

INDIANA MAGAZINE OF HISTORY

VOLUME XXIV.

SEPTEMBER, 1928

NUMBER 3.

The Senatorial Career of Albert J. Beveridge

By JOHN A. COFFIN

PRE-SENATORIAL DAYS

Albert Jeremiah Beveridge, author, lecturer, United States Senator and historian, was born in Highland County, Ohio, October 6, 1862. Before the Civil War his father migrated from Virginia to this county where he bought a farm. The four half-brothers as well as the father saw service in the Union armies. Following the War, the family suffered business reverses, the farm was lost, and the family then moved to Sullivan, Illinois. The early education of Albert was meagre. As he grew older, he was able, by working early and late, to acquire the rudiments of a high school course.

The early occupations of the boy were of a strenuous nature. He was first employed on a farm at the age of twelve. He worked on a railroad as a section hand for the next two years. He then spent a year as a logger and a teamster. The following summer, at the age of sixteen, he was placed in charge of a lumber camp, due to the fact that he was industrious and had a natural aptitude for commanding men. It was here that he learned the "art of profanity." This habit stayed with him, for the rough speech of this crude early en-

vironment became rooted in him; however, it was merely a superficial habit.¹

In 1882, this slender, rugged young man, keen and alert of face, with a powerful jaw, gray-blue eyes, and a perfect mop of long hair, secured fifty dollars and entered DePauw University, at Greencastle, Indiana. He registered in the classical course, one of those offered at that time.² Beveridge was a vigorous student from the beginning of his college life to the end of his varied career. He was methodical in his study, had a great amount of perseverance, and was almost incapable of either mental or physical fatigue. Greek and Latin were required subjects in the classical course. The first year he took both languages. He had never studied Latin so he had to start at the beginning in this as well as in Greek. At the end of the first year he asked Dr. Edwin Post to give him an examination over the first two years of work in Latin. It was an absurd request, in the opinion of Dr. Post, but he reluctantly consented. To his utter amazement Beveridge passed the test making an excellent grade.³ In addition to this extra work he competed in all academic contests open to him. In this field he was unusually successful, winning every contest he entered the first year and every year thereafter with but one exception.

His assiduity as a student was exceptional. His varied activities were made possible by his scheme of budgeting his time. He made out a daily program and adhered to it rigidly. In fact, he was so diligent in living up to it that a fellow student states that, "There was not a minute of the day that he did not know where Beveridge was if he had his schedule".⁴ His rigid economy or conservation of time is exemplified by his allowing himself only fifteen minutes for the general session at Langdon Hall after the evening meal, while most of the students lingered an hour or more. On the campus he always walked as fast as possible with his characteristic springy step, as if the next thing to be done could not wait another minute. He was usually quite irritated if some one stopped him on the

¹ Personal interview with Judge Clarence R. Martin, of the Indiana Supreme Court, April 5, 1928.

² Personal interview with Professor Joseph W. Piercy, Head of Department of Journalism, Indiana University, April 12, 1928. Professor Piercy was a fellow student of Mr. Beveridge at DePauw; David Graham Phillips, quoted in "Beveridge the Unsquenchable" *Current Literature*, XLI, p. 512.

³ *Indianapolis News*, January 11, 1899.

⁴ Professor Piercy, Personal interview, April 12, 1928.

campus, or came into his room to use his time idly,⁵ but he was always willing to take time for a worthy cause. Many times he allowed himself only four hours of sleep, as his schedule of work for the early morning hours was very heavy.⁶ His studies came first, while his pleasure and even his sleep were of secondary importance.

The Chief extra-curricular activity at the University was the Literary Club, commonly known by the boys as "Old Plato". Interest in the organization lagged, in a way, except at election times when politics was indulged in to a great extent. The opposing factions were led by Beveridge on the one hand and by James E. Watson on the other. Such elections were excellent schools for the application of practical politics. Between election days, the scheduled meetings usually consisted of debates on a variety of subjects. It was a usual practice, after the regular business was over, for someone to move that the regular order be dispensed with and that extemporaneous debate be substituted. That usually meant a joint discussion between Beveridge and Charles Henry McAnny, of New Jersey, who later became a well known Methodist minister.⁷

Oratory at DePauw was one of the outstanding fields of endeavor. The student who could give an excellent oration was admired as our college football star is to-day. Students interested in public speaking put in as much time and effort in attaining skill as the modern athlete does. Speeches not only had to be conceived and memorized but the voice had to be cultivated as well. Long before sunrise, even in the winter months, Beveridge would set out across the fields to the woods to practice his voice exercises, returning an hour or so before breakfast to study the classics or to read the great orations.⁸ He purchased a book on elocution and studied it. As he wrote out his first speeches, he would indicate here and there that certain gestures should be made. He practiced these speeches and gestures before the mirror until he had the art fully mastered. In later years his gestures came as a natural reaction

⁵ *Ibid.*

⁶ Phillips, in *op. cit.*, p. 512.

⁷ Hillary A. Gobin, in *Addresses, In Honor of Albert J. Beveridge*, February 5, 1917, p. 10.

⁸ Phillips, in *op. cit.*, p. 512.

The student who won the oratorical prize at DePauw earned one of the highest honors attainable. The first year Beveridge was in school he won prizes in philosophy, science, and oratory. As a sophomore he won many oratorical prizes. While a junior he continued to take first place in every oratorical contest, his efforts reaching a climax when he won the State oratorical contest. This entitled him to compete with the representatives of all the colleges and universities in the West and Northwest the following year. The great contest was held in Columbus, Ohio, May 7, 1885. By winning this interstate contest, he reached the highest point of his college oratorical career. On his return to the University, President Alexander Martin, the faculty, the band, the student body, and townspeople escorted him through the streets to Meharry Hall where a large audience had assembled to celebrate his victory. President Martin representing the faculty and the administration gave a short speech of welcome, while James E. Watson represented the student body.¹⁰

While in the University Beveridge worked as steward of a boarding club to help pay his expenses. During the summer months he sold books in a western State. His first year in this occupation was so successful that the company, for which he worked, had him train a group of students to carry out the work more extensively. After three months of preparation and practice on the townspeople of Greencastle, he led his band of super-salesmen into the State of Iowa to sell a book entitled *Errors Chains*, a history of religions. They were so successful in fastening those "Chains" on the State that David Graham Phillips remarks: "I do not think any other body of book sellers ever made so much money in so short a time."¹¹

After graduating from the University, he went West and worked on a ranch to build up his health. On his return, he was admitted to the law office of McDonald and Butler; and, after reading law for a year, was offered the position of managing clerk with the duties of a junior partner. At first he declined the position stating that he was not sufficiently pre-

⁸ Phillips, in *op. cit.*, p. 512.

⁹ Prof. Piercy, Personal interview, April 12, 1928.

¹⁰ Phillips, in *op. cit.*, p. 513; *Indianapolis Journal*, May 12, 1885; Prof. Piercy, Personal interview, July 2, 1928. The subject of Beveridge's speech in this contest was "Capital and Labor."

¹¹ Phillips, in *op. cit.*, p. 512. While in Iowa that year Beveridge first heard Jonathan P. Dolliver speak. He happened to be in Des Moines at the time of the Iowa State Convention. *Cong. Record*, 61 Cong., 3 Sess., p. 2835.

pared. In answer to this McDonald stated that if they could stand his lack of legal ability he ought to be able to accept. He finally accepted and stayed with them approximately three years. He assisted them ably in several important cases. One of the most noted, and his first case before a jury, was that of the Massillon Bridge Company vs. the Commissioners of Lawrence County. It was fiercely contested throughout with Benjamin Harrison and associates on the one side and McDonald and associates on the other.¹²

Beveridge began the practice of law for himself in 1889. He found it difficult to get started, but he soon attracted the attention of Governor Alvin P. Hovey and others in the famous State Officer's case. From this time on he was more successful.

Early in his practice, Beveridge forsook the tedious, technical, and detailed side of the practice, as well as the ordinary petty cases that consume the time of many lawyers. He confined himself to those cases of greater importance where fundamental principles and questions relating to the construction of our National and State Constitutions were involved. Whenever a case came up, in which he was concerned, however trivial, it was tried upon issues of constitutional law, if any possible relation thereto could be found.¹³ It was in this way, that he became known in legal circles as a constitutional lawyer.¹⁴

In this field he was exceptionally well versed. Mr. Noel, a contemporary lawyer, characterized his knowledge of constitutional law in these words:

The elastic clause of the Constitution, the Fourteenth Amendment, and the doctrine of implied powers were his bed fellows.

The cases of Marbury vs. Madison, *Chilsholm vs. Georgia*, *McCullough vs. Maryland*, the *Dredd Scott Case*, the *Granger Case* and numerous other landmarks of our judicial history were as familiar to him as they are unfamiliar to the practitioner of the police courts.¹⁵

Francis E. Baker, a former Indiana Supreme Court judge, in speaking of him as a practitioner in the courts stated: "He clearly perceived the points of issue, and no man more ably, eloquently, or thoroughly performed the duties of a lawyer."¹⁶

¹² *Indianapolis News*, January 11, 1899; *Indianapolis Journal*, January 11, 1899.

¹³ James W. Noel, in *Addresses, In Honor of Albert J. Beveridge*, February 5, 1917, p. 10.

¹⁴ His library in the field of constitutional law was unexcelled in the State. Personal interview with James W. Noel, April 5, 1928.

¹⁵ Noel, in *Addresses*, p. 15.

¹⁶ Judge Baker, in *Toasts, Given at Dinner in Honor of Albert J. Beveridge*, p. 17. Mr. and Mrs. C. E. Coffin gave the dinner on January 13, 1899.

The language that Beveridge used in his arguments and the manner in which this accomplished orator presented and pleaded his cases were unusually convincing. Judge Baker relates the following court incident, which is a sample of the powers of Beveridge in this respect. He brought a damage suit for a man who had been wrongfully ejected from a train, by the conductor, in the belief that his thousand-mile ticket did not belong to him. The case was tried twice. As a result of the first trial, Mr. Beveridge recovered for his client a verdict of one thousand dollars. The verdict was set aside. On the second trial, he saw the interested jurymen, who heard the case, with elbows on their knees, drinking in the eloquence, pathos, and wit of the orator with the same eagerness that a young robin watches the return of the mother bird with its morning meal. He swept the jury off its feet as he described the awful anguish which this client had suffered by being put off the train. The jury awarded the client \$2,500. One of the most eminent lawyers of the city made a motion for a new trial on the ground that the award was far too large. Judge Baker observed with dry humor that the verdict awarded by the jury was indeed two or three times what it should be, but added that he feared to set it aside lest if Mr. Beveridge be given a chance to take the case a third time, he should persuade the jury to give his client a verdict of \$5,000.¹⁷

Mr. Noel also avers that Beveridge secured an acquittal from a jury in a hopeless case by making an argument upon State comity, with a peroration upon the American Flag.¹⁸

Beveridge's success in law was unusual. He obtained a high place in his profession largely because of his natural ability, his industry, his versatility, his fine power of analysis, and his quick resistance to sophistry.¹⁹

The first important connection that Beveridge had with politics in Indiana was in 1884 at which time he started on his "stumping" tours of the State for the Republican party. He made his first speech in a rural blacksmith shop in Parke County and the next in a barn in the same county. Soon afterward he was scheduled to speak at Bloomington, Indiana. The Republicans from three counties had gathered to hear a speech

¹⁷ Judge Baker, in *op. cit.*, p. 18.

¹⁸ Noel, in *Addresses*, p. 15.

¹⁹ *Ibid.*, p. 15; John B. Cockrum, in *Toasts, Given at Dinner in Honor of A. J. Beveridge*, p. 38. Mr. and Mrs. C. E. Coffin gave the dinner on January 13, 1899.

which they assumed was to be given by the Honorable John L. Beveridge, ex-Governor of Illinois. When the members of the committee saw this raw-boned, white faced college lad step from the train and answer to the name of Beveridge, they were astounded. A feeling of disgust took possession of all who had gathered there, and it soon looked as if he were to be without an audience. It was necessary, then, that he lose no time. He was introduced and began his speech at once. His oratory and his fluent use of English soon won him the attention and sympathy of the audience. He talked for three hours and made such an impression that he was asked by the Bloomington Republicans to speak in every subsequent campaign.²⁰

His speeches were well prepared and well delivered. His broad, sweeping, terse statements at the beginning of each topic of discussion and then the expanding of these statements in a logical way made it possible for him to greatly influence his audience and convince waverers. He appealed to the intellect and to the reason of his audience as well as to the emotions.

In those days oratory counted a great deal in getting votes, and in this respect Beveridge had no peer. He adapted his discourses to his audiences in order to make his pleas more effective. He also knew how to take care of local elections; and after each speech, as a rule, he privately instructed the local politicians on election procedure.²¹ Needless to say the party often gained votes in localities in which he spoke.

In subsequent campaigns Beveridge toured the State, in his characteristic way, in the interests of the Republican party. He had large and enthusiastic audiences at every meeting for he was one of the most popular political speakers of the time. While on these tours he made many friends; and, although he did not organize them for personal benefit, he found them to be loyal supporters when he sought his first political office.

Not only did the Republican party in Indiana use this orator to further its interests, but the party in other States frequently called upon him to speak for them in campaign years.

²⁰ *Indianapolis News*, Jan. 11, 1899; Personal interview with Judge James B. Wilson, of Bloomington, July 3, 1928. Judge Wilson was a member of the committee in charge of this Bloomington meeting.

²¹ Dr. Logan Esarey, Professor of History at Indiana University, was present at a Tell City meeting on October 15, 1898. He relates that while the audience drank their cider and ate their doughnuts and apples, Beveridge held a caucus back stage and gave them a number one lesson on election tactics. He knew every card and how and when to play it. Personal interview with Dr. Esarey, October 21, 1927.

He was also asked to speak on many other occasions by various organizations. His first speech, outside the State, that attracted national attention, was given before the Union League Club of Chicago on February 22, 1895, in response to a toast, "Washington As A Patriot". He was asked to speak to the Hamilton Club of Chicago at its dinner in celebration of the birthday of Alexander Hamilton. With a speech at the Chicago Auditorium on October 30, 1896, he closed the Republican National Campaign in the West. On February 12, 1897, he addressed the Marquette Club of Chicago and in the same year the Clover Club of Philadelphia. The former speech was instrumental in bringing him the friendship of Lyman J. Gage, Secretary of the Treasury, and Charles G. Dawes, Comptroller of the Currency. In January, 1898, he spoke to the Bar Association of Pittsburgh on "The Vitality of the American Constitution". This was considered a masterpiece by those who heard it, and the Club had it printed for distribution. He was a co-speaker with Theodore Roosevelt at the Republican Club of New York over which the late Chauncey M. Depew presided. On April 27, 1898, three days before the beginning of Dewey's operations in the East, he spoke to an audience in Boston, at which time he declared:

Our field of operations is not confined to Cuba. We are at war with Spain. In the Pacific is the true field of our earliest operations. The Philippine Archipelago is there; we must strike the most vulnerable part of the enemy. We must sail to meet the enemy and not wait for her to come.²²

This was an early public utterance dealing with our affairs in the Philippines. On it is based the contention that Beveridge was the "Original Expansionist" of that era. This idea was further explained and expanded in a speech given at Tomlinson Hall, Indianapolis, entitled "The March of the Flag". In this way Beveridge not only became nationally known as a political speaker but as a lecturer as well.

He was married to Miss Katherine Langdale of Greencastle, in 1888. The date set for his marriage came at the time when he was engaged in the important Massilon Bridge Company case,²³ but Judge Woods adjourned court for a day to allow the

²² *Indianapolis News*, January 11, 1899.

²³ See above, p. 7.

young attorney to get married. He was back in court the following day.

Beveridge was always interested in the Bible and read it extensively. He was interested in it more from the viewpoint of good literature than from its religious teachings. His lecture, "The Bible is Good Reading", and a statement to one of his college associates, that "I would not be a preacher for a world of diamonds",²⁴ proves this rather conclusively. He joined the Methodist church after the officials had accepted his reservation that he should never be disciplined because of his spasmodic use of profanity.²⁵

Prior to his election to the United States Senate, Beveridge had not had any legislative experience, nor had he held any political office. He had loyally and unselfishly toured the State for the Republican party, and was known as a student, lawyer, and an accomplished orator.

ELECTION TO THE SENATE

Between 1888 and 1892, the Republican party declined to the extent that the Democrats were able to elect a President, and, in Indiana, to send enough men to the State Legislature to elect a Democratic Senator, David Turpie. Soon thereafter the Republican party was reorganized and new life was infused into its ranks. This, together with various other factors, especially the economic depression following the panic of 1893, carried the party to success in many subsequent campaigns. The Democrats were overwhelmingly defeated in the congressional elections of 1894. In 1896, a Republican President was elected, together with enough Republican members of the State Legislature in Indiana to elect Charles Warren Fairbanks to the United States Senate. Following in the wake of this decisive victory came the congressional and State elections of 1898.

The Democratic party in Indiana held its State convention on June 22, 1898, over which Senator Turpie presided. The platform as adopted sanctioned William J. Bryan's theory of money, and expressed opposition to the gold standard:

²⁴ Hillary A. Gobin, in *Addresses*, p. 10.

²⁵ Judge Martin, Personal interview, April 5, 1928.

The practice of the treasury in paying treasury notes in gold only . . . is chiefly responsible for the money depression now; is destructive to business enterprise, dangerous to public credit and prosperity of the people, and a serious menace to the national honor.

The usual Democratic view of the tariff was expressed, and the Dingley act, under which trusts and combinations had multiplied, and the cost of the necessaries of life had increased, was condemned. The platform favored the construction of a Nicaraguan canal as a national enterprise, election of Senators by the people, direct primaries, and the establishment of inheritance and income taxes. It was in sympathy with the social legislation passed in the last two General Assemblies and recommended a revision of county and township government.¹ Samuel M. Ralston, nominee for Secretary of State, headed the ticket.²

The Republican party held its State convention on August 4-5, 1898, at Indianapolis. Competition was keen for the various places on the ticket because the Republicans felt sure of success in the fall election, and believed that nomination practically meant election. Union B. Hunt of Winchester, was placed at the head of the ticket.³

The platform as adopted heartily indorsed the McKinley administration and the prosecution of the war with Spain. It was not less emphatic than the Democratic platform on the money question, stating:

We are unreservedly for sound money and are therefore opposed to the heresy to which the Democratic party is wedded. . . . which we regard as absolutely sure to debase our money and destroy our private and public credit and cause general business disaster. We recognize the necessity of comprehensive and enlightened monetary legislation, and believe that the declaration in the St. Louis National Republican platform for the maintenance of the gold standard and the parity of all our forms of money should be given the vitality of public law.

A tariff for protection was upheld, and sanction was given to the annexation of the Hawaiian Islands and to the construction of a Nicaraguan canal by the United States government. The platform recommended a restriction on immigration to protect American labor, approved the social legislation passed

¹ Indiana, *Legislative and State Manual*, 1899, pp. 602 ff.

² *Indianapolis Sentinel*, June 23, 1898.

³ *Indianapolis Journal*, Aug. 4 and 5, 1898.

by the last two General Assemblies, and favored a primary election law.⁴

The Republican campaign was well organized by the State Chairman, Charles S. Hernly. Congressional candidates were delegated to look after affairs in their respective districts, J. Frank Hanly and Albert J. Beveridge, Indiana's best campaigners, were sent throughout the State in the interests of the party. They were assisted by Charles W. Fairbanks, Robert S. Taylor, Frank B. Posey, and others. President McKinley visited Indianapolis on October 21, while on his western tour, to aid his Republican friends in the State.

The chief controversial point of the campaign was the money question. Congressman Overstreet of the Seventh district was sponsoring the Gold Standard bill that had been drafted and recommended by the Monetary Commission of the Indianapolis Convention.⁵ The Democrats exerted every effort to defeat Overstreet for by so doing they would, in a way, be dealing a death blow to the gold standard. On the whole, the Republicans appealed to the people to uphold the Administration in its prosecution of the war by electing a Republican ticket, and stressed the return of prosperity, that had set in with the election of McKinley, and the Republican pledge for the gold standard and sound money.⁶

The election on November 8, was the more keenly anticipated, because the outcome would determine the political affiliation of the next United States Senator. The returns from the election, as they came in, indicated that it was a Republican landslide; and when the final count was made, Union B. Hunt, as Secretary of State, received a plurality of 16,336. This was more than a thousand votes above the State Republican plurality of 1896, and was indicative of the election as a whole. Nine Republican Congressmen were elected, fifty-nine Republicans were sent to the lower house in the State Legislature and, in the State Senate, including the holdovers, the Republicans had

⁴ Indiana, *Legislative and State Manual*, 1899, pp. 598 ff.

⁵ The Indianapolis Monetary Convention was a meeting of representative Boards of Trade, Chambers of Commerce, Commercial Clubs, and other similar bodies of the United States. They appointed a Monetary Commission naming H. H. Hanna as Chairman. After drafting the bill they organized a strong lobby to promote it. *Report of the Monetary Commission*, 1898; *Indianapolis Sentinel*, October 3, 1898.

⁶ Obviously prosperity was not entirely due to the election of McKinley and the Republican pledge for the gold standard, but these factors played a part in it—exactly how great a part it is hard to determine. Prosperity at this time was world wide and not confined to the United States alone. However, this was a good campaign argument. For tables showing the increase of business activity between 1896-1898 in Indiana see *House Documents*, LXXII, 55 Cong., 3 Sess., pp. 421-424.

twenty-nine members.⁷ On joint ballot the Republicans would have a majority of twenty-six. Thus it was assured that a Republican Senator would be elected when the General Assembly should convene in January.

The next political question for Indiana to settle was, "Who shall be the next Senator?" Several well-known men were considered as senatorial possibilities, among whom were: Judge Robert S. Raylor of Ft. Wayne, seasoned senatorial timber; Major George W. Steel of Marion, an excellent politician; Frank B. Posey, favorite son of Evansville and the "Pocket"; J. Frank Hanly of LaFayette, reputed to be the "poor man's friend"; Albert J. Beveridge, the lawyer and orator; Benjamin Harrison, ex-President; James A. Mount, Governor of Indiana; Hugh H. Hanna, the "sound money" advocate who had helped draft the Overstreet financial bill; General Lew Wallace of Civil War and "Ben Hur" fame; and Addison C. Harris, prominent lawyer of Indianapolis. From this galaxy of well qualified men the legislators of Indiana were to choose a United States Senator.

Early developments brought out the fact that five of the above named men were actively engaged in the race, and had chances of getting the coveted Senatorial toga. From the first it seemed that J. Frank Hanly, as the leader of the younger and more progressive group in the Republican party, had the lead and would ultimately be successful. He was experienced in politics; had been a member of the State legislature and the National House; and had a personal machine working for him. He also had the advantage of an early start. His candidacy for the Senate was brought about by the fact that he was defeated by one-half of a vote in the tenth district primary convention for the nomination to Congress by Edward D. Crumpacker of Valparaiso.⁸ It was evident to Crumpacker that Hanly could, if he wished, defeat him in the fall election by throwing his support to the opponent. To get Hanly's support the friends of Crumpacker approached Hanly on the Senate proposition, promising him the tenth district vote if he would support Crumpacker. When Hanly was assured of the ten votes of this district, he definitely decided to enter the race.⁹ From that

⁷ *Indianapolis News*, Nov. 15, 1898; *Indianapolis Sentinel*, Nov. 11, 1898; *Indianapolis Journal*, Jan. 11, 1899.

⁸ *Indianapolis News*, Dec. 10, 1898.

⁹ *Indianapolis Sentinel*, Oct. 16, 1898.

time he was busy organizing his forces all over the State and asking for first choice votes in the event that the Republicans were successful in the fall election.¹⁰

Robert S. Taylor, best known as a judge and a member of the Mississippi River Commission, was a very able man. He had the support of the northern part of the State, and, as a leader of the more conservative element of the party, was considered a serious contender from the first.¹¹

Major George W. Steele of Marion, member of Congress from the eleventh district, was a leader of the more conservative element also. He was an active politician who took good care of his friends when political "plums" were passed out. He had had ten years of experience in Congress. He held aloof from the race for awhile in order to see how much voluntary support he could get, for he disliked the idea of entering the field immediately and attempting to drag men into his service. In his survey he found that he had the loyal support of his own district together with promised votes of several other members of the Legislature. Senator Fairbanks favored him. This seemed to warrant his entrance into the race, so he formally announced his candidacy on December 4.¹²

Frank B. Posey, who had been a candidate for the gubernatorial nomination in 1896, was active during the early part of the contest but his business kept him at home, for the most part, during the month of December. His political interests, however, were looked after by his friends who secured for him the support of Vanderburgh county and other portions of the "pocket."¹³

Early in 1898, Beveridge happened to be in the office of James W. Noel, an Indianapolis attorney, talking to a group of friends who had assembled there. During the conference Beveridge expressed the desire to be a United States Senator. The discussion which followed this announcement centered on the great difficulties that would have to be overcome and not on the question of his ability to serve his country with distinction. He was at a great disadvantage by reason of his age, his geographical location, and the unusual ability of other candidates. After much discussion these men decided that they

¹⁰ *Ibid.*, Nov. 19, 1898; *Indianapolis Journal*, Nov. 27, 1898.

¹¹ *Indianapolis Journal*, Dec. 20, 1898.

¹² *Indianapolis News*, Dec. 3 and 4, 1898; *Indianapolis Journal*, Dec. 4, 1898; *Indianapolis Sentinel*, Dec. 4, 1898.

¹³ Personal interview with Dr. Logan Esarey, April 21, 1928.

would do all within their power to secure his nomination. Mr. Noel, Alfred M. Glossbrenner, and Lars A. Whitcomb decided to run for the lower house of the State Legislature while Frederick A. Joss was to be a candidate for the State Senate. Frank Littleton, the other member present, had been in the legislature before and had already decided to try for reelection. These men were all successful in securing nominations and were elected in November. Thus the nucleus of Beveridge's support in the General Assembly was formed.¹⁴

Beveridge's candidacy for the Senate was a surprise to many Indiana politicians, and it caused much speculation in regard to his probable success. Men who were best acquainted with politics in Indiana regarded his candidacy as a mere joke because of his tender years and his inexperience in political life.¹⁵ Some people thought that he had an equal chance with the other candidates,¹⁶ though seasoned leaders viewed his candidacy as a device to get himself before the public, as well as to test his political strength, and that his real desire was the governorship two years later.¹⁷ Whatever the result of this attempt for his election to the Senate might be, his friends considered that the battle would be worth the effort.¹⁸

Governor Mount did not choose to be a candidate for the Senate. Perhaps he secretly favored Beveridge,¹⁹ preferring him to the older candidates.²⁰ Addison G. Harris and Hugh H. Hanna failed to make impressive showings. The former was considered a good "dark horse" in case of a deadlock, while the latter, according to the consensus of opinion in political circles, would make an excellent treasury official but was not fitted for a legislative post.²¹ General Lew Wallace let it be known that he would accept the office if the members of the Legislature saw fit to tender it to him. In the meantime, he was said to be favoring Beveridge.²²

There was much favorable sentiment throughout the country for the selection of ex-President Harrison. The New York

¹⁴ Noel, in *Addresses*, p. 13; Noel, Interview, April 5, 1928.

¹⁵ *Indianapolis Sentinel*, Nov. 19, 1898.

¹⁶ *Indianapolis News*, Nov. 6, 1898.

¹⁷ *Ibid.*, Nov. 16, 1898; *Indianapolis Sentinel*, Nov. 19, 1898.

¹⁸ Noel, in *Addresses*, p. 13; Noel, Interview, April 5, 1928.

¹⁹ *Indianapolis News*, Dec. 3, 1898.

²⁰ Personal letter from C. E. Coffin to the writer, Nov. 11, 1927.

²¹ *Indianapolis Journal*, Nov. 14, 1898.

²² *Ibid.*, Nov. 25, 1898; *Indianapolis Sentinel*, Nov. 22, 1898.

Evening Mail, the *Boston Transcript*, and the Cincinnati *Enquirer*, asked the country, and especially Indiana not to send "pigmies" to the Senate, but urged that "big" men of intellect, character, and ability be chosen.²³ The Senate had been often characterized, at this time, as a "millionaires' club" because so many wealthy men had been chosen to that body.²⁴ Everyone agreed that Harrison would add dignity and ability to the Senate which would help to restore it to its former prestige. Harrison declined to be an active candidate, but it was understood that he would accept should the choice fall on him.²⁵

The Democratic members of the Legislature held a caucus on December 19 to consider what part they should or could play in the coming senatorial election. They were well aware of their situation as a minority party and some were opposed to giving Senator Turpie a complimentary vote. They also fully understood the situation in the Republican camp. With conflict within their own ranks and with so many Republican candidates in the field, the Democrats decided that it would be for the benefit of all to propose that if the Republicans would agree to give up their favorites and offer Harrison the nomination, they would support him and thus make his election unanimous.²⁶ This proposal was not accepted. Some of the Republicans favored it, while others viewed it with suspicion, seeing in it an attempt to get them "in a hole" and to shelve the candidates already in the field.²⁷ The plan failed not because Harrison was unacceptable, but because of too much "politics" and because there were too many interested candidates in the field.²⁸ The five active candidates soon established their headquarters at the Denison Hotel and endeavoured to perfect their organizations as well as to get more votes definitely pledged.

Hanly had organized the younger progressive element of the party for his support. Will R. Wood of LaFayette and Congressman Charles L. Henry of Anderson were the chief men in his organization. Henry was particularly active and the story was spread throughout the State that his ardent support came as a result of an agreement—Hanly for the Senate now, and

²³ Quoted in the *Indianapolis Journal*, Nov. 14, 1898; *Indianapolis News*, Dec. 6, 1898.

²⁴ *Ibid.*, Jan. 14, 1899.

²⁵ *Ibid.*, Dec. 6, 1898.

²⁶ *Indianapolis Journal*, Dec. 20, 1898.

²⁷ *Indianapolis News*, Dec. 19, 1898.

²⁸ *Indianapolis Journal*, Dec. 20, 1898.

Henry for the governorship two years later. Henry had been defeated in the last nominating convention of his congressional district by George W. Cromer of Muncie. Many people thought that there was no other explanation for his cordial support of Hanly except his wish to be Governor, and all evidence seemed to point in that direction.²⁹ It later developed that George McCulloch, of Muncie, was working for Hanly as well as others active in politics in that district.

It soon became evident that Hanly had a well developed political machine—one that had been carefully planned and organized.³⁰ He had a local organization in each district and received reports daily. Each local organizations, as the time of the caucus drew near, sent a delegation to Indianapolis for the purpose of aiding Hanly in every possible way.³¹ The belief in the strength of this organization can best be judged by the statements of those closely connected with it. A. F. Knotts, of Hammond, made this statement: "The organization for Hanly cannot be broken under any circumstance for it is perfect."³² Hanly made this assertion: "Our forces are compact and our organization perfect. We are confident of success."³³

Many members of General Assembly, as well as others who were interested in politics, were opposed to this new political machine. They believed that the members of Hanly's organization had been promised the party's patronage for several years in advance in order to get their support. The chief objection to it, however, was the fact that influential Republicans throughout the State had not been consulted, and if Hanly should be successful, they would be left out of the councils of the party entirely.³⁴

Beveridge and his friends soon began to perfect an organization. Sid Conger of Shelby County, an old and experienced politician, and John Wingate of Montgomery County, a friend of Lew Wallace, were put in nominal charge of his campaign. They immediately began to work in the rural areas.³⁵ There was strategy in this move, for sectional feeling was strong throughout the State. In fact it was so strong that combina-

²⁹ *Indianapolis News*, Dec. 16, 1898; *Indianapolis Sentinel*, Dec. 22, 1898.

³⁰ *Indianapolis News*, Jan. 3, 1899.

³¹ *Ibid.*, Jan. 5, 1899.

³² *Indianapolis Journal*, Jan. 4, 1899.

³³ *Indianapolis News*, Jan. 6, 1899.

³⁴ *Ibid.*, Jan. 3, 4, and 7, 1899.

³⁵ *Indianapolis Sentinel*, Nov. 22, 1898.

tions against Indianapolis candidates had often been perfected in the past. By selecting these two out-of-the-city men, they hoped to allay some of this sectional antagonism as well as gain votes from the two districts thus honored. It was also a move to make his organization more evenly balanced. By having rural politicians as well as Indianapolis men in charge of his campaign an appeal to all classes and localities could be more effectively made.

Conger and Wingate left no stone unturned that would further the interests of their candidate. They attended a political gathering, soon after they arrived in Indianapolis to take charge of things, and in walked Beveridge wearing a new silk hat. Sid and John looked at each other in astonishment as he removed his hat and put it on a chair. After the meeting a conference was held, at which time Beveridge was told by his managers that the hat would not do at all and would have to be discarded. Beveridge finally consented, and from then on wore a soft black hat.⁸⁶

A group of Indianapolis citizens organized a "Business Men's Association" to further the candidacy of Beveridge. It was, at first, a local organization; but seeing that it was something that had been overlooked by the other candidates, and believing in it as a great source of influence, it was decided to form a State-wide organization of the same nature. One hundred representative business men from all parts of the State were brought together in Indianapolis on December 28 to perfect their organization. They elected D. M. Parry, President; John V. Coney, Secretary; and Charles E. Coffin, Treasurer. They raised \$1,200 to pay the necessary expenses of office rent, postage, stationery, etc. Before adjourning, they unanimously resolved to support Beveridge for the Senate, because they held that he would best serve their interests. They were Beveridge men who took this method to impress the public and the members of the Legislature. They decided to open headquarters at the Denison hotel on January 4 and do all that they could to further his candidacy.⁸⁷

On the whole the men working for Beveridge were shrewd, tactful, diplomatic, and sincere. They worked earnestly; antagonized no one; put forth their candidate on his merit only;

⁸⁶ *Ibid.*, Jan. 3, 1899.

⁸⁷ *Indianapolis News*, Dec. 28, 1898; *Indianapolis Journal*, Dec. 29, 1898; Letter from C. E. Coffin, Nov. 11, 1927; Noel, interview.

asked for and secured second choice votes when first choice votes could not be had; and asked that the young element in the party be recognized.³⁸

The increased activity of the Hanly men during the latter part of December was a source of much alarm to the other candidates. A survey was made by them to determine the actual status of affairs, and it was found that Hanly had promises of twenty-nine votes.³⁹ With his early commanding lead Hanly's chances for success seemed particularly bright. The other four candidates now realized that they would have to combine their efforts if they wished to defeat him.

Judge Taylor did not play a very active part in the events which followed. He was confident that he could hold the votes of his section, and was too reserved to go out and scramble for more. He would only come into the lobby of the hotel, where the politicians gathered, for a short time after his evening meal, and then return to his room at the first opportunity. After one of these characteristic visits a disgusted friend exclaimed: "He is a h—— of a politician."

Frank B. Posey was similarly disposed. He seemed to be satisfied with his following and loathed the idea of running after other votes. "It is a disgraceful scene", he remarked as he viewed the efforts of the men in the Denison lobby. "I may be defeated, but I shall still have my self respect."⁴⁰

Major Steele was the avowed leader of the attack on Hanly. He was especially embittered toward Hanly, because George McCulloch of Muncie was now working for him. The preceding summer Steele had called on McCulloch, and, in the course of their conference, McCulloch had promised his support to Steele, together with the nine votes of the eighth congressional district, if Steele would aid him in securing the appointment of Lee Coffeen, a civil war veteran, as postmaster of Muncie. Steele promised to do this, and, on his return to Washington, did all that he could do to secure the place for Coffeen. McCulloch evidently thought that Steele was not influential enough, so while he was in Washington, during the latter part of December, he called on Senator Fairbanks to solicit his support. Fairbanks failed to give him much satisfaction. McCulloch returned to Indianapolis disgusted with these men and

³⁸ *Indianapolis News*, Jan. 11, 1899; Noel, in *Addresses*, p. 13.

³⁹ *Indianapolis Sentinel*, Dec. 24, 1898.

⁴⁰ *Ibid.*, Dec. 30, 1898.

with the determination to get a friendly Senator who would be able to divide the appointing power with Fairbanks. Fairbanks was supporting Steele, so McCulloch went over to Hanly talking the vote of his district with him. When Steele learned of this he burst into a passion swearing to obtain vengeance if a chance should ever come.⁴¹

This turn of events almost ruined Steele's chances for the Senate, but he would not concede Hanly the victory without a strenuous fight. He began his attack by causing Robert Mansfield, former Secretary of the Republican State Committee, to publish a letter which revealed the fact that Hanly had charged seventy-five dollars a week in addition to his travelling expenses for his services in the campaign of 1896. Others, the letter asserted, had given their time freely, and in some cases had paid their own expenses.⁴² In addition to this Hanly and his former associates in Congress were charged with having organized a "Congressional Syndicate"—an offensive and defensive alliance to stand against all comers and to see that those turned down by the exigencies of politics should secure places.⁴³ To substantiate this assertion they pointed out that R. J. Tracewell, Representative from the third district in the fifty-fourth Congress, had been made Comptroller of the Treasury; J. D. Leighty, Representative from the twelfth district in the same Congress, had been appointed Pension Agent for Indiana. The latter was now at Indianapolis working for Hanly and against Beveridge. Congressmen Hemenway and Crumpacker were also for Hanly. The evidence tended to prove rather conclusively that it was now the aim of the organization to place Hanly into the Senate.⁴⁴ Steele also began to spread the rumor that the business interests of the country were contributing heavily to Hanly's campaign funds. Hanly had started his campaign with the slogan, "The poor man's candidate", and now he seemed to be spending more money than any of the other candidates. He had engaged fourteen rooms at the Denison, and was entertaining his friends in style. Paying hotel bills, Steele contended, was a polite way of buying votes.⁴⁵ These things found their way into many newspapers, were talked about in-

⁴¹ *Indianapolis News*, Dec. 29, 1898, and Jan. 4, 1899; *Indianapolis Sentinel*, Jan. 3, 1899; Personal interview with George W. Cromer, a Muncie politician, Nov. 25, 1927.

⁴² *Indianapolis Sentinel*, Jan. 3, 1899.

⁴³ *Ibid.*, Jan. 9, 1899.

⁴⁴ *Indianapolis News*, Dec. 28, 1898, Jan. 3 and 4, 1899.

⁴⁵ *Indianapolis News*, Jan. 4, 1899; *Indianapolis Sentinel*, Jan. 3 and 5, 1899.

cessantly, and no doubt played a large part in influencing those who had not yet pledged their votes to give them to one of the other candidates.

The General Assembly was to convene on January 5, 1899. As this day drew near, the candidates laid plans for the organization of the two houses in such a way as would best serve their interests. By controlling and dealing out favors, they could use them to advantage in obtaining additional caucus votes. The first and most important officer to be elected was the Speaker of the House. A. H. Shideler of Marion, Frank Littleton of Indianapolis, and Benjamin Willoughby of Evansville were the chief contenders. Steele was fully aware of the sectional feeling in the State, and he knew that if Shideler should be elected to the speakership, that this would be a stumbling block in his own way to the Senate, because the eleventh district, in the opinion of many, would then have its share of the patronage. On the other hand, if Littleton could be elected this would be a direct thrust at Beveridge's chance for securing the nomination.⁴⁶ Hanly, too, realized the importance of the Speakership. He at first intimated that he would support Willoughby in return for caucus votes from the "pocket". When he found out that Posey had these votes definitely pledged, and that Willoughby could give him very little actual support, he turned to the support of Littleton as a means of heading off Beveridge. Bestowing too many "plums" on Marion County would be the surest way to "kill" the young candidate of Indianapolis.⁴⁷

The friends of Beveridge knew the exact meaning of this move, and they often talked to him about it. A group of his friends came to him one day to insist that he should ask Littleton to renounce his candidacy, for they thought it impossible to bring about the election of a Speaker of the House and a second United States Senator from Indianapolis. They got no further than the mere suggestion, for Beveridge, springing to his feet, exclaimed:

Gentlemen, not another word. Frank Littleton is one of the best friends I have in the world. He is a candidate for Speaker as I am for Senator. I would rather go down in defeat than imperil by any selfish action of mine the chance of my friend for the office he seeks.⁴⁸

⁴⁶ *Indianapolis Journal*, Dec. 9, 1898.

⁴⁷ *Indianapolis News*, Dec. 8, 1898, Jan. 4, 1899; *Indianapolis Sentinel*, Dec. 31, 1898.

⁴⁸ Justus C. Adams, *Indianapolis News*, Jan. 12, 1899.

On January 1, Shideler formally withdrew from the race for the speakership on assurance that he would be named chairman of the Committee on Ways and Means.⁴⁹ This aided Steele's chances for the Senate. When the General Assembly met on January 5, the House proceeded to elect Littleton to the speakership. In the organization of both houses the Hanly forces were so strong that the supporters of the other candidates had to bow to their dictation in order to secure any of the patronage that was to be given out.⁵⁰ This was the first actual test of strength, and it definitely proved that the Hanly forces were strong and practically in control of the situation. Hanly and his men were now confident of success in the contest for the senatorship.⁵¹

The four candidates who were competing with Hanly agreed to hold a caucus on January 5 to compare notes and to decide, if possible, on some one man to support. They were unable to decide who should withdraw from the race. They reasoned that if one or more should withdraw that pledged votes would be released, and that enough would probably go over to Hanly to elect him. Therefore, they decided to "sit tight", hold their pledged votes until the caucus on January 10, and then let the Republican members of the two houses unite of their own accord, in a natural way, on the strongest candidate. This plan would not permit Hanly to do any extra electioneering at the time when combinations were taking place.⁵²

The survey showed that Taylor had seventeen votes pledged; Beveridge, thirteen; Posey, thirteen; Steele, ten; and Harris, one. They thus controlled fifty-four votes. They conceded thirty-one votes to Hanly, while four of the regular Republican members remained unpledged.⁵³ If each could actually hold those pledged him, Hanly could not be elected. For the next five days, the four candidates went about getting their followers to reaffirm their pledges. At the same time they urged them, under no consideration, to vote for Hanly. However, none stipulated which one of the four candidates his delegates should ultimately vote for.⁵⁴ Under these circumstances,

⁴⁹ *Ibid.*, Jan. 2, 1898; *Indianapolis Journal*, Jan. 1, 1899; *Indianapolis Sentinel*, Jan. 2, 1899.

⁵⁰ *Indianapolis News*, Jan. 5, 1899.

⁵¹ *Ibid.*, Jan. 6, 1899.

⁵² *Ibid.*, Jan. 4 and 5, 1899.

⁵³ *Indianapolis News*, Jan. 5, 1899; *Indianapolis Journal*, Jan. 5, 1899; *Indianapolis Sentinel*, Jan. 5, 1899.

⁵⁴ *Indianapolis News*, Jan. 6, 1899.

it was obvious that the man who should be the second choice of the greatest number of the Republican legislators would be nominated.

While Major Steele and his friends were bringing forth their charges against Hanly, Beveridge and his friends were seemingly inactive. Now and then a legislator would announce himself for Beveridge without any apparent solicitation.⁵⁵ Several such announcements were made from December 28 to January 6, on which date, Francis T. Roots, of Connersville, a prominent member of the House, emphatically announced that he was in favor of Beveridge.⁵⁶ His announcement seemed to inaugurate a Beveridge boom.

The "Business Men's Association," a political organization formed by friends of Beveridge for the purpose of pushing his candidacy, then began activities by inviting prominent business men from all over the State to call on them at the Denison. They also became active for Beveridge among the various legislators. A large number of telegrams signed by business men asking for Beveridge's election were sent in.⁵⁷ Petitions that had been passed around and signed by leading business firms were received.⁵⁸ Straw votes were taken at railroad shops and manufacturing establishments, and all of them favored Beveridge. McCormick of the Labor Commission and one hundred laboring men came to the hotel and emphatically announced themselves for him. Lawyers of the city began to talk in his favor, and, in fact nothing had been overlooked that would in any possible way contribute to his success.⁵⁹

There was so much activity in the Beveridge camp that the other candidates were almost bewildered. They thought that in the deal for the speakership they had side-tracked Beveridge, and therefore, they had not given him much consideration since Littleton had been made Speaker. But because of this increased activity, Beveridge was becoming the strongest of the four candidates who were opposing Hanly. This prepared boom came late, as his managers had planned, in order that the

⁵⁵ Senator William M. Lambert announced that he was for Beveridge on Dec. 28; Alexander M. Scott of Ladoga on Jan. 4; and Jesse C. Stevens on Jan. 6. *Indianapolis Journal*, Dec. 28, 1898; Jan. 4, 1899, and June 6, 1899.

⁵⁶ *Indianapolis Journal*, Jan. 6, 1899.

⁵⁷ *Indianapolis Journal*, Jan. 5, 1898; *Indianapolis News*, Jan. 5, 1899; *Indianapolis Sentinel*, Jan. 5, 1899.

⁵⁸ The chief one came from Anderson. Sanford M. Keltner was the sponsor. This created quite a stir in the Capital for all the Legislators from that district were for Hanly. *Indianapolis News*, Jan. 5, 1899; Letter from Keltner to the writer, Nov. 12, 1927.

⁵⁹ *Indianapolis Journal*, Jan. 10, 1899.

others should have no time to plan anything to counteract his sudden popularity. He had antagonized no faction and had played the game squarely,⁶⁰ so they had no reason to oppose him other than their personal desires to win.

Fairbanks had emphatically stated that he would take no part in this senatorial election either directly or indirectly.⁶¹ However, many things seemed to prove that he was secretly working for the benefit of his own interests. Steele was a good friend of Fairbanks as were State Senators New and Hawkins of Indianapolis, who were working for Steele. It was not to the best interests of Fairbanks to have Hanly and his newly organized machine in power, but neither was it to his advantage to have another Senator elected from Indianapolis on account of the sectional feeling in the State. Thus he looked askance at the possible election of Beveridge and was accused of opposing him.⁶² The last thing that happened, before the meeting of the caucus, and, in which many saw the hand of Fairbanks, was the appointment on January 9 of Addison C. Harris, of Indianapolis, as Minister to Austria. This appointment coming on the eve of the caucus, made Beveridge and his friends think that it was a direct attempt on the part of Fairbanks and others to thwart his election.⁶³ There were many people who did not believe that it was a thrust at Beveridge, for the nomination came as a matter of course in the executive business, while others said that if it was not aimed at him, Fairbanks should have prevented the nomination from coming at such an inopportune time.⁶⁴

The Republican caucus was held in the hall of the House of Representatives on the night of January 10. The Hanly men went into the caucus with the intentions of voting their full strength from the first. By so doing they would demonstrate their power and pull enough "band wagon" votes to elect their man.⁶⁵ Taylor and Steele were determined that Hanly should not win. It did not matter to them who won just so he did not.

⁶⁰ *Indianapolis News*, Jan. 9, 1899.

⁶¹ *Indianapolis Journal*, Dec. 20, 1898.

⁶² During the interview with Mr. Noel on April 5, 1928, he stated that Fairbanks opposed Beveridge in a number of ways. He did not state any specific instances to prove this statement.

⁶³ *Indianapolis News*, Jan. 10, 1899.

⁶⁴ Fairbanks had recommended Harris to President McKinley, but I cannot find any evidence to prove that any influence was exerted to have his nomination sent to the Senate at this particular time. It is conceivable, though, that it could have been timed, and the nomination purposely made just then.

⁶⁵ *Indianapolis News*, Jan. 10, 1899.

The fifteen men who were for Beveridge pledged themselves to stick together until the end. They held the balance of power between the two factions—the young progressives and the conservatives—in their hands, and could elect Hanly if they so desired; while their votes, if given to either one of the other candidates, would provide the impetus to elect him. They also knew that if they could hold out until the break came, it would, in all probability, come their way, for they had promises of second choice votes from nearly every legislator.⁶⁶ The caucus was organized and regular procedure was followed. No nominating speeches were made. As the name of each legislator was called, he walked up, and dropped his ticket into the ballot box. The first ballot revealed that the pre-caucus estimate was almost correct. Great cheers arose from Hanly's friends who had gathered in the corridors of the State House, when the vote was announced, for Hanly had received 32; Taylor, 19; Posey, 14; Beveridge, 13; and Steele, 11.⁶⁷

To the consternation of the Beveridge men he had received only thirteen votes on the first ballot, though they had been sure of fifteen.⁶⁸ Beveridge had always been superstitious of the number thirteen, and when he heard that he had received that number of votes he feared that he was gone.⁶⁹

When the result of the second ballot was announced, Hanly's friends, and they were numerous, sent up greater cheers than before. It was evident that they were trying to stampede him into the Senate. The vote stood: Hanly, 31; Taylor, 16; Posey, 12; Steele, 11; Beveridge, 19.

The results of the next several ballots were practically the same as the second, but on the eighth correct ballot (the fifth was thrown out, because too many votes were cast), the break came, Hanly had received 37 votes, This was two more votes than Taylor and Steele had thought it was possible for him to get. Only 45 were needed to make him the choice of the caucus. They saw at once that it was time to act if they were to defeat Hanly. Beveridge with twenty votes seemed to be the strongest anti-Hanly candidate. On the next ballot the younger men from the northern part of the State, who had been supporting Taylor, voted for Beveridge. The count then stood:

⁶⁶ Noel, in *Addresses*, p. 13.

⁶⁷ These summaries are taken from the Indianapolis newspapers of Jan. 11, 1899.

⁶⁸ Noel, in *Addresses*, p. 13.

⁶⁹ Personal letter from C. E. Coffin, Nov. 11, 1927.

Hanly, 36; Taylor, 9; Posey, 8; Beveridge, 28; and Steele, 8. The tenth ballot was also thrown out, because too many votes were cast.

It was possible that on the next ballot the remaining Taylor votes would go to Beveridge thus giving him thirty-seven against Hanly's thirty-six. In that event neither would yet be a victor. Steele's men knew that they now had the power to elect either man. They remembered the Muncie post-office episode and Steele's oath to get even with McCulloch for his betrayal. Their chance had come. The Posey men could have voted for Hanly and further delayed the election, but they had promised to stick by Posey until the very last, and most of them intended to abide by their pledges. It all hinged on the votes of Steele's men. The entire Steele vote was given to Beveridge on the next ballot, together with three of Posey's votes and one from the Hanly group. The final count was: Beveridge, 49, four more than necessary to elect; Hanly, 35; and Posey, 5.

Beveridge had been in his office on Pennsylvania street with a group of friends during the evening. When he answered the telephone and was informed of his election he said, "Thank God", and then shook hands with his friends.⁷⁰

Thus a man whose candidacy was regarded as little more than a joke at the beginning was chosen by the Republican caucus. He was hindered by the almost unsurmountable obstacles of his residence, age, and determined opposition at home. In addition to this, the speakership of the House and many of the offices in the organization of the General Assembly had been given to Marion county men, as well as the appointment of a foreign ambassador by the President. In view of all these things, he won a brilliant victory by the use of clever but clean politics.⁷¹

Beveridge's triumph in the caucus was received with satisfaction throughout the State and Nation. Congratulatory telegrams and letters from friends, newspapers, and government officials flooded his office for weeks afterward, and it seemed that the Nation at large, now in the throes of machine politics,

⁷⁰ *Indianapolis News*, Jan. 11, 1899.

⁷¹ *Ibid.*, Jan. 11, 1899; *Indianapolis Journal*, Jan. 11, 1899; *Indianapolis Sentinel*, Jan. 11, 1899. Clements, of Posey county, offered this humorous resolution in the House of Representatives on Jan. 11: "Be it resolved, that no person shall be eligible to the office of United States Senator, Speaker of the House, or United States district Attorney, unless such person shall have been a resident of the city of Indianapolis ten years previous to his election or appointment." This was greeted with howls of laughter. *Indianapolis News*, Jan. 11, 1899.

had just reason to view his election as an indication of the return of clean politics.⁷²

The formal election of Beveridge took place on January 17. Since this was the second Tuesday after the organization of both Houses of the State Legislature, the Senate, in obedience to the regulations set forth by the Congress of the United States; and according to its own resolution, suspended regular business at 10:30, and proceeded to cast its vote, *viva voce*. Senator Frederick A. Joss nominated Albert J. Beveridge. Senator Charles P. Drummand nominated David Turpie. Senator Gill nominated Alonzo G. Burkhart, Populist. The nominations of Beveridge and Turpie were duly seconded, and the roll was called. Beveridge received 28 votes; Turpie, 19; and Burkhart, 1.⁷³ The House, according to its own resolution suspended business at 12:00, and proceeded to cast its vote for United States Senator in like manner. Mr. Roots nominated Beveridge, and Mr. T. McCarty nominated Turpie. After both nominations had been duly seconded, the roll was called. Beveridge received 59 votes and Turpie 37. Four members were absent on account of sickness.⁷⁴

The following day at 12:00, the Senate adjourned to meet with the House in a Joint Assembly to compare the votes cast the previous day and to inform the candidate, in an official way, of his election. The total number of votes cast for Beveridge was 87; for Turpie, 56; and for Burkhart, 1. A committee composed of three members from each House informed Beveridge of his election and escorted him to the Speaker's chair. He was introduced by Lieutenant-Governor Haggard to the throng of people that had crowded into the room. In his characteristic manner Beveridge made his speech of acceptance, in which he outlined, in a way, the principles which were to guide him while in the Senate.

He opened his brief address with these sentences:

I thank you for the privilege you have given me of serving the Republic in one of its historic periods.

I thank you not for the honor—that I must earn for myself—but for having commissioned me to give the best energies of my life to the service of the American people.

⁷² The *Indianapolis News*, Jan. 14, 1899, has a good laudatory editorial on the significance of Mr. Beveridge's nomination.

⁷³ *Indiana Senate Journal*, 61 Sess., 1899, Part I, pp. 126-7.

⁷⁴ *Indiana House Journal*, 61 Sess., 1899, Part I, pp. 213-4.

After discussing the interdependence of people and of States one upon the other, he stated that there was no place for local legislation unless it benefited the whole. He further explained his catholic views in these words:

I shall fearlessly stand in the Senate of the United States for the business interests of this country, when that means the welfare of all the people; and I shall just as fearlessly stand by the labor interests of the land, when that means the prosperity of all the people; and I shall just as fearlessly stand against the demands of any class, when those demands do not involve the interests of the entire American people.

He did not feel that he was to be responsible to the Republican party only nor to any other organization for his actions while in the Senate. Instead, he felt that he was to be responsible only to the people whom he represented. He clearly expressed this feeling when he said: "The people, and the people only, are my masters; . . . and to the people I will be true."⁷⁶

THE YOUNG SENATOR'S ATTITUDE TOWARD INSULAR AND TERRITORIAL GOVERNMENT

As the United States approached the end of the nineteenth century, the country became imbued with the spirit and tenor of world policies and movements. England, France, and Germany desiring to increase their possessions and enhance their glory, had partitioned Africa, during the last generation, and were now in the act of partitioning China. Japan, rapidly rising in power and prominence, had had trouble with China in 1894-5 at which time she extended her power and prestige at the expense of the Chinese. The United States, though backward as compared with the European nations, was about to start on an imperial program, and now began to get in step with the rest of the world. All of these movements were promoted by economic motives and chauvinism but were excused on the ground of the duty of carrying the blessings of civilization to the backward peoples of the world.

Expansion was not a new thing for the American people. In fact it had been their most outstanding and constant characteristic. It first took the form of the acquisition of land from the Indians, French, English, Spaniards, and Mexicans. This

⁷⁶ *Indiana House Journal*, 61 Sess., 1899, Part I, p. 253.

first period of territorial acquisition was completed by 1854. After a lapse of half a century caused by secession and Civil War, the American people again began to expand, but this time in an industrial and commercial way. This expansion was not confined to the geographical limits of the United States for American finance and commerce had penetrated to far distant regions of the world. Economic development had caught up with and gone far beyond American territorial expansion. As an outgrowth of the Spanish American War, the American government was trying to follow up, protect, and aid American commercial expansion. Porto Rico and Guam, the island in the Ladrones chosen by the President, were obtained as indemnity while the Philippines were claimed and acquired by reason of conquest and purchase. Some viewed this as imperialism—the exercising of sovereignty over and control of distant territories inhabited by alien races.¹ And in the wake of all this came the great problem of determining our policy for the government of dependencies.

Beveridge had kept abreast of the times if not far ahead in thinking as well as in his advocacy of policies. He was purported to be the original expansionist of the era because of his Boston speech of April 27, 1898.² Soon after his election to the Senate he announced that he was in favor of the retention of the Philippines. He saw that the biggest question to be solved in the next Congress would be that of the government of dependencies. Since the Philippines presented a special problem, due to an insurrection headed by Aguinaldo, he decided that it would be advisable to visit the new possessions and make a personal investigation of affairs in the Islands. On his return and entrance on his duties in the Senate he would have some actual knowledge on which to base his opinions. He also saw in it a chance to gain the immediate recognition of his fellow Senators.

He and Mrs. Beveridge left Indianapolis early in the Spring of 1899 and spent six months in the Philippines, China, and Japan, returning to Indianapolis on September 1, 1899, at which time a large public reception sponsored by the Marion Club, was held for them.³

The method of studying current problems which the young

¹ Edward Stanwood, *A History of the Presidency*, II, p. 23.

² See above p. 12.

³ *Indianapolis Journal*, September 2, 1899.

Senator had adopted received much commendation.⁴ It was a novel method, for few Senators had ever resorted to this kind of an effort in the investigation of problems. Instead, many preferred to engage in glittering generalities or base their conclusions on secondary information. But to the disgust of newspaper men he would not, on his return, divulge any of the results of his investigations. He knew that he held an important card and wished to play it at the most opportune time. The Indianapolis *News*, in commenting on his silence, printed a large cartoon representing him a sphinx under which was printed:

The reporters go up to the Sphinx,
And demand to know what he think,
of the Philippine isles,
But the Sphinx only smiles,
And replies, "That's a secret by jinx".⁵

President McKinley invited Beveridge to come to Washington on September 7 to confer with him on the Philippine situation. The first conference was with the President alone, while the second was with the President and Elihu Root, Secretary of War.⁶ After these conferences, Beveridge went to Oyster Bay, New York, to visit Theodore Roosevelt. Roosevelt in writing to Senator Lodge on September 11, stated:

Senator Beveridge was out here yesterday. He has just come back from the Philippines. His views on public matters are almost exactly yours and mine. I want you to meet him.⁷

When Beveridge entered the Senate, he wanted an appointment as a member of the Committee on Foreign Relations. Roosevelt thought that he would be a good man on this committee, so he wrote to Senator Lodge in his behalf.⁸ Beveridge also thought he was entitled to be chairman of the Committee on the Philippines because of his personal investigation of conditions there. He was not made chairman, but he was placed on this committee.⁹ Lodge in answering Roosevelt's letter of December 11, characterized Beveridge in this way:

⁴ Indianapolis *Journal*, June 6, 1899.

⁵ Indianapolis *News*, September 27, 1899.

⁶ Indianapolis *Journal*, September 8 and 9, 1899.

⁷ Roosevelt to Lodge, Oyster Bay, New York, September 11, 1899, in the *Selections From the Correspondence of Theodore Roosevelt and Henry Cabot Lodge*, edited by Henry Cabot Lodge, I, p. 421.

⁸ Roosevelt to Lodge, Albany, Dec. 11, 1899, in *ibid.*, p. 426.

⁹ For his committee assignments during his twelve years in the Senate consult the *Congressional Directory*.

Beveridge is a very bright fellow, well informed and sound in his views. I like him very much, but he arrived here with a very imperfect idea of the rights of seniority in the Senate, and with a large idea of what he ought to have.¹⁰

From the very first, Beveridge challenged the established order of things. He had been in the Senate scarcely a month when he disregarded an old precedent—that Senators during their first session should be seen little and heard less—by making his first set speech.

Beveridge was not a believer in a half-hearted and apologetic defense of programs and policies which he believed to be entirely right and beneficial. He did not believe in talking around a point, or in the use of vague terms. Therefore some of his speeches were considered as unusually bold and rather undiplomatic.

On January 9, his first speech, delivered in such a way that Mr. Dooley remarked, "'Twas a Speech ye 'cud waltz to",¹¹ was an embodiment or a typical expression of the imperialistic attitude in the United States. After telling of his observations and investigations while in the Philippine Islands, and after sketching the great commercial possibilities in the Far East, as well as our duty in respect to the Filipinos, he boldly stated:

The statesman commits a crime against American trade. . . . who fails to put America where she can command that trade. We will not abandon our opportunity in the Orient; we will not renounce our part in the mission of the race, trustees under God, of the civilization of the World.¹²

He recommended that a simple but strong government—one that could be easily understood—should be established. The Filipinos were as yet children, politically. He did not believe with Senators George F. Hoar, Richard F. Pettigrew, and others, that the "Constitution follows the flag".¹³ Even if it did it would not be advisable to institute self government because the people were not fitted for it. Self government would only come to the Filipinos after a long period of education and

¹⁰ Lodge to Roosevelt, Washington, Dec. 13, 1899, in *Correspondence*, II. Senator Shelby M. Cullom expressed the same opinion in his *Fifty Years of Public Service*, p. 362.

¹¹ C. W. Thompson, *Party Leaders of the Time*, p. 138.

¹² *Cong. Record*, 56 Cong., 1 Sess., p. 704.

¹³ Beveridge's belief that the United States had a right to establish any form of government for the Island that they pleased was based on Article 4, Section 3, of the Constitution.

schooling in political matters, and even then only a step at a time as they were able to comprehend its meaning.¹⁴

Senator Hoar, leader of the Republican anti-imperialists in the Senate, could not let such an imperialistic speech go unchallenged. He immediately arose at the conclusion of Beveridge's speech, and characterized it in this way:

I was delighted by the eloquence of my friend from Indiana. I welcomed his enthusiasm, patriotism, his silver speech, earnestness, and courage with which he has devoted himself to a discharge of his duty as he conceives it. He described wealth and glory, commerce and trade, but the words Right, Justice, Duty, Freedom, were absent. . . . from that eloquent speech.¹⁵

Since Beveridge had been in conference with the President and was a member of the Committee on the Philippines, his speech was taken as a semi-official statement of the Administration and was heralded throughout the country by the press as such. It, therefore, attracted nation-wide attention.

From this time until the latter part of March, he remained relatively quiet; but when this buoyant young Senator, handsome of face and figure, spoke to the Senate again on March 29, it was too much for the old Senators to endure. The next day Edmund W. Pettus of Mississippi, a Democratic Senator of the old school, took it upon himself to "haze" him. With his quaint old fashioned eloquence he was as complete an antithesis of the highly modern Indiana orator as could be imagined. Buttoning the top button of his coat as he rose, he proceeded to speak in his characteristic southern drawl with all seriousness. He mentioned no names, but the slight oscillations of his shoulders and the gentle movement of his chest conveyed such an idea of pomposity without losing any dignity that Senators completely lost control of themselves. His chief point of attack was the "Or-a-tory" of the young Senator, and he drawled this word out with such an effect that the Senators roared, and screamed, and pounded their desks, while the galleries shrieked and yelled without a single admonition from the presiding officer, who, himself convulsed forgot all rules and sat helplessly by.¹⁶

Obviously Beveridge went to the Senate with the idea that

¹⁴ *Cong. Record*, 56 Cong., 1 Sess., pp. 710 ff.

¹⁵ *Cong. Record*, 56 Cong., 1 Sess., p. 712.

¹⁶ *New York Times*, March 31, 1900; Thompson, *op. cit.*, p. 140.

his oratory would bring him as much approval there as it had in the world outside. His fresh and bubbling enthusiasm caused him to be liked by everyone. They admired him for his industry in the investigation of public questions; but his custom of always appearing in a frock coat and his oratory, carried over from college days, led his colleagues to notice these things while his fine qualities were disregarded for a time.¹⁷ Yet the "hazing" administered did not squelch him. However, his set speeches came less often after this, for he was no doubt beginning to learn that more legislation was accomplished in the committee rooms than on the floor of the Senate; and that speeches were made largely for home consumption and not to influence Senators.

In the discussion of questions relating to the Philippines, Beveridge was always an advocate of the Administration policies as well as a defender of them against the attacks of Democrats and anti-imperial Republicans. Usually these discussions were in the nature of running debates and in this repartee Beveridge had few superiors. He once tackled Senator Farnifold M. Simmons of North Carolina and wound him up in an endless maze of contradictions. It was reported that this so mortified the North Carolinian that he actually took to his bed and was ill for a week. On one occasion, he so exasperated Senator Joseph W. Bailey by his queries, that the Texan lost all control of himself, and when Beveridge and Senator Matthew S. Quay "locked horns" over the statehood bill at a later session, men neglected their business to hear the argument.¹⁸

When the bill providing for civil government in Porto Rico was up for consideration, Beveridge spoke in favor of it; however, he did not believe that it should be a permanent form of government; for when changes came as a result of American occupation and supervision, then the government should be modified to suit the new conditions. Beveridge's speech, given on March 29, 1900, was for the most part, a constitutional argument for free trade with insular possessions. He viewed the situation in this light: if under this measure Porto Rico should be considered by the Supreme Court as domestic territory, then free trade ought to be required under the constitutional provision "that all duties, imposts, and excises shall be

¹⁷ *Ibid.*, p. 139.

¹⁸ Thompson, *op. cit.*, p. 142.

uniform throughout the territory". If Porto Rico were foreign territory, then Congress should overstep the Constitution as it so often had done and establish free trade, because it would be expedient and helpful to both countries. In the course of his arguments, he pointed out that institutional law is older, deeper, and more vital than constitutional law; for our Constitution, like Magna Carta, is only a manifestation of our institutions. Institutions change and alter the Constitution as the case demands. Therefore, since the Constitution had given away before exigencies so many times, it was altogether fitting and proper that it should allow a free hand in dealing with reciprocity or free trade with Porto Rico. He emphatically stated his position on constitutional interpretation and application when he remarked:

I have no respect for constitutional learning which deals alone with the written words of the Constitution, or even with the intentions of its framers, and ignores the sources and spirit of that great instrument. The Constitution did not give us free institutions. Free institutions gave us the Constitution. All the progress toward liberty and popular government made since the adoption of the Constitution worked out its sure results, through the Constitution when possible and over it when necessary.¹⁹

Beveridge was a believer in a developing Constitution to say the least. He certainly did not believe in the Constitution as a static thing nor as a restrictive force only. In it he saw life, vitality, and progressivism.

The Foraker Act was passed with a provision levying a fifteen per cent duty on imports from Porto Rico.²⁰ Although the Island was considered as an appurtenance to the United States, the Supreme Court in the Insular Cases, particularly *Downes vs. Bidwell*, determined that Porto Rico had not become a part of United States for purposes of uniform duties.²¹ To explain it in common terms, the Court held that the "Constitution does not follow the flag".

It is impossible to determine from the present available sources what part Beveridge played, if any, in the formulation of our policy in respect to Cuba as embodied in the Platt amend-

¹⁹ *Cong. Record*, 56 Cong., 1 Sess., Appendix, p. 279.

²⁰ The Foraker Act went into effect May 1, 1900. For the act see *Cong. Record*, 56 Cong., 1 Sess., pp. 3696 ff, or *United States Statutes at Large*, XXXI, Chap. 191, pp. 77 ff.

²¹ Amos S. Hershey, *Essentials of International Law and Organization*, p. 224. Footnote No. 18.

ment. However, his estimate of this legislation is clearly set forth in an article written by him and published in the *North American Review* of April 1910, entitled, "Cuba and Congress". In this article he first outlined the history of our interest in and relations with Cuba and then gave an explanation as well as a justification of the eight parts of the Platt amendment which was passed by Congress on March 2, 1901. He concluded his explanation with the following summary:

Thus it appears that our Cuban legislation deprives Cuba of nothing that can help her, but bestows every benefit and erects every safeguard necessary to her settled and orderly self government. It insures the development of the island's resources and the highest happiness possible to its people. Against the enemies of Cuba, foreign and domestic, is drawn the sword of this great Republic; and under its protection the infant state may grow in peace and war strong in a secure security.²²

In an address, in memory of Orville H. Platt, on April 21, 1906, Beveridge thus characterized the originator of the Platt amendment:

Ordinary intelligence can cite precedents and apply decided cases to like institutions, [but] it needs greatness to create by sheer thought solutions of unheard-of problems.

He also spoke of the conditions under which the amendment was adopted and of the relative importance of this legislation:

When it came to the adoption of the Platt Amendment, so deeply wise, so imminently necessary was that historic creation that although constitutional doubts filled the air and a single speech would have defeated it, since Congress was expiring even as it passed, yet not one voice was openly raised against it. And thus entered into the law and life of two peoples, and into their intertwined history, the fifth writing produced by American statesmanship—the first four being the Declaration of Independence, the Constitution of the United States, the Ordinance of 1787, the Emancipation Proclamation, and, last, this indissoluble bond uniting forever the destinies of Cuba and the American Republic.²³

In the bitterly contested Cuban election of 1905, President Estrada Palma was reelected by the Moderates. The Liberals accused him of resorting to violence, intimidation, and bribery to retain his position. Early in 1906, an armed uprising against the government was started in the provinces of Pinar

²² Printed in the *Cong. Record*, 57 Cong., 1 Sess., pp. 5809 ff.

²³ *Cong. Record*, 59 Cong., 1 Sess., p. 5657.

del Rio and Havana. After President Palma's proclamation of August 27, granting amnesty to all insurgents if they would lay down their arms, had failed to produce the desired results, he asked Roosevelt for aid, because he did not have a sufficient force to quell the rebellion. Roosevelt was reluctant to intervene because of the dangers involved in such action. However, when Palma threatened to resign, he sent William H. Taft, Secretary of War, and Robert Bacon, Assistant Secretary of State, to Havana to try to settle the difficulties.²⁴

While Roosevelt was debating whether or not to intervene, Beveridge, now a member of the Committee on Foreign Relations and of the Committee on Cuban Affairs, offered his advice to the President. Roosevelt in writing to Senator Lodge on September 27 said of his recommendation:

His advice as regards Cuba was simple, namely: that I should at once take the island—advice about as rational as requests I used to get at the time of the anthracite coal strike,—to “take the coal barons by the throat”. However, I will do the justice to him to say that he is far better than Foraker who telegraphed me his judgement that I could not intervene at all; that it was not a matter for the President but for Congressional action, and that anyhow Palma was all right.²⁵

Lodge in answer, made these comments: “Foraker's proposition is, of course, simply mischeivous. Beveridge's proposal to take the island is almost equally objectionable.”²⁶

After the various factions had refused all plans for settlement, Taft and Bacon, established a provisional government under the authority of the President of the United States. On October 10, Governor Taft issued a proclamation granting amnesty to all participants, and, three days later, turned the government of the island over to Charles Magoon, who acted as provisional governor for the next three years.²⁷

Beveridge was named a member of the Committee on Territories when he entered the Senate and served as chairman of that committee from December 1, 1902, until March 4, 1911. He did not, at the beginning deem this chairmanship a very great honor, because this was a minor committee which seldom met. The duties had not been burdensome. The committee reviewed legislation, received the requests that came in from the

²⁴ Graham H. Stuart, *Latin America and the United States*, p. 174.

²⁵ Roosevelt to Lodge, Oyster Bay, September 27, 1906, *Correspondence*, II, p. 284.

²⁶ Lodge to Roosevelt, Nahant, Mass., September 29, 1906, *ibid.*, p. 287.

²⁷ Stuart, *op. cit.*, p. 174.

territories, approved the bond issues for local improvements, and attended to other similar but rather unimportant matters. However, this committee now became an important one due to the fact that some of the people in the territories of the Southwest began to clamor for statehood. These local demands were augmented by those of people in the East who had special interests in the region concerned. With local governments in complete control of finances it would be much easier for them to influence the legislatures to pass laws which would be more favorable to their interests. As long as the territorial status continued bond issues were limited and had to be approved by Congress. Thus it was more difficult as well as expensive for the moneyed interests to get legislation passed which would be of special benefit to them.²⁸

The House passed a resolution on May 9, 1902, to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions.²⁹ Senator Matthew S. Quay, of Pennsylvania ardently advocated the resolution in the Senate on June 23, and wanted immediate consideration; but Beveridge asked that consideration be delayed in order to give the committee time to thoroughly investigate the conditions in the Southwest and to prepare their report. He promised that the committee would make a report on the House resolution at the earliest possible time in the next session.³⁰ The Senate agreed, on June 25, that the report should be submitted on December 10.³¹

Following his characteristic thoroughness in conducting investigations Beveridge and his sub-committee spent fifteen days in the territories during November interviewing men who were well versed in the affairs and conditions of the territories and investigating the character of the population, their state of life, educational facilities and conditions, familiarity and sympathy with our institutions, and all other elements that go to make up a good citizenship.³²

²⁸ This is based on Senator Spooner's review of the statehood bills on March 9, 1906. He thus characterizes the agitation for statehood in 1902. "One strong reason against the admission of New Mexico at that time was, that there were railroad corporations and adventurers who wanted admission as a State into the Union in order to take the territory out from under the restrictive legislation of Congress as to the indebtedness to be incurred by her counties, and leave her under laws of a state, which they could control to exhaust the credit of their counties by the issue of bonds for railway construction and other public improvements." *Cong. Record*, 59 Cong., 1 Sess., p. 3575.

²⁹ *Cong. Record*, 57 Cong., 1 Sess., p. 5230.

³⁰ *Cong. Record*, 57 Cong., 1 Sess., p. 7200.

³¹ *Ibid.*, p. 7357.

³² *Cong. Record*, 57 Cong., 2 Sess., p. 189.

On December 10, 1902, Senator Quay, who considered himself a political orphan on the Territories Committee, made a report of his own regarding these territories.³³ He favored the immediate admission of three states in obedience to the pledge set forth in the Republican platform of 1900. At the conclusion of Quay's speech Beveridge submitted the majority report.

In making out this report the committee took into consideration the interests of the people of the proposed new States as well as the interests of the remainder of the Republic. Each territory was judged according to the following points: (1) the number of people; (2) condition of these people educationally, morally, and other qualities of citizens; (3) the extent of territory occupied by them; (4) the extent to which they had developed their resources; and (5) the extent and character of all natural resources both developed and undeveloped.³⁴ On these points the committee based their recommendations.

It was recommended that admission be denied these States, because they could not qualify on a single one of the named points. The population was small; their resources were not developed sufficiently to support a State government; they were such heterogeneous groups that no solidarity whatever existed in race, language, customs, and political ideas; and they were too illiterate as a whole to operate a local government. Furthermore, if it were a mistake not to admit them, it could be remedied in the future; but if it were a mistake to admit them, that mistake once consummated could never be undone.³⁵

The bill for admission was made unfinished business and was therefore called up each day for consideration. Quay repeatedly tried to get the Senate to agree on a date to vote on the bill; but Beveridge, or someone, always objected, and unanimous consent was necessary. From December 10, 1902, until February 4, 1903, the bill was discussed. Five set speeches were delivered while the remainder of the time was taken up in running debate. Beveridge was usually one of the debaters. Quay finally abandoned his attempt to get a vote on the bill. The filibuster was successful and the statehood bill

³³ *Ibid.*, p. 180.

³⁴ *Senate Reports*, no. 2206, 57 Cong., 2 Sess., pp. 2-5. Same in the *Cong. Record*, 57 Cong., 2 Sess., pp. 187-194.

³⁵ *Cong. Record*, 57 Cong., 2 Sess., p. 194.

“went over” sure to be brought up again in a subsequent session.

On January 4, 1905, House Resolution No. 14749, providing for the admission of Oklahoma and Indian Territory as one state and the territories of Arizona and New Mexico as another, was presented to the Senate. Senator Knute Nelson of Minnesota, a ranking member of the Committee on Territories, was placed in charge of the bill. The bill was discussed each day for the next thirty days. Senator Joseph B. Foraker, of Ohio, leader of the Republicans who were hostile to statehood, opposed the bill in this form, because he believed that the territories of New Mexico and Arizona had populations too heterogeneous and not sufficiently in sympathy with the United States to be admitted as a State at this time.⁸⁶ Senator Jonathan P. Dolliver of Iowa likewise opposed admission, but with an additional reason. He did not believe that the resources were well enough developed to support a State government. He also held that they were as yet quite imperfect in civilization. After commending the committee for the thoroughness of their investigation, he stated:

I know one thing for an absolute certainty, that you cannot have a great population or a great civilization where it does not rain. I have seen enough of this country to know that mud and civilization go together; at least they have in all previous ages of the world.⁸⁷

Senator William B. Bate of Tennessee and Thomas R. Bard of California were the leaders of those who were opposed to the union of Arizona and New Mexican Territories as a single State.⁸⁸ Mark Smith, the delegate from Arizona to Congress, was very emphatic in his denial of the wisdom of such a plan. He was in favor of postponing statehood rather than making the irretrievable blunder of joining the two.⁸⁹

Since the natural resources of the two Territories were not sufficiently developed to support two State governments without being a burden on the people, and because each was not qualified on any of the other points to enter the Union, Beveridge and others thought that it was best to join the two Territories and enable them to enter the Union as a single State. By

⁸⁶ *Cong. Record*, 58 Cong., 3 Sess. p.

⁸⁷ *Ibid.*, p. 1988.

⁸⁸ *Ibid.*, p. 443. They submitted a minority report setting forth and substantiating their recommendations.

⁸⁹ *Ibid.*, p. 1572.

so doing, the Republicans would not only be fulfilling their pledge of 1900 but would satisfy the people who were clamoring for statehood as well.

On February 6, Beveridge made a long speech in defense of the bill basing his arguments for the most part, on the natural, geographic factors of the Territories. Arizona and New Mexico formed a natural unit as did Oklahoma and Indian Territory. These natural factors should be the guide in the forming of States. Furthermore, since nearly all were agreed that Arizona and New Mexico were not qualified for admission as separate State, it was best to join the two and let them enter as one.⁴⁰

On February 7, 1905, the Senate, in committee of the whole, proceeded to consider amendments to the statehood bill. The first vote was on Jacob H. Gallinger's amendment changing the time of the prohibition clause from ten to twenty-one years and extending it to include all of the proposed State instead of Indian Territory alone. This passed by a 55-20 vote.⁴¹ Mr. Bard then moved that a State be made out of what was the New Mexican territory. Several Republicans voted with the Democrats to pass this by a 40-22 vote.⁴² The Senate then refused to concur in the Bard amendment by a 38-38 vote.⁴³ All that part of the bill relating to New Mexico and Arizona was thrown out when Bacon's amendment was passed 40-37.⁴⁴ Bard then changed a few words in his amendment and re-submitted it to the Senate. It was passed by a 40-37 vote.⁴⁵ Beveridge moved to reconsider Bard's amendment, but his motion was lost when Arthur P. Gorman's motion to table Beveridge's motion was passed 39-38.⁴⁶

This was one of the most remarkable exhibitions of legislative see-sawing ever witnessed in the Senate. It was not a result of the lack of good, sober judgement on the part of the Senators, as the *New York Times* charged,⁴⁷ but it was the result of a nearly equal division of opinion in regard to the questions at issue. Nearly all of the Senators had their minds defi-

⁴⁰ *Cong. Record*, 58 Cong., 3 Sess., pp. 1923 ff.

⁴¹ *Ibid.*, p. 1975.

⁴² *Cong. Record*, 58 Cong., 3 Sess., p. 1994.

⁴³ *Ibid.*, p. 2001. Mr. Gallinger was presiding in the absence of the Vice-President.

⁴⁴ *Ibid.*, p. 2003.

⁴⁵ *Ibid.*, p. 2004.

⁴⁶ *Ibid.*, p. 2005.

⁴⁷ *New York Times*, February 9, 1905.

nately made up on the question, but there remained one or two, who, voting first on one side and then on the other, or not voting at all, caused the situation to change as it did.

The bill went into conference when the House failed to concur in the Senate amendments. No agreement could be reached, because each house insisted on its own amendments. Consequently, the bill was defeated. This disagreement in the conference committee was undoubtedly a pre-arranged affair. Since the Senate was so evenly divided on the question, as shown by the votes on the amendments, the conferees no doubt thought it best to play safe by postponing admission.

President Roosevelt in his message to Congress on December 5, 1905, made this recommendation in regard to the statehood questions:

I recommend that the Indian Territory and Oklahoma be admitted as one State and that New Mexico and Arizona be admitted as one State. . . . Nothing has taken up more time in Congress during the past few years than the question as to the statehood to be granted to the four Territories above mentioned, and after careful consideration of all that has been developed in the discussions of the question I recommend that they be immediately admitted as two States. There is no justification for delay; and the advisability of making the four Territories into two States has been clearly established.⁴⁸

In pursuance of this recommendation, Beveridge, on December 7, 1905, introduced a statehood bill embodying the same provisions as the one which had been considered in the third session of the preceding Congress. It was read twice by title and then referred to the Committee on Territories.⁴⁹

This bill was superseded by a similar bill coming over from the House on January 25, 1906.⁵⁰ By having the bill proceed in this fashion, it would have the approval of the House to support it and assure a more serious consideration when it came before the Senate. On January 29, the House bill was returned to the Senate from the Committee on Territories with minor amendments and a report submitted thereon.⁵¹

While the bill was in the House, Mark Smith, delegate from Arizona, again opposed that part dealing with Arizona and New Mexico. He attacked the President's recommendation:

⁴⁸ *Cong. Record*, 59 Cong., 1 Sess., p. 105.

⁴⁹ *Ibid.*, p. 222.

⁵⁰ *Cong. Record*, 59 Cong., 1 Sess., p. 1587.

⁵¹ *Ibid.*, pp. 2599 ff.

The plainest recommendation, is far the worst. Arizona and New Mexico are not homogeneous and never could be. They are strangers to each other and always will be. They have nothing in common and never can have. They differ in language, laws, customs, government, and ideals. He could not have known the conditions or he would not have made this recommendation.⁵²

Smith, defending the interests of Arizona would naturally take this position for there were many people living in the Territory who were of good American stock, having come into the region in search of health. New Mexico, on the other hand, was inhabited largely by Indians, half-breeds, and Mexicans. Race prejudice no doubt played a large part in producing his attitude because the Americans of Arizona did not want to be burdened by or connected with the Mexican "greasers" and half-breeds.

Senator Foraker and George C. Perkins, leaders of the Republicans, and Senators Bailey and William J. Patterson, leaders of the Democratic opponents of the bill, objected to it for two reasons: (1) they believed that the people of the Territories should have the right to determine whether or not they should come into the Union as a one or two States; (2) they contended that the government had a moral obligation and a pledge to admit Arizona as a State and should live up to it. This contention was based on the peculiar provision of the Act of Congress of February 24, 1863, creating the territory of Arizona. This territorial act declared:

that said government shall be maintained and continued until such a time as the people residing in said territory shall, with consent of Congress, for a State government, republican in form, . . . and apply for and *obtain* admission into the Union as a state. . . .⁵³

Roosevelt did not believe that this provision placed any obligation on Congress to admit Arizona Territory as a separate State. In his Presidential message of December 5, 1905, he stated: "There is no obligation on us to treat territorial subdivisions, which are matters of convenience only, as binding us on the question of admission to statehood."⁵⁴ Furthermore, a provision in the act which created the Arizona territory, and which was common to all such acts, abrogated the binding force of the special provision contained therein. It asserted

⁵² *Ibid.*, pp. 1568 ff.

⁵³ *Cong. Record*, 95 Cong., 1 Sess., p. 3529; *U.S. Statutes at Large*, XII, p. 665.

⁵⁴ *Cong. Record*, 59 Cong., 1 Sess., p. 105.

“that nothing contained in the provisions of this act shall be construed to prohibit Congress from dividing said territory or changing its boundaries in such manner and at such times as it may deem proper.”⁵⁵ Obviously there was a conflict in the act itself.

Beveridge was the chief defender of the bill in the Senate. He maintained that the question of statehood was not entirely a local matter as Foraker and others were contending. It was as much a national question as a local question and should be thus considered. In addition, local opinion and sentiment was neither a true nor an intelligent guide for the admission of States, because the people who reside in the territories see only their local needs, for the most part. On the other hand, Congress, representing the whole nation, was able to view the question in its entirety and to consider the problem as it affected the whole Republic. The people of the Territories should, of course, be consulted, but in the last analysis, Congress was the sole arbiter.⁵⁶

Senator John C. Spooner was no less emphatic in stating his views on this statehood bill. He did not believe that New Mexico nor Arizona were in a condition to be admitted by any test that one should wish to apply. However, if they were to be admitted, he would not vote for Foraker's plan because it was not up to the people entirely to decide on single or double statehood. Neither could he appreciate the merits of omnibus statehood bills, for the cases of each were different and should be treated separately. In his opinion, Oklahoma and Indian Territory had been qualified for statehood for nearly two years, but as a result of this policy of linking separate problems, they had been denied admission and forced to wait. If the problems relating to the two different areas were not considered separately admission would be denied them again. “That”, he stated, “is a proposition so destitute of justice and statesmanship and patriotism as to be inexplicable.”⁵⁷

The bill came up for amendment on March 9, 1906. Foraker's amendment providing for a referendum on single statehood was passed 49-29.⁵⁸ Henry C. Hansbrough's amendment

⁵⁵ *Cong. Record*, 59 Cong., 1 Sess., p. 3576; *U.S. Statutes at Large*, XII, p. 665.

⁵⁶ *Cong. Record*, 59 Cong., 1 Sess., pp. 3515 ff.

⁵⁷ *Cong. Record*, 59 Cong., 1 Sess., p. 3455.

⁵⁸ *Ibid.*, p. 3591.

prohibiting the sale of intoxicating liquor in the Indian Territory for twenty-one years from the date of admission was passed without objection.⁵⁹ Julius C. Burrows then moved to strike out all sections dealing with Arizona and New Mexico. His motion was lost, 35-36.⁶⁰ After Henry M. Teller's amendment locating the capital temporarily at Guthrie was passed, Burrows resubmitted his amendment with slight changes. It was passed this time 37-35.⁶¹ After the acceptance of this amendment, the bill was passed without a roll call.

The votes show that practically all were agreed on the advisability of admitting Oklahoma, but as yet there was no harmony of opinion respecting Arizona and New Mexico. The vote, it seems, was largely a matter of personal opinion with some Senators, while others regarded it as a party measure and voted on it as such.⁶² Foraker probably opposed the bill because Roosevelt had recommended it. He and Roosevelt were not on the best of terms, and were on opposite sides of the fence in other matters as well.⁶³

The House disagreed with the Senate amendments by a 175-156 vote.⁶⁴ The Senate was informed of the disagreement, and following the usual procedure, Beveridge moved that the Senate insist on its amendments and agree to a conference asked by the House. Foraker objected to the usual procedure of having the Chair appoint the conferees. He wanted to have them appointed by the Senate so that he would have some say as to who the members of the conference committee would be. He was overruled, however, and the Chair appointed Beveridge, William P. Dillingham, and Patterson.⁶⁵

On June 2, 1906, Beveridge submitted a conference report which was agreed to by himself and Dillingham, managers on the part of the Senate, and by E. R. Hamilton and A. L. Brick, managers on the part of the House. Senator Patterson and

⁵⁹ *Ibid.*, p. 3592.

⁶⁰ *Ibid.*, p. 3593.

⁶¹ *Cong. Record*, 59 Cong., 1 Sess., p. 3597.

⁶² Senator John T. Morgan thus spoke of the bill: "It originated in a caucus of the Republican party. It was handled, shaped, and treated exclusively by a Republican caucus. It has never lost its tone." *Ibid.*, p. 3397.

⁶³ Roosevelt in writing to Senator Lodge on Sept. 27, 1906, stated: "I do not like Foraker's action at all. He is a powerful and vindictive man. It is possible that he has grown to feel so angry over my course, that is, over my helping to rescue the Republican party and therefore the country from the ruin into which, if he had his way, it would have been thrown by the party being made to appear as simply an appanage to Wall Street—that he intends hereafter to fight me on every point, good or bad." Roosevelt to Lodge, Oyster Bay, September 27, 1906, *Correspondence*, II, p. 235.

⁶⁴ *Cong. Record*, 59 Cong., 1 Sess., p. 4123.

⁶⁵ *Cong. Record*, 59 Cong., 1 Sess., p. 3155.

Representative John A. Moon dissented.⁶⁶ According to the report, the provision for the admission of New Mexico and Arizona as a single State had been reinserted in the bill. It was discovered that the report as presented would not be accepted by the Senate, and, on June 12, it was withdrawn. A second report, unanimously agreed to by the conferees of both houses, embodying a provision for a referendum in Arizona and New Mexico on single statehood,⁶⁷ was presented and accepted by the Senate.⁶⁸ By this act, signed by the President on June 19, 1906, Oklahoma was enabled to enter the Union and the residents of Arizona and New Mexico were given a chance to express their opinion on whether or not they should be admitted as one or two States.

Four years passed before Congress took action again. House Resolution no. 18,160, enabling Arizona and New Mexico to enter the Union as separate States came up for consideration in the Senate on June 16, 1910.⁶⁹ After Beveridge had summarized and explained the reasons for the amendments made thereto, a vote was taken. The resolution was passed 65-0.⁷⁰ The House concurred in the Senate amendments on June 18.⁷¹ The President signed the bill on June 21.⁷² Thus the forty-seventh and forty-eighth States were enabled to form constitutions and apply for admission into the Union.

Although territorial affairs consumed most of the time of the committee on Territories, conditions in the District of Alaska were not entirely disregarded. During the summer of 1903 a sub-committee on Territories, with Senator Kunte Nelson in charge, spent two months in Alaska investigating the situation there.⁷³ On March 10, 1904, the Senate considered five bills, introduced by Nelson and defended by Beveridge, which were designed to perfect the administrative system as well as to promote the general welfare of the inhabitants. Only one of these bills was agreed to by both houses and signed by the President (Senate bill no. 3338). This was an act to

⁶⁶ *Ibid.*, pp. 7736-7740.

⁶⁷ Foraker had ardently advocated this provision when the bill was in the Senate. Other Republicans were in favor of this provision as well as the Democrats.

⁶⁸ *Cong. Record*, 59 Cong., 1 Sess., p. 8403. Oklahoma finally entered the Union on November 16, 1907.

⁶⁹ *Cong. Record*, 61 Cong., 2 Sess., p. 8227.

⁷⁰ *Ibid.*, p. 8335.

⁷¹ *Ibid.*, p. 8486.

⁷² *Ibid.*, p. 8698. Arizona was formally admitted on February 14, 1912, while New Mexico entered January 6, 1912, *World Almanac*, 1923, p. 447.

⁷³ *Cong. Record*, 56 Cong., 2 Sess., p. 3091.

amend and codify all laws relating to the municipal corporations of Alaska.⁷⁴ It provided that communities of three hundred or more permanent inhabitants might become a municipal corporation and be termed a town; that a city council composed of seven members elected annually on the first Tuesday in April, having all legislative and executive power might be established; that this council might elect as president one of its members who shall also be the ex-officio mayor. This act signed by the President on April 28, 1904, superceded all other acts inconsistent with the provisions thereof.⁷⁵

A bill providing for an Alaskan legislative council, to govern and legislate for the district was submitted by Beveridge on January 24, 1910.⁷⁶ In explanation, he stated that President Taft had recommended a change in the form of government for Alaska and that this bill was drafted in accordance with his recommendations.⁷⁷ A change was necessary because of the inefficiency of the present scheme of government which permitted all kinds of special legislation about which Congress actually knew very little; some of the laws that had been passed were applicable and very good while many others were very incongruous. It was therefore expedient to create a council, the members of which were to be appointed by the President, by and with the consent of the Senate, to legislate for this *territory*, as the bill called it.⁷⁸ The representatives from the several districts in Alaska would necessarily have first hand knowledge of conditions which would enable them to pass laws more in accordance with their needs.⁷⁹

The bill was bitterly opposed by Senators Clarence D. Clarke of Wyoming and William E. Borah of Idaho, because it provided for an appointive rather than an elective body. In their opinion this was too undemocratic. They also objected because Beveridge did not submit a formal, printed report to substantiate the proposed bill but in lieu thereof simply made an extensive statement of conditions. They would not accept this as a true, accurate account nor as conclusive evidence.⁸⁰

⁷⁴ *Cong. Record*, 56 Cong., 2 Sess., p. 3082-3083. For a text of this bill see *ibid.*, p. 5533-5534.

⁷⁵ *Cong. Record*, 61 Cong., 2 Sess., p. 912.

⁷⁶ *Cong. Record*, 61 Cong., 2 Sess., p. 912.

⁷⁷ *Ibid.*, p. 1823.

⁷⁸ The raising of the status of Alaska from a District to a Territory would lay the foundation for its admission as a State.

⁷⁹ *Cong. Record*, 61 Cong., 2 Sess., p. 912 ff and 1025 ff.

⁸⁰ *Ibid.*, p. 1021.

However, the real question was: "Could Alaska's development, the safe-guarding of the natural resources, and the welfare of the people be better taken care of in Washington than by a local legislative council?" The opinion of the Senate had not crystallized on the subject, and it appears that the above stated arguments were used to prevent hasty action rather than as reasons for opposing the bill. After the bill had been called up in the Senate for consideration each day for nearly a month, it was moved that the bill "go over" not to be called up each morning as unfinished business. The motion was agreed to, because it was seemingly impossible to reach an agreement on the bill at this time.⁸¹

To recapitulate, Beveridge went to the Senate willing and ready to work and lost no time in getting started. He at first had an imperfect idea of the rights of seniority in the Senate, while his evaluation of the probable influence of oratory was rather erroneous. He had no doubt evolved this idea of oratory by reading the famous speeches made by noted Senators of a former day; but procedure in the Senate had changed; and he soon became aware of the fact that legislation was now accomplished, for the most part, in the committee rooms while the Senate chamber was more of a personal advertising device. His knowledge of constitutional law was very valuable to him in dealing with matters relating to the forming of governments for the newly acquired insular possessions, as well as when the constitutionality of proposed legislation was in question. He was no blind worshipper of the Constitution, believing in the theory that there was no constitutional restriction on acts which would be beneficial to all concerned. To him the Constitution was not a mere compilation of words—a dead letter—but it was full of life and vitality, applicable to any and all conditions which might arise. He was a bold imperialist, a firm believer in his country and its work; and since he believed the United States to be in the right, there was no need for any quibbling nor for an apologetic attitude. He was ever concerned as States was defeated by a filibuster; and the third by was eager, perhaps even unduly anxious at times, to extend her power and influence.

He hardly appreciated the honor of being made chairman of the Committee on Territories, but, as later events proved, he

⁸¹ *Cong. Record*, 61 Cong., 2 Sess., p. 2203.

was called upon to deal with important questions relating to the admission of States. He readily detected the capitalistic influences behind the early movements for statehood. To offset these and to prevent State government from being a financial burden on the population because of undeveloped natural resources, as well as to give more time for the Americanization of the people, Beveridge first recommended postponement of statehood. The next attempt to bring in the territories concerned as States was defeated by a filibuster; and the third by a conference disagreement. In 1906, Oklahoma and the Indian Territory were combined and given permission to enter, and a referendum was provided for in the territories of New Mexico and Arizona. As a result they were enabled to form constitutions and to apply for entrance to the Union as separate States in 1910. In the latter case, it was best that statehood was denied for so long a period, but Oklahoma had been qualified to enter before 1906 and was prevented on account of having been linked up with Arizona and New Mexico in the matter of statehood.

[This paper will be concluded in the December number.]