Thomas R. Marshall

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From country lawyer to Governor of Indiana and then to Vice-President of the United States in the space of four years, is an unusual record. Four years as governor and eight years as vice-president constituted the entire public career of Thomas R. Marshall. Yet, in those twelve years, he came to be recognized as one of the important men of his day and generation.¹

Thomas Riley Marshall was a native of Wabash county. He was born at North Manchester on March 14, 1854, the son of a country doctor. His education was obtained in the North Manchester schools and Wabash College from which he was graduated in 1873. He studied law in the office of Walter Olds, afterwards a justice of the Indiana supreme court. A year later he was admitted to the Whitley county bar and began the practice of law in Columbia City. He applied himself diligently to his profession and rose steadily until he came to be recognized as one of the best lawyers of northern Indiana. His services were in great demand and he was employed in many of the most important cases that came before the courts of Whitley, Allen and Kosciusko counties. It was when he was engaged in a trial at Warsaw in 1902 that the writer, at that time editor of the Warsaw Union, met him for the first time. Francis E. Bowser, the leading attorney of the Warsaw bar and later judge of the Kosciusko court, introduced us. Not one of us then dreamed of the honors which a few years were to bring to him.

Two years after his admission to the bar, he formed a partnership with Hon. William F. McNagny who was elected

¹ This article was written and accepted for publication before the appearance of the biography, Thomas Riley Marshall, Hoosier Statesman (Oxford, Ohio, 1939), by Charles M. Thomas. Readers of this article will no doubt enjoy reading the biography, a review of which was published in our March issue of last year. In a letter to the Editor, Mr. Bartholomew, who was personally acquainted with Mr. Marshall, included a passage which is worth quoting here: “One thing in particular [about Marshall] always impressed me and that is that he did not consider himself great. When he was holding the second highest office in the nation he did not hold himself any higher than when he was a country lawyer. In 1914, when he was Vice-President, he came to Goshen to make a speech. Several of us called on him at the old Hotel Hascall. We sat down and chatted with him a while and I would have defied any one who was a stranger to all of us to pick out the vice-president.”
to the national House of Representatives in 1892, serving a single term. Later, P. H. Clugston joined them and the firm of Marshall, McNagny and Clugston became one of the most widely known in Northern Indiana. The firm name was painted on the office window and remained there long after Mr. Marshall had left Columbia City. It became one of the landmarks of the place and the people then looked upon it with a feeling akin to reverence.

From the day of his admission to the bar until his nomination for governor in the summer of 1908, Marshall applied himself exclusively to his profession. He never dabbled in outside matters as so many attorneys do. He believed that lawyers who engaged in selling stocks and bonds, or in organizing corporations, or in any other outside activities dishonored their profession.

The life of a lawyer who confines himself to his profession is comparatively uneventful. A good share of such an attorney's time is spent in his office in the preparation of his cases. No matter how thorough a knowledge he may have of the law, he is not satisfied until he has mastered every detail which has to do with the particular case in which he is engaged. Often it becomes necessary for him to spend many hours and even days looking up authorities, or studying decisions of both the lower and higher courts. He is not satisfied until he has exhausted every resource that might help him to give the best possible service to his client. When it comes to the actual trial he must exercise the utmost vigilance in order that opposing counsel may not gain an unfair advantage. Much of this work is extremely prosaic, but that does not abate in the least the devotion of a good lawyer to his cause. For more than twenty years, Marshall was thus employed with no promise of anything different for the rest of his life. Not until his party began casting about for somebody to lead it in the campaign of 1908 were there any indications that his activities would be any different in the future.

For twelve years, the Republicans had held undisputed control of the state. They had elected three governors in succession, something that had not been done by any party for a half century, that is, since Democrats had elected Whitcomb, Wright and Williard. There seemed to be a growing dissatisfaction on the part of the people and an apparent
desire for a change in the state administration. Besides, the Republican governor, J. Frank Hanly, had pursued a course which was anything but favorable to the welfare of his party. The situation at the end of the twelve years of Republican rule and the prospects for Democratic success have never been more felicitously stated than in the following excerpt from John B. Stoll:

Political favors at times are extended under peculiar circumstances. Occasionally they come from sources least expected or suspected. Such an experience was had by the Democracy in the year of our Lord one thousand nine hundred and eight. And the favor came from a man who has yet to utter a single sentence favorable to or kindly of the Democratic party. For years and years, he took infinite delight in hurling fiery anathemas at the party in which he absolutely could see no good and which he affected to regard as wholly and hopelessly bad. By forcing his party to take a step it did not want to take at that unpropitious time, and by making most vicious attacks upon public officials chosen by the same ballots that made him Governor of this commonwealth, he [J. Frank Hanly] so completely disorganized and disrupted the Republican party of Indiana that the most important part of its State ticket was defeated outright and the remainder thereof saved by a scratch.2

As early as 1907, believing that the signs of the times were more favorable for the Democracy than they had been for more than a decade, party leaders began to cast about to discover the best man to head the state ticket in 1908. While Mr. and Mrs. Marshall were spending their summer vacation in the pine forests of northern Michigan, word reached them that Louis Ludlow, for years one of the leading newspaper correspondents of Indiana and now a member of the lower House of Congress from the Indianapolis district had, in the words of Mr. Marshall, “taken his life and reputation in his hands and had dared to assert that I would make a good Democratic candidate for governor.” Andy Monyihan, at that time editor of the Fort Wayne Journal-Gazette immediately wrote a two column editorial expressing his hearty approval of the suggestion. What followed Mr. Ludlow’s suggestion and Mr. Monyihan’s editorial can be told in no better way than to quote Marshall’s own words:

Mrs. Marshall and I came back from our vacation brown as berries and impecunious as tramps. I found that my law office was about

to be turned into political headquarters. My partners had searched in vain for anything in my life that distinguished me from the common run of men, so they had ventured into the field of fiction, had written and had printed an eight-page pamphlet reviewing the history of the Marshal family from the time of the flood down to the year 1907. If there was a distinguished soul in all the long line who had borne that name that had not contributed more or less blood to my veins, they had never heard of him. I read the pamphlet and asked them what they were going to do with it. They told me I was now a full-fledged candidate for the Democratic nomination for governor, and that they were going to send it out to all the counties in the state. I told them very frankly that I could not let my wife read it and ever again look her in the face; while, like the ordinary married man, I had frequently done a good job of lying to her I could not see those lies in print, bound in a pamphlet, and let her have a copy to pull on me when I did not measure up to the standard of that most delightful fiction. I ascertained the price they had paid for this little Indiana romance, charged myself with it on the books (for I did not have money enough to pay the bill) and turned it over to the janitor to use in firing the furnace.

Marshall's law partner, William F. McNagny, remonstrated with Marshall, saying that he was unknown outside of two or three northern counties and that he could not possibly be nominated unless he was given some publicity, adding that the chances against him were a hundred to one. However, Marshall refused to follow Mr. McNagny's advice and went contrary to all the rules that usually govern candidates for public office. He accepted invitations to several Bryan dollar-banquets along with other candidates, but, further than that, he did nothing in the interest of his candidacy. His friends in his own congressional district, the old twelfth district, rallied around him and their delegation was solid for him, except that one delegate, who had not spoken to him for over ten years because of some difficulty over a lawsuit in the settlement of an estate, opposed him. Some of Mr. Marshall's friends proposed to go to that man and try to persuade him to stay at home and send his alternate. They said Marshall's chances were anything but promising and if a delegate from his own county were to oppose him the outlook would be a great deal worse. To this proposition, Marshall gave an emphatic "No." He declared that he believed in representative government; that the man had been regularly chosen as a delegate and that he had a perfect right to vote

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3 Recollections of Thomas R. Marshall (Indianapolis, 1925), 154-156.
as he saw fit. The delegate went to the convention, called
at Mr. Marshall’s modest headquarters at the Grand hotel,
extended his hand, said he would like to return to the friend-
ly relations of years past and offered to do all that he could
in the interest of Mr. Marshall’s candidacy. He also asserted
that if anybody had tried to induce him to stay at home he
would have spent a thousand dollars to get every enemy that
Mr. Marshall had to attend the convention and make every
effort to defeat him. This was one instance which showed
that it pays to be absolutely square even in politics, although
there are a great many people who do not appear to think so.

Six names were presented to the convention: L. Ert
Slack, Rev. Thomas H. Kuhn, Carleton B. McCulloch, Charles
soon became apparent that it would be a three cornered con-
test, the real contestants being Slack, Ralston and Marshall.
On the fourth ballot, Slack was in the lead with 580 votes.
He had been gaining steadily from the first when he had
only 278. Ralston had gone from 344 on the first, when he
led the other candidates, to 453 on the fourth, 127 less than
Slack. Marshall was still third in the race, having
312 votes, only 102 more than on the first ballot. Kuhn and McCulloch
had dropped out, and Conn had only 24½. Mr. Stoll describes
what came next:

The Slack delegation went wild, and then something happened to jar
them. Ralston was on his feet, gesturing for silence. The applause
stopped suddenly. Ralston was as white as a sheet of paper, and his
hands trembled visibly as he said: “There seems to be considerable
doubt as to the desirability of my nomination. In that case I have
something to say to you. I do not wish the nomination if all do not
think it would help the party, and therefore I ask that I be allowed
to withdraw.” Marshall was nominated on the fifth ballot.4

The reporter who covered the convention for the Indian-
apolis News said:

Ralston followed Taggart’s bidding and withdrew. The delegates
controlled by Taggart were switched to Marshall. Slack made gains,
but not enough to overcome the Taggart support thrown to his oppo-
ponent. Marshall was nominated. The convention went wild. . . .

Never before had Taggart men and anti-Taggart men so joined in a
jollification. Both sides were claiming Marshall for their own. A com-
promise candidate had been found without either side looking for him. A
man on whom all Democrats might unite had suddenly advanced to the

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front. None doubted his ability; all knew his strength of character and mind. "Tom" Marshall, lawyer, one of the best thinkers, best talkers, best campaigners in the Democratic party; one of the ablest and most brilliant attorneys in Indiana; a man whose reputation is regarded as unquestioned; a Democrat who had never taken part in factional quarrels, and a man who represented no interest and had no string tied to him—had been nominated by the Democrats for Governor.6

The Elkhart Review was edited by A. P. Kent, one of the most scholarly journalists in northern Indiana and at the same time one of the most conservative Republicans. He paid Marshall the following graceful tribute:

The choice of the democracy of the state for its standard bearer fell upon the man who of all the list of candidates would best serve the people and the state. He is the best expression of the intelligence, the honor, the rectitude of life, the practical wisdom needed in an executive and which the public has a right to expect of its governor. Mr. Marshall is a lawyer of distinction, acquainted by profession with the requirements for making legislation effective. It is a mistaken notion that a governor should not be a lawyer. Of all men executive officers of the state should be fully versed in law that they may avoid blunders in suggestion and errors in efforts to enforce. Mr. Marshall is a man of clean record, a conservative but progressive citizen, a man of high personal character, an orator of ability and convincing power. The democracy did well in its ultimate selection of a candidate for governor.

In a speech made in Goshen in 1914, Marshall referred to the convention of 1908 in his own quaint style, saying that while Sam Ralston and Ert Slack were fighting over the nomination, he "grabbed it and ran out of Tomlinson hall with it." He confessed that he had always felt a little ashamed of it and was glad that Ralston was nominated and elected as his successor and would like to see Slack become Ralston's successor.

A hotly contested campaign followed the state convention of 1908. For the first time in sixteen years, Democrats were thoroughly united. This was largely due to Mr. Marshall's conciliatory attitude toward all factions. He made a vigorous campaign. His speeches were unique. In fact, they were so different from ordinary campaign speeches that the managers called him into headquarters and told him that his was no way to campaign. He continued in his own way. He began his speeches by saying that he was the Democratic candidate for governor of Indiana—candidate of no faction

6 Indianapolis News, March 27, 1908.
and candidate of no interest; that he had no strings on him, no promises out and owed nobody anything except good will. He told his hearers that he had a good law practice and so far as he was individually concerned he did not care whether he was elected or not, but, if citizens were interested in Democratic principles, he was soliciting their votes for the party and not for himself.

He said other things that startled the old time leaders, even causing them to think that the battle was lost, but they were mistaken. One example is enough to show that he was not afraid to speak his mind freely when he believed that the occasion required it. He learned that a certain religious organization was being asked to have all of its preachers fight him, which many of them did. Instead of trying to curry their favor he simply told them that they were called to preach the gospel and not to beat a bass drum in a Republican procession.

The outcome of the campaign, as everybody knows, was that Tom Marshall was elected governor of Indiana. He set about to give the people a business administration. He was determined that the affairs of the state should be managed efficiently and with due regard to economy. One of the measures which he proposed was the creation of a state board of accounts whose duty it should be to examine the financial records of all public officers, from those of the state down to the townships. This put an end to much of the graft which had been going on for years in many local units throughout the state. Steps were also taken immediately to reduce the huge debt which his administration had inherited. So great was the success of this policy that when his successor went out of office the debt had been wiped out altogether.

The matter of pardoning and paroling prisoners in the state penal institutions is one that gives a governor a great deal of trouble and anxiety and Mr. Marshall was no exception. A great many cases were brought before him and he endeavored to judge each on its merits. A careful examination of each one was made so that, if possible, there should be no mistake—that no deserving one should be refused a pardon and no undeserving convict granted one. In each instance, when favorable action was taken, a parole was first

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*Recollections, 166-167.*
granted and subsequent pardon made to depend on good behavior. Occasionally, one who was paroled had to be sent back to prison but there were only a few who were not eventually pardoned and given a chance to become useful citizens. Several times Mr. Marshall had to deal with strikes. In each instance, he was able to bring about a settlement without calling out the militia, but he did order out the militia to stop race track gambling in Porter county.

The story of Marshall’s election as vice-president in 1912 and of his eight years of service in that office is a part of the country’s history. That term of service included one of the most trying periods that this nation has ever known, the period of the World War. He was the first vice-president in almost a hundred years to serve two full terms with the same president. He was one of the most popular vice-presidents the country has ever had. One of the traits which contributed toward his popularity was his sense of humor. He carried with him to Washington the ability to see the ludicrous side of serious questions, particularly those of a controversial nature which are always liable to stir up lasting antagonisms. With a humorous remark, or a story, he often brought about good feeling where enmity might have resulted. Few national characters since Abraham Lincoln have equaled him as a story teller or in the faculty of relieving a strain with a humorous remark. However, he was not all humor. He could be serious on serious occasions. Quite a number of times it became necessary for him to represent the President at notable public meetings, when the President’s duties called him elsewhere. At no time did he ever disappoint those who listened to him.

Tom Marshall was preëminently a religious man. He was a faithful member of the Presbyterian church and accepted its doctrines without any reservations whatever. He never was afraid to stand up for religion or to defend it when it was assailed. During all of the years that he lived in Columbia City, he was one of the pillars of the Presbyterian church there and a regular attendant at its services. When he went to Indianapolis as governor of Indiana, he identified himself with the First Presbyterian Church of the capital city and during his four years there he taught the men’s class in the Sunday School. While he was vice president, he attended the church of his choice in Washington,
and when he returned to Indianapolis at the end of eight years, he resumed his work as a Sunday School teacher. In an address to the men's brotherhood, he said:

I have come back to Indiana having learned just one thing and that is that there never will be a great man except one who consecrates himself to God, to his country and to the cause of humanity. It is not necessary that his standing be high. The humble may be this man.

This was said after eight years' daily contact with those whom the world calls great.

Next to his reverence for the Christian religion was his reverence for law and order. He had the highest ideals of the law and of the legal profession. He had the utmost contempt for those who resort to all kinds of tricks to gain their ends. He took his oath as a lawyer seriously and lived up to the teaching that the lawyer is an officer of the court upon whose shoulders rests some of the responsibility for the administration of justice.

That he appreciated and held at its full value American citizenship is evidenced by unpretentious demeanor throughout his career from his youth and young manhood, as one of the most successful lawyers in Indiana, as governor of a great state and as the occupant of the vice presidency. His estimate of citizenship in our republic is summed up in the first paragraph of his valedictory address delivered on March 4, 1921, on leaving the vice-presidential chair:

Senators: Very shortly I shall have ended my official life as the constitutional presiding officer of this body. That moment when it arrives will not mark my demotion to the ranks of the average American citizen for I never rose above them.

I sprang from the loins of men who helped to lay the foundation of the republic. At my birth my father placed upon my baby brow the coronal of a free born American citizen. In my youth I was taught that if I wore it worthily no prince nor potentate nor electorate could add to or detract from the honor of that royal coronet.7

Gov. Marshall's home life was ideal. Mrs. Marshall was formerly Miss Lois Kinsey of Salem Center, Steuben county. Her father was elected clerk of Steuben County. This necessitated the removal of the family to Angola where she served as a deputy in the clerk's office. There Mr. Marshall met her when he had business in the Steuben County circuit court. Their acquaintance finally led to their marriage. No

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7 Cong. Record, 66 Cong., 3 Sess., 4532.
husband and wife were ever more devoted to each other than they, and no married couple ever enjoyed each other's companionship more than did they. All through his campaign for the governorship, Mrs. Marshall accompanied her husband in order that they might be together. They never were away from each other at any time except when he was attending to professional or official business.

Scarcely any more fitting close to this article can be made than to quote Marshall's tribute to the pioneers and their log cabins for he revered both to the end of his life. This tribute deserves a place among the English classics:

At sight of an old log cabin fifty years slip from my shoulders like a worn-out vesture. I see a sweet faced old lady. She tells me how, in the early twenties of the last century, she rode horseback, with a baby in her arms, from old Virginia to the wilds of Indiana, and how at the end of six weeks she dismounted and entered a log cabin, built in the primeval forest. I hear her tell of the wide fire place, the swaying crane and a boy laboriously striving by the flickering firelight to get a little knowledge. Over and over she tells me the trials, the struggles and the triumphs of the pioneer days. She speaks with pleasure of the progress which the state has made; and yet, boy though I was when this vision was a reality, I thought I heard an undertone of sadness as she told me of passing through the morning-glory bedecked door of the old log cabin to their new brick home. She had a sweet, happy ending for her life, rounded out as it was by love and contentment. She did not sneer at the new ways nor feel that the world was awry, but I could tell that young life, young love and a large hope in log cabin were to her far preferable to listlessness with luxury, hopelessness with plenty and love-lack with prosperity. A rounded life is a pleasant past, a contented present and a hopeful future. Such a life this gray-haired lady, my grandmother, lived.

The log cabin has almost disappeared. Let us hope the pioneer still lives, for when he passes, civilization decays. In cabin or in palace, he is always a pioneer who looks upon himself as part of a world-wide, age-old plan; who feels that he may make or mar all time; who looks with unabashed eye on life's struggles; who works toward the accomplishment of good purposes with unflagging zeal; and who sits at eventide at home, content, with wife and love.

Dear old log cabin of the days agone. From out your dismantled door may there come to us the spirit of the early pioneer, breathing courage, enthusiasm, patriotism, loyalty to God and man, upon the newer frocked and better dressed pioneers of today. And as we breathe these blessings may our hearts thrill, our muscles stiffen and our ears hear the trumpet call of duty and endeavor.