light and Railway employees stayed with the company in spite of wages, which the concern itself admitted were the lowest in the state. It will be remembered that the only strike against a Helena street railway was the one-day walkout by the three Helena, Hot Springs and Smelter engineers, September 22, 1890.

⁹This is, perhaps, explicable in the colonial and monopolistic nature of Montana's economy during this period. See K. Ross Toole, Montana: An Uncommon Land (University of Oklahoma Press, 1957) or Joseph Kinsey Howard, Montana, High, Wide and Handsome (Yale University Press, 1943) for further elaboration on these characteristics.

Bus competition, characteristic throughout the nation, did not play a significant role in the Helena Light and Railway's decreasing revenues. The corporation's lawyers and managers successfully stymied bus transportation throughout street railway operations. However, automobile and taxi competition were sufficient to divert the company's passenger traffic.

Over-expansion in a city with a stagnant, often times contracting population, was atypical and left Helena street railways even more exposed to the vicissitudes of mushrooming expenses and rapidly multiplying automobiles. These characteristics accounted for a segment of the decreasing fares. Helena, the largest city in Montana when the Helena Street Railway began operations, was the smallest Montana city with trolleys when the Helena Electric Railway Company ceased operations in 1927.¹⁰

The collapse of Helena's street railway system in 1927 -- two years before the 1929 stock market crash -- was indicative of the entire industry's weakened nature. Helena's national significance as a representative street railway rests on that relationship.

¹⁰U. S. Bureau of the Census. Fifteenth Census of the United States: 1930. Population, Vol. I, p. 634. Helena's population in 1930 was 11,803. The other cities with street railway systems were: Anaconda, Butte, Great Falls and Missoula. All had populations larger than Helena's.

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The need for mass urban transportation in Helena has not passed. Private automobiles and a few taxis fill the needs of the populace with dependable, flexible transportation during the winter months. But, with the summer and an influx of visitors, the situation changes. The "Last Chancer," a Jeep-pulled train of open cars, now transports the city's guests from site to sight over streets that once knew horse cars, steam motors and sleek maroon trolleys with wicker seats. But, if one observes closely -- between the pavement's cracks, on the face of an aging building, or in the remembrances of older residents -- the vestiges of Helena's street railways remain.

APPENDIX A

OPERATING STATISTICS

Company & Date	Railway Earnings	Gross Revenue	Railway Expenses	Net Income	Surplus (less taxes & bonus)	Passengers Carried
IHS&S 1889a/	\$ 18,000.00	Same	\$ 23,250.00	None	\$ 5,250.00 *	**
IHS&S 1890b/	19,808.35	Same	28,257.44	None	6,449.09 *	**
IP&L 1897	**	**	**	**	**	880,952 #
IP&L 1902	**	**	**	**	**	349,239
IL&T 1905	**	\$229,080 c/	**	\$ 91,576.00 d/	**	**
IL&R 1906	70,869.00	247,154 c/	**	93,261.00 d/	26,451.00 e/	**
IL&R 1907	85,605.00	268,774 c/	**	99,398.00 d/	13,931.00 e/	1,820,657
IL&R 1908	85,482.00	270,674 c/	**	96,412.00 d/	22,506.00 e/	**
IL&R 1909	90,768.00	290,626 c/	**	108,114.00 d/	17,176.00 e/	**
IL&R 1910	96,735.00	309,741 c/	**	116,942.00 d/	19,234.00 e/	**
IL&R 1911	105,408.00	332,691 c/	**	125,275.00 d/	19,294.00 e/	**
IL&R 1912	104,040.87	333,773 c/	81,838.91	22,201.96	14,706.86	**
IL&R 1913	103,279.14	327,164 c/	86,172.84	17,106.30	8,711.44	**
IL&R 1914	93,442.87	315,862 c/	70,585.60	22,857.27	15,140.92	**
IL&R 1915	84,874.26	321,198 c/	71,498.60	13,375.66	5,918.50	**
IL&R 1916	89,653.14	329,194 c/	75,831.40	13,821.74	5,294.51	**
IL&R 1917	94,124.99	346,835 c/	81,392.25	12,732.25	2,725.77	**
IL&R 1918f/	88,402.72	**	103,202.23	None	14,799.51 *	**
IL&R 1919	99,020.21	**	**	**	**	1,500,688
IL&R 1920	100,109.69	**	133,961.04	None	33,851.35 *	1,400,000 #
IL&R 1921	94,629.79	**	133,288.50	None	38,658.71 *	1,300,000 #
IL&R 1922	99,217.77	**	132,465.11 g/	None	33,274.34 *	1,200,000 #
IL&R 1923	87,860.94	**	135,045.91 g/	None	47,184.97 *	1,138,315
IL&R 1924	73,658.94 #	**	119,713.91 g/ #	None	46,054.97 * #	1,000,000 #
IL&R 1925h/	**	**	**	**	45,283.36 *	850,000 #
IL&R 1926h/	**	**	**	**	48,179.45 *	736,691
IER 1927i/	17,196.04	**	21,460.35	None	4,264.31 *	**

Notes for Appendix A:

Symbols: * Deficit
 ** Figures unavailable
 # Estimate

Notes: a/ -- Seven month period: May 1, through November 30, 1889. (All other dates are for the year ending December 31, unless otherwise noted.)

b/ -- Year ending November 30, 1890.

c/ -- Gross revenue of the electric, gas and street railway utilities combined.

d/ -- Net income of the entire company, not just the street railway department.

e/ -- Overall company revenues; three utilities operated as one.

f/ -- Year ending June 30, 1918.

g/ -- Taxes included.

h/ -- The company was in receivership during all or part of this year.

i/ -- Three and one-half month period from September 15, through December 31, 1927.

Company Abbreviations:

HHS&S -- Helena, Hot Springs and Smelter Railroad Company.

HF&L -- Helena Power and Light Company.

HL&T -- Helena Light and Traction Company.

HL&R -- The Helena Light and Railway Company.

HEER -- Helena Electric Railway Company.

APPENDIX B

Car Roster
(The Helena Light and Railway Company)

- #1: American closed passenger car -- wood construction; length overall 39'11". Equipped with Peckham double trucks, type 14B. G. E. type 80, 4 motor equipment. Destroyed in accident, December 16, 1924. Trucks used on Car No. 43.
- #2: American closed passenger car -- wood construction; length overall 39'11". Equipped with Brill double trucks, type 27G. Trucks purchased new in 1923. G. E. type 80, 4 motor equipment. Car renumbered No. 45. Sold to Great Falls in 1928. Scrapped in 1931.
- #3(a): Pullman closed passenger car -- wood construction. Equipped with double trucks. G. E. type 42, 4 motor equipment. Rebuilt c. 1902 from 1888 Helena Motor Railway passenger car. Named "3 Spot." Taken out of service c. 1910.
- #3(b): Cincinnati closed passenger car -- wood construction; length overall 31'6". Equipped with Peckham single trucks, type 11. G. E. type 80, 2 motor equipment. Purchased in 1909. Numbered 23 temporarily. Now at Silver Star, Montana.
- #4(a): Pullman closed passenger car -- wood construction. Equipped with double trucks. G. E. type 52, 4 motor equipment. Rebuilt c. 1902 from 1888 Helena Motor Railway passenger car. Taken out of service, c. 1910.
- #4(b): Cincinnati closed passenger car -- wood construction; length overall 31'6". Equipped with Peckham single trucks, type 11. G. E. type 80, 2 motor equipment. Purchased in 1909. Numbered 24 temporarily. Kenwood Car. Scrapped in 1928.
- #5: Pullman closed passenger car -- wood construction; length overall 29'9". Equipped with Peckham single trucks, type 11. G. E. type 52, 2 motor equipment. Converted to a service car by 1920. Scrapped in 1928.
- #6-7: Company did not operate cars with these numbers.
- #8: L. C. Company closed passenger car -- wood construction; length overall 30'10". Equipped with Peckham single trucks, type 11. G. E. type 52, 4 motor equipment. Scrapped in 1928.
- #9: Closed passenger car of unknown type -- wood construction. Equipped with single trucks. G. E. type 52, 2 motor equipment. Scrapped in the early 1920's.

- #10: Closed passenger car of unknown type -- wood construction. Equipped with Peckham single trucks, type 11. G. E. type 52, 2 motor equipment. Scrapped in the early 1920's. Trucks were used on the drop side dirt car.
- #11: Company did not operate a car with this number.
- #13: American open passenger car -- wood construction; length overall 40'8". Equipped with Peckham double trucks, type 14B. G. E. type 52, 4 motor equipment. Purchased in 1902. Known as the "Big Open." Sold to Great Falls in 1928. Scrapped in 1931.
- #13-14: Company did not operate cars with these numbers.
- #15: Closed construction car of unknown type -- wood construction; length overall 29'8". Equipped with peckham single trucks, type 9. G. E. type 52, 2 motor equipment. Built specially for work on overhead wires. Scrapped in 1928.
- #16: Brownell open trail car -- wood construction; length overall 30'4". Equipped with Peckham single trucks, type 11. Formerly numbered No. 27. Scrapped in 1928.
- #17: Brownell open trail car -- wood construction; length overall 30'4". Equipped with Peckham single trucks, type 9. Formerly numbered No. 30. Scrapped in 1928.
- #18: Brownell open trail car -- wood construction; length overall 30'4". Equipped with Peckham single trucks, type 11. formerly numbered No. 32. Scrapped in 1928.
- #19: Brownell open trail car -- wood construction; length overall 30'4". Equipped with Peckham single trucks, type 9. Formerly numbered No. 31. Scrapped in 1928. (NOTE: One of the above Brownell open trail cars is now on display at Nevada City, Montana.)
- #20: Jewett closed passenger car -- wood construction; length overall 29'9". Equipped with Peckham single trucks, type 11. G. E. type 80, 2 motor equipment. Purchased in 1906. Converted to a work car by 1923. Scrapped in 1928.
- #21: Jewett closed passenger car -- wood construction; length overall 29'9". Equipped with Peckham single trucks, type 11. G. E. type 80, w motor equipment. Purchased in 1906. Removed from regular service c. 1924. Scrapped before 1928.

- #22: Jewett closed passenger car -- wood construction; length overall 29'9". Equipped with Peckham single trucks, type 11. G. E. type 80, 4 motor equipment. Purchased in 1906. Removed from regular service c. 1924. Scrapped before 1928.
- #23: See Car No. 3(b).
- #24: See Car No. 4(b).
- #25: Brownell open passenger car -- wood construction; length overall 31'4". Equipped with Detroit single trucks. G. E. type 52, 2 motor equipment. Removed from regular service c. 1924. Scrapped before 1928.
- #26: Brownell open passenger car -- wood construction; length overall 31'4". Equipped with Detroit single trucks. G. E. type 52, 2 motor equipment. Removed from regular service c. 1924. Scrapped before 1928.
- #27: See Car No. 16.
- #28: Brownell open passenger car -- wood construction; length overall 31'4". Equipped with Detroit single trucks. G. E. type 52, 2 motor equipment. Removed from regular service c. 1924. Scrapped before 1928.
- #29: Company did not operate a car with this number.
- #30: See Car No. 17.
- #31: See Car No. 19.
- #32: See Car No. 18.
- #33: Jones open passenger car -- wood construction; length overall 24'10". Equipped with Peckham single trucks, type 9. G. E. type 52, 2 motor equipment. Scrapped in 1928.
- #34-39: Company did not operate cars with these numbers.
- #40: Thomas closed passenger car -- steel construction; length overall 38'9". Equipped with Osgood-Bradley double trucks; lightweight 26" wheels. G. E. type 265A, 4 motor equipment. Purchased in 1923. Sold to Butte in 1928. Now at Arlee, Montana.
- #41: Thomas closed passenger car -- steel construction; length overall 38'9". Equipped with Osgood-Bradley double trucks; lightweight 26" wheels. G. E. type 265A, 4 motor equipment. Purchased in 1923. Sold to Butte in 1928. Scrapped after 1937.

#42: Thomas closed passenger car -- steel construction; length overall 38'9". Equipped with Osgood-Bradley double trucks; lightweight 26" wheels. G. E. type 265A, 4 motor equipment. Purchased in 1923. Sold to Butte in 1928. Scrapped after 1937.

#43: Brill closed passenger car -- wood construction; length overall 41'8". Equipped with Peckham double trucks, type 14B. Trucks were formerly used on Car No. 1. G. E. type 80, 4 motor equipment. Purchased from Spokane in 1925. Sold to Great Falls in 1928. Scrapped in 1931.

#44: Brill closed passenger car -- wood construction; length overall 41'8". Equipped with Brill double trucks, type 27G. Trucks were formerly used on Car No. 2. G. E. type 80, 4 motor equipment. Purchased from Spokane in 1925. Sold to Great Falls in 1928. Scrapped in 1931.

#45: See Car No. 2.

Unnumbered Dirt Car -- wood construction; length 22'0", width 6'0", depth 2'6". Bottom inverted "V" and drop sides for dumping. Equipped with Peckham single trucks, type 11. These trucks were formerly on Car No. 10. Scrapped in 1928.

Unnumbered Dirt Car -- wood construction; length 23'0", width 6'6", depth 2'0". Bottom flat and ridged sides. Equipped with Peckham single trucks, type 11. Scrapped in 1928.

Eight Root No. 6 snow scrapers.

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