

Chapter 19

Insurgency Revolt: Part II

IN THE CONFUSION that followed Norris' motion to adjourn, Cannon spoke in a calm voice. "The Speaker," he said, as if asking a favor, "asks the indulgence of the House for not exceeding three minutes to make a statement." Norris announced his willingness to withhold the motion and the chamber became silent. Cannon then began a speech that was one of the most remarkable and dramatic, if not the most impetuous, ever delivered before the House. He reiterated his belief in party rule and announced that his party, despite the fact that the country believed it had a majority of forty-four members in the House, was no longer in control. The Democratic minority, aided by "the efforts of the so-called insurgents," was now in the majority. The fact that he was not in harmony with the actual majority was evidenced by the vote to create a new Committee on Rules.

Two courses were open for Cannon. One was to resign and permit the new majority to choose a Speaker in accord with its aims and purposes. The other was to allow "the combination" to declare the office vacant and elect a new Speaker. Cannon did not choose to follow the first course because he did not want to endanger the passage of legislation necessary "to redeem Republican pledges and fulfill Republican promises." More important, however, was the fact that he regarded a resignation as "a confession of weakness or mistake or an apology for past actions." Since he believed he had construed the rules as he found them and as they had been construed "by previous Speakers from Thomas B. Reed's incumbency down to the present time," he therefore saw no need or reason to resign.

Then Cannon threw down the gauntlet to the opposition and announced that since there was "no coherent Republican majority in the House of Representatives, therefore, the real majority ought to have the courage of its convictions and logically meet the situation that confronts it." Reaffirming his belief in party rule, he announced his willingness, as a matter of the highest privilege under the Constitu-

tion, to entertain a motion to vacate his office and elect a new Speaker in accord with the wishes of the "Democratic and insurgent Members who, by the last vote, evidently constitute a majority of this House." What occurred next was described in the *Congressional Record* as "loud and long-continued" applause on the Republican side; great confusion in the Hall."¹

Amid the demonstration, J. Swager Sherley of Kentucky hurried to converse with Oscar W. Underwood of Alabama, while Albert S. Burleson of Texas arose waving a piece of paper and demanding recognition. Rushing to the Speaker's desk, Sherley shouted for adjournment. Burleson shouted that his resolution should be read and immediately voted upon. Other members shouted and the Speaker called for order. He said there were matters that could take precedence over a motion to adjourn and requested that the Burleson resolution be read. This resolution, accepting Cannon's challenge, provided simply "that the office of Speaker of the House of Representatives is hereby declared to be vacant, and the House of Representatives shall at once proceed to the election of a Speaker."²

Up to this point Norris had remained quietly in his place at the rear of the chamber. Now he rose, proceeded to the open space before the Speaker's chair, and doggedly refused to give way to the Democrats and insurgent Republicans who came forth to offer advice. He insisted it was only out of courtesy to the Speaker that he had withheld his motion to adjourn which should now be the business of the House. Cannon acknowledged the validity of Norris' remarks and called for a voice vote on the motion to adjourn. The "ayes" and "noes" of the members all registered at the same time and only increased the tumult, but Cannon decided the "noes" had it and that the House had refused to adjourn.³

However, Norris refused to be downed so easily. Claiming that he had never heard the announcement on the vote owing to the confusion, he demanded a roll call vote, whereupon Cannon requested that all in favor of such a vote rise and be counted. Only fourteen members, including Norris, stood. Thus the House declined to adjourn.

The insurgent Republicans were now caught between rapidly solidifying party lines. The Republicans were determined to vindicate Cannon, while the Democrats, with misgivings on the part of some, rallied behind the Burleson resolution to remove the Speaker. Under these circumstances, the insurgent ranks split asunder. The more moderate among them, following Norris, continued to insist their battle was against the rules per se and not against Cannon, the Repub-

lican party, or its legislative program. On the other hand, nine insurgents, including four from Wisconsin and two from Minnesota, joined with the Democrats in the effort to depose Cannon.⁴

Before the crucial vote, Cannon surrendered the chair to Sereno Payne amid loud applause on the Republican side. He nodded and smiled to his colleagues as he went to his office to await the result. During this interlude Norris was busily conferring with insurgent members, requesting and even begging some to vote against the Burleson resolution. All but nine of the insurgents cast their votes against the resolution. For the first time throughout the conflict most of the insurgents voted in unison with their Republican colleagues. When the 192-155 vote against the Burleson resolution was announced, almost all the Republicans arose and yelled themselves hoarse. Some wept. Payne, after surrendering the chair to Speaker Cannon amid a scene of wild enthusiasm, moved to adjourn and at 5:30 P.M., March 19, the House officially adjourned. Most Republicans, however, remained in the chamber to serenade the Speaker with the strains of "For he's a jolly good fellow." As they sang, Speaker Cannon stepped down from the dais. Nodding and smiling, he held a reception, shaking hands and receiving the good wishes of his loyal supporters.⁵

As a result of the revolution of March 19, 1910, Norris became a figure of national prominence. His name was intimately connected with the proceedings in the House, his picture appeared in newspapers throughout the country, and his views were sought by reporters. In the public mind he was the personification of the insurgency movement. The press, which had been instrumental in supporting the insurgent cause, now presented Norris as the insurgent David who slew the tyrannical Goliath known as Cannon. As one editorial put it:

Mr. Norris has been the real parliamentary leader at almost every crisis when the insurgents have won a point or gained a real victory. He has proved himself able, from the outside of the citadel, to discover weaknesses in the entrenchments of the organization, which the organization itself did not suspect. In the present fight—a fight, by the way, which was opened exactly one year from the date when Cannon and Tammanyism won their disastrous victory of March, 1909—he has again proved his title of the Rupert of insurgency.⁶

Interviewed after Congress adjourned, Norris claimed "a great victory for the insurgents and the people." It would now be possible

for the majority of the House to "work its will" on matters affecting the nation's business. He still thought, however, that his original resolution "was far superior to the one which was adopted by the House."⁷ He realized that while the overthrow of Cannon represented a great victory for democratic control of the House, "it did not place the power where it would be exercised in the most practical and democratic way." Chairmen and members of standing committees, instead of being chosen by the Speaker, would be chosen in party caucus where the Speaker still exercised a powerful voice and the insurgents little or none. But Norris was aware then and later that compromise was necessary to achieve partial reform which would make further progress easier.⁸

Speaking for the insurgents, Norris said they did not expect consideration when the Republican caucus met within the prescribed ten-day period to select members of the new Rules Committee. The insurgents did not intend to ask for representation on the committee nor would they take action to modify the rules any further at this session. He claimed, however, that at the beginning of the next Congress they would make a fight to deprive the Speaker of the power to appoint standing committees.⁹

When the new Committee on Rules was presented on March 25, it was accepted unanimously. Not an insurgent Republican or an independent Democrat appeared on the roster of its members; all were appointed in party caucus, and with the exception of Cannon all former members of the five-man committee were on the new ten-man committee.¹⁰ On the surface it appeared as if a committee controlled by the Speaker were merely doubled in size and controlled by the Speaker's closest political friends with John Dalzell acting as chairman. However, a revolution had occurred; a spirit of independence had been manifested in the House and a minority of members had dealt a severe blow at the source of the Speaker's tremendous power. This new spirit was displayed throughout the remainder of the Sixty-first Congress though no further radical departures from established procedure were made. While most of the insurgents quickly entered the progressive camp, others, like Hamilton Fish of New York, Butler Ames and A. P. Gardner of Massachusetts, and Andrew J. Volstead of Minnesota, returned to the regular Republican ranks. With the revolution against the rules thus consummated, the members returned to consider more mundane matters.

Six weeks after the event, Norris tried to evaluate its meaning: "There is a freedom of action that has never existed before since I have been a Member of Congress." While the upheaval was far from

a complete victory over the machine, it allowed for more independence of action than anything that had occurred for many years. Norris admitted that the personnel of the new committee was not satisfactory, but, he explained, a small handful of insurgents in a party caucus could not control committee membership.

To the charge that the reorganized Committee on Rules was still in effect controlled by Cannon, Norris replied that it was not a matter of much consequence to practical legislation. He insisted the committee would not dare to present any rule that curtailed individual action or gave the machine control over particular legislation. "The day of such domination," he claimed, "is absolutely over, and the Speaker with all of his power, is not able to push such a rule through the House." Ideally, he observed, his function should be similar to that of the policeman on the corner: "There is no danger of the store being robbed, so long as he is there."¹¹

The rules fight added to Norris' strain and tension. He was worn out, but could not rest because he had to be on hand while the House considered important railroad legislation. By May he was so exhausted that he contemplated going to a sanitarium to recuperate.¹² He became depressed, regarding himself as something of a failure, at least financially, and feeling that he had been unable to provide adequately for his family. He found his existence lonely, and because of his precarious party position, unpleasant. He disliked life in Washington and would have welcomed a chance to leave. But he had no intention of quitting under pressure, of "showing the white feather." If the Nebraska voters chose to retire him, he would not regret their decision; nevertheless, he intended to seek their approval in the coming election.¹³

Though the rest of the session was anticlimactic, Norris soon took a keen interest in legislative matters and claimed that the new situation resulted in improved legislation. As an illustration of the more relaxed atmosphere, less than a week after the revolution Norris obtained the floor and humorously twitted colleagues who refused to follow a committee's recommendation on a bill before the House. The members enjoyed his bantering remarks and when his time expired, it was extended by unanimous consent for five minutes. He reproached the regular Republicans who refused to follow the committee for their insurgency. He appealed "to these young men," saying amid laughter and applause, "For God's sake, boys, get back on the reservation before it is everlastingly and eternally too late."¹⁴

Given this new spirit, Norris hoped a bill providing for publicity of campaign expenses might merit serious consideration. This matter had

long interested him and had become urgent during the 1908 campaign when his opponents unscrupulously spent large amounts of money. In the previous Congress in April, 1908, Norris had prepared a report to accompany the first bill ever reported on this subject. The bill, proposed by Samuel W. McCall, a conservative Republican from Massachusetts, was referred to the Committee on Elections of President, Vice President, and Members of Congress which held extensive hearings. Roosevelt, Taft, Bryan, and many members of both houses had urged Congress to take action. After long debate the committee unanimously supported the bill and Norris was selected to prepare the report. All these efforts came to nought because of the Speaker's opposition. Later in the session, because of public pressure, a somewhat modified version of the same bill was again introduced. With the help of the Speaker, who suspended the rules to prevent amendments, it was passed, but it died in the Senate because of Democratic opposition.¹⁵

Early in the Sixty-first Congress McCall reintroduced the bill. It was sent to the same committee, which again reported favorably on it. Norris, no longer a committee member, inserted a copy of his original report in the *Record*. The bill, he remarked, would go a long way toward purifying elections. Political machines, operating under cover of secrecy and dominated by bosses, interfered with freedom of action by public officials and made exceedingly difficult, if not impossible, legislation demanded by the people. These machines could not exist, "at least to any harmful extent," if they were not supported by secret contributions from individuals desiring to profit from the conduct of the public servants they influenced. The "searchlight of publicity," he thought, would soon put these machines out of business and drive the political boss into oblivion.

Norris' opinions on this matter revealed traits characteristic of many progressives. He had a simple solution to a complicated problem which he saw in moralistic terms. He was optimistic but did not think the bill would solve the problem completely. It was merely "a step in the right direction" which deserved the hearty support of those who desired "to give the people themselves the greatest possible amount of participation in governmental affairs."¹⁶

The bill was passed by the House and soon thereafter, with slight modifications, by the Senate. On the last day of the session Norris urged his colleagues to reject the conference report because the provision calling for the publication of expenses prior to an election had been removed from the House bill. By rejecting the report, he argued, the bill itself would not be lost, as there would still be another session

of the Congress. The bill would not lose its place on the calendar, and might well become a better law. Congressmen, however, were in no mood to accept this reasoning; the report was accepted and before the day was out the emasculated bill was signed into law by President Taft.¹⁷

While Norris was not entirely in accord with this measure, he knew that it received consideration only because of changed conditions in the House. The new environment was also responsible for railroad legislation with which he was in hearty agreement. In January, 1910, at the request of the administration, Congressman James Mann introduced a bill enlarging the rate-making power of the Interstate Commerce Commission and creating a commerce court to handle appeals from commission rulings. Included in the measure was a clause allowing railroads to acquire competing lines.

The House, when it considered the bill in April and May, modified it along progressive lines, favoring competition by removing the provision allowing mergers of competing roads and by accepting amendments for physical valuation and equitable charges to obviate long and short haul discrimination. The House also approved a provision bringing telephone and telegraph companies under the jurisdiction of the ICC. These amendments were carried by the Democrats and the progressive Republicans who were recruited from the ranks of the former insurgents. Norris, while not playing a major role in the passage of this bill, nevertheless favored these and other strengthening amendments. He believed the Mann-Elkins Act to be the most progressive railroad measure enacted during the decade, though it attracted less discussion and publicity than the Hepburn Act of 1906.¹⁸

Norris was pleased with the way the House amended the bill. Before the curtailment of the Speaker's power, the bill would have passed in its original form. Now, according to Norris, it was "the longest step in the right direction that has ever been taken at one time." This step had been achieved because interested members, including many insurgents, had devoted at least three weeks, working day and night, to the bill. After the House version of the bill went to the Senate, Norris revealed how effective their efforts had been. He wrote:

Some of these most valuable amendments to this bill were offered by the so-called Regulars, but as a matter of fact were prepared by some of the Insurgents at secret sessions. Wherever we could find any record in favor of a particular amendment that we believed ought to be adopted, we secured its introduction by such member, if possible, and some of these members have of-

ferred these amendments without the knowledge that the amendment itself was prepared and worked out by a meeting of some of the so-called insurgents.¹⁹

The fight for improved railroad legislation further convinced Norris that the real friends of progressive legislation in the House were the insurgent Republicans. They were able to achieve this success only by cooperating with Democratic members. Though the Republican party took credit for the Mann-Elkins Act and other legislative achievements, none of the progressive measures, said Norris, would have been enacted in their final form "had it not been for the victory which we obtained over the machine in the House, by which the atmosphere was entirely changed and the secret, unexplainable, but yet positive control of the Speaker and his machine was partially destroyed."²⁰

On June 17, at the unanimous suggestion of the Committee on Rules, a motion was adopted, providing a calendar on which members might register motions to discharge committees from further consideration of bills which had not been reported. Known as the "Discharge Calendar," it provided means by which a bill could be forced out of committee. Up to this time the only way to discharge a committee was to move to suspend the rules; such a motion could be made only on the first and third Mondays in every month. Norris supported this resolution, believing it another step in the direction of curtailing the Speaker's power. He added what may be considered a peroration on the insurgency revolt and its significance:

But for that victory we would not have this opportunity of another advance presented us to-day. We all know there is a change of atmosphere in this House. There is more individual freedom and less coercion. There is more individual liberty and less machine control. The result is better legislation, better laws, better government. This result has been brought about, this freedom has been obtained by the unequal, desperate, and sometimes discouraging fight made upon the rules by the hated and despised insurgents. With malice toward none, without ill will or feeling against any man, without patronage or political favor, opposed, abused and misrepresented by members of their own party, they have steadfastly stood for a fundamental principle of representative government that was being violated in this House, and by virtue of such violation the rights of the people were being neglected and sacrificed.

The good results of their bitter struggle have been apparent for some time. Machine control in the House of Representatives is

disappearing. There is still room for improvement, but the action of the Committee on Rules to-day indicates that the House will yet be its own master; and when that time comes about, the insurgent will receive his reward. He gets considerable consolation out of this condition here to-day, and it affords me no small degree of satisfaction on this occasion to welcome to the insurgent ranks practically the unanimous membership of the House. We give you the glad hand of fellowship, and although your coming is rather late, and it may be your action is moved in some degree by fear of what might happen if you did not come, yet we receive you with open arms and promise to kill the fattened calf in your behalf.²¹

Thus Norris considered himself a spokesman for the insurgents and was so regarded by friend and foe in and out of Congress. His sudden fame must have been a bit overwhelming; it taxed his physical stamina and burdened him with further responsibilities. Though the possibilities for self-aggrandizement did not impress him, he soon began to meet a wider range of people and to emerge as a prominent progressive on the national scene. His battle against the House rules soon expanded into a concern for issues affecting progressive politics.

In May, 1910, he spoke at a dinner of New Jersey progressives in Newark. During the same month a California progressive requested literature and information that could be used to help the movement in that state. Samuel Compers invited him to a conference early in June, while Pinchot asked Norris to visit him. In short, before he returned to Nebraska to campaign for re-election, Norris was entering the progressive fold. During the campaign he moved into their camp and thereafter emerged in the upper echelons of the progressive ranks.²²