

Triumph and Tragedy

POPULISM was still rampant in Nebraska in 1899 when Norris' judicial term came to an end. The state was unredeemed, as far as the Republican party was concerned; it remained so after the off-year elections in 1899. Silas A. Holcomb, former governor, handily defeated his Republican opponent for judge of the Supreme Court and fusion candidates won the other state-wide contests. But in the Fourteenth Judicial District, a Populist stronghold, George Norris was re-elected by an impressive margin.

Earlier in the year, Norris was not unduly optimistic about his chances. As far as he knew there would be no opposition to his re-nomination. The election, however, was another question. Norris believed the Populists had a majority of between three hundred and four hundred votes in the district. If they gave their votes to his opponent, his defeat was assured. Furthermore, in February a bill was before the legislature which, had it passed, would have legislated him out of office by adding four heavily Populist counties to the judicial district.¹

Though nothing came of this bill, Norris realized that if he were to be re-elected he would have to wean a goodly number of Populist voters back into the Republican fold. Accordingly, by July, he was requesting county leaders to send him the names of Populists who were formerly Republicans and were inclined toward the middle of the road.²

Norris also hoped to capitalize on the fact that fusion between Populists and Democrats rarely worked smoothly. Indeed Democrats were already threatening that unless allowed to name more candidates, they would put a separate ticket in the field. Norris knew too that John T. McClure was interested in the Populist nomination and would be a difficult opponent to defeat. Therefore Norris was most interested in news of rifts between Populists and Democrats.³

And there were serious rifts in the camp of the opposition. Exchange Welty and his followers, recalling McClure's support of Norris

in 1895, were determined to prevent McClure from obtaining the nomination. The Republicans did all they could to support these dissensions. Norris, tied down with judicial duties and not yet willing to campaign openly, conducted an extensive correspondence to keep abreast of political developments.⁴

Early in September the Populist judicial convention chose the prosecuting attorney of Gosper County, a Mr. Miller, to oppose Norris. Because Miller was not a strong candidate, and because there was dissension at the convention, Norris' chances of breaking the Populist majority in the district were considerably improved. McClure, in a speech to the delegates, indicated that he would have conducted a mudslinging campaign. Norris, therefore, had reason to be satisfied with the results of the Populist convention.⁵

The news that Republican county conventions had proceeded with a minimum of friction and a greater manifestation of party harmony than had been exhibited for many years also helped to brighten the campaign picture. So optimistic was Norris about the political situation that on September 12 he left on a vacation to visit his mother in Ohio and to attend the Sovereign Grand Lodge of the IOOF at Detroit. He planned to return in time to attend the Republican Judicial Convention at McCook on September 27. When he left on vacation there was no opposition to his nomination, and Norris boldly prognosticated, "This will be a Republican year, and . . . I ought to be reelected."⁶

As expected, he was renominated—by acclamation. Unexpected, however, was the sudden withdrawal of Miller and the substitution of McClure as his opponent. Attorney Miller withdrew because of illness; a paralyzed throat made it impossible for him to campaign. Though Norris now faced a skilful, dangerous, and difficult opponent, his optimism did not disappear. He exhorted his supporters to greater efforts. Furthermore, now that McClure was his opponent, Norris gained an unexpected ally in Welty, his previous opponent and a bitter political enemy of McClure.⁷

McClure campaigned vigorously, holding meetings and speaking individually to many voters. Norris, relying on his supporters to do this work, maintained a posture of judicious aloofness and followed the course of the campaign in correspondence and conversation. McClure undoubtedly hurt Norris personally by the type of campaign he conducted. He denounced Norris, claiming he was fraudulently elected in 1895. These denunciations had a ring of authenticity because McClure had been hired to present Norris' case in the litigation following the

1895 victory. McClure argued that while he had made use of every legal turn to sustain his client, the ethics of his profession prevented him from divulging details presented in strictest confidence. In speech after speech and in the columns of his *Beaver City Times* and other Populist papers he attacked Norris as fraudulently holding public office.⁸

These charges were effectively combated. Welty wrote letters claiming that though fraud was perpetrated in 1895, Norris was not guilty and indeed knew nothing about it. Toward the end of the campaign Welty took the stump and spoke against McClure.⁹

On November 3, 1899, the *Beaver Valley Tribune* published a series of affidavits, including a letter by Welty, a statement by Norris, and reports of two members of the 1895 Furnas County canvassing board, all refuting the charge of fraud on the part of Norris and suggesting that McClure's law partner was responsible for distorting some of the returns. Thus four days before the election, Norris with Welty's aid was able for the first time to present to the public his side of the disputed election of 1895.

Norris' notarized statement, included among the affidavits, represented the closest he came to actual campaigning. But Republican leaders left virtually no stone unturned on his behalf. Wavering Democrats and Populists were personally informed of Norris' merits by precinct leaders. Republican lawyers impressed on their clients the importance of keeping Judge Norris on the bench. One Republican stalwart spoke to most of the Populist leaders in his county and secured promises of support from others to spread the Norris gospel. He indicated the nature of his activities when he wrote, "Of course you understand these men don't neglect their own work and devote it to others without compensation, and I am advancing for you the necessary money to make the campaign."¹⁰

William Jennings Bryan appeared in western Nebraska in October to speak on behalf of Democratic and Populist candidates. Norris no doubt was pleased when one of his supporters claimed that Bryan's trip lost him very few votes. Biased though this observer was, he presented an unorthodox picture of Bryan as a campaigner. He wrote:

So listless was the crowd that not even one cheer was given the party from start to finish, and although Bryan posed in old clothing to catch the rural vote it deceived no one and the farmers felt and afterwards expressed themselves that this was just a device to catch their votes. To show the apathy of the managers of the Bryan crowd, (he) spoke from an old lumber wagon. No

seats were provided and the different members of the party during the speaking sat on the sharp edges of the wagon box until the meeting concluded.¹¹

The election results showed that Norris had correctly sized up the political situation. He won an impressive victory. Since both candidates were residents of Beaver City, it must have been especially gratifying to Norris to carry the community by over one hundred votes, though he lost Furnas County, which had given him a large majority in 1895, by a very slim margin. Ex-Judge Welty was so elated that he threw his cap on the floor, stamped his feet, and asked his friends to burn the cap—which they obligingly did. He also wrote Norris a congratulatory letter claiming that the voters had “rebuked the rascality of the would-be leaders of the Populist Party at Beaver City.”¹² Welty at last had his revenge against McClure. And McClure, who had supported Norris in 1895 against Welty, was now defeated by Norris with the support of Welty. Factional fights among Furnas County Populists played the major role in electing and re-electing Norris as a district judge.

Since McClure and his followers did not charge him with official misconduct in office, Norris believed the voters had censured and condemned the opposition for the course they pursued. The official canvass gave him a majority of 440. He ran between 1,000 and 1,500 votes ahead of his ticket and carried all but two counties, Furnas and Gosper. While McClure won Furnas County by only twenty-seven votes, Norris had no reason to feel disturbed about its loss, especially since he carried Beaver City.¹³

In a letter to Welty, Norris acknowledged that Welty's efforts and those of his Populist friends accounted for many votes. In all, the campaign for re-election cost Norris less than fifty dollars, forty of which at the outset he had turned over to the treasurer of the district judicial committee. This sum is all the more remarkable when one recalls that the 1895 campaign with its litigation and dispute almost bankrupted him.¹⁴

Early in December, Norris received his certificate of election as judge of the district court for the Fourteenth Judicial District. But he was much too involved with the plans and preparations involved in moving his family to McCook to take more than casual notice of it. The house in Beaver City had been sold and by December he had purchased a home in McCook, the seat of Red Willow County. McCook was centrally located and was the largest, and most prosperous community in the entire judicial district. The main line of the Bur-

lington and Missouri Railroad ran through it and the Republican River flowed past it. In 1900, McCook claimed a population of 2,445. It boasted a waterworks and an electric light plant, both privately owned, along with eight churches, four schools, and a municipal park located almost directly across the street from Norris' home on Main (now Norris) Avenue in the north end of town. It had a police department, consisting of two full-time officers, and a volunteer fire department. Two public halls, a saloon, and a municipal park provided recreational facilities for the local citizenry. McCook also had a jail, though this was seldom occupied.¹⁵

The town had been laid out by the Lincoln Land Company in June, 1882, and was originally known as Fairview. The name was changed to honor Major General Alexander McDowell McCook, one of the famous fighting McCooks—eight brothers and a father, all of whom served as officers in the Union army during the Civil War. McCook quickly became a railroad town and a trading center for farmers who brought large quantities of corn and alfalfa for shipment to Omaha or Denver. Because the town was a division point on the Burlington and Missouri main line to Denver, the railroad employed many men in its shops and roundhouse. Other railroad employees who traveled this line made McCook their home. Until 1905 it was also the site of a United States Land Office. The community, with its pleasant homes, numerous trees, many civic improvements, and hard-working but diverse population, was a pleasant one and the family quickly felt at home. Certainly the move was a sensible one for Norris, who found the town's central location convenient for traveling throughout the district.

Before moving to McCook, Norris succeeded in settling the estate of Mrs. D. H. Lashley. He also hired two men to supervise his real estate holdings in Beaver City. Tenants in the Norris Block and elsewhere henceforth would pay their rent and present their complaints to C. H. Wilson, who superintended the building, or to J. F. Fults, who acted as rental and collection agent. Thus Norris became an absentee landlord.¹⁶

By the end of March Norris' family was settled in their new quarters, and Norris was able to resume his regular activities with little interference. Judicial duties were more conveniently arranged due to the more adequate transportation available at McCook. But they still kept him away from his family for extended periods. Since 1900 was a presidential election year as well as a census year, he was deluged with requests for transportation to the various Republican conventions, despite the fact that Nebraska now had a law making it

a crime to give a pass to attend any political meeting, and with petitions to appoint loyal Republicans as census enumerators.

As the spring court term came to an end and the various state political conventions were held, Norris began to look forward to his summer vacation before the national political campaign was launched in the fall. He expected to visit some of his sisters and his mother in Ohio before proceeding to Richmond, Virginia, for the annual IOOF conclave.¹⁷ There also was a gathering of the L.U.N. scheduled in August. Most of these plans went astray, however, because of unexpected misfortune in the family.

In June, Norris' mother died suddenly at the age of eighty-two in the family farmhouse at York Township. He arrived in Ohio for the funeral, emotionally upset and physically exhausted. The sight of his mother in death caused him intense anguish, though outwardly he remained calm. As her only living son, he was haunted by the knowledge "that if there was anything she most desired at the final end, it was that her boy might be there so she might give him her departing blessing." A month later Norris was still heartbroken and depressed. He claimed, "If it were not for the little ones I have here I would prefer that I might be taken back there and laid by my mother's side." The fact that Norris did not see his mother before her sudden death (she was neither bedridden nor ill) no doubt was partly responsible for this feeling of remorse. This feeling in turn helped to unleash the melancholy which now overwhelmed him.¹⁸

Norris gradually became reconciled to his grief during the summer of 1900, which he spent in McCook, and began to overcome his melancholy with the help of his daughters and with the news that Pluma was pregnant once again. For at least two months he did not engage in any social activities, though he did meet his financial obligations. Fortunately, his court was in recess until the fall.¹⁹

Among the financial matters requiring his attention was that of his mother's will. According to this document, Norris was to serve as one of the executors and as trustee for the sums bequeathed to his children. The only personal item he received was his brother's watch, a memento much prized by his mother.²⁰

Norris' recovery, spurred on by his involvement with his family, was at last effected by the activities of the political campaign that was underway. Although economic conditions in Nebraska had improved considerably since 1896, a summer drought had once again caused hardship in the southwestern sections. Crops had been burned out by the blazing sun and withered by the dry heat that pervaded the region. The railroad contributed to the political uncertainty by discharg-

ing "quite a number of their employees" because of the sharp decline in traffic. For these reasons, Norris and his fellow Republicans expected the battle against the Populists and their Democratic allies to be an arduous one, despite the fact that Populism elsewhere had markedly declined or disappeared.²¹

At the end of August, Norris indulged in his first social activity since his mother's death; he attended the Sovereign Grand Lodge of the IOOF at Richmond, Virginia. He returned to McCook in September for the opening of his court and the beginning of the national campaign. There he was faced with a vexing problem: court in Hayes County was scheduled to start the same day—October 1—that Theodore Roosevelt was to speak in McCook. Though Norris "greatly admired the fighting Colonel," and hated to miss an opportunity to hear him speak, he refused to postpone the court opening to attend a partisan political meeting. Instead, he arranged for the jury panel and lawyers to go to McCook while he remained in court tending to necessary but perfunctory details.²²

Believing it unwise for a person holding his position to make partisan speeches, Norris concluded that he probably could do more good for the Republican cause by "quietly working" with people. He thought that the campaign of 1864 was repeating itself in 1900; the attacks on the administration were similar to those made then, "and if you would take the speeches and editorials of that campaign and change the name of Lincoln to McKinley you would have them as they now appear."²³

Thus Norris' contribution to the Republican victory in 1900 was not an obvious one. But both W. S. Morlan, the candidate for Congress, and F. M. Rathbun of the state committee were satisfied that the course he pursued was the correct one. Norris spent more than two hundred dollars of his own and engaged in many personal talks—more, he thought, than any other individual including the candidates. At the end of October he felt that he had done "a great deal of good," and the chairman of the Republican State Committee agreed. Early in November, Norris encouraged absentee Republicans with railroad passes to return to their precincts to vote on election day.²⁴

The results of the election gave Republicans in southwest Nebraska cause for both elation and depression—elation because Bryan was defeated and C. H. Dietrich was elected governor, and depression because Morlan by less than five hundred votes lost to A. C. Shallenberger for congressman. While the Republican party regained control of the state, in southwestern Nebraska Norris and his fellow Republicans still had to redeem their district from the control of the Populist and Democratic parties.

In the Fifth Congressional District, where Norris voted, the Republican political picture was not promising. Since 1896 Republican candidates had been defeated in congressional elections. With the exception of Norris himself no Republican had been elected to a significant political office embracing more than a municipal or county area. Indeed, though Morlan turned in a creditable performance, the election of 1900 helped to convince many Republicans in southwestern Nebraska that George Norris was the best vote getter the party had in the short-grass country.

After the election, now that the Republican party was powerfully entrenched on the national scene, Norris believed that his next political responsibility was to help loyal Republicans obtain government jobs, particularly postmasterships. However, politics was no longer an immediate or pressing problem and he began once again to interest himself in other activities. As the year ended Norris was trying to convince J. H. Miles that money could be doubled in a very short time by taking advantage of the numerous opportunities that were developing in land speculation.²⁵

Thus relaxed and somewhat elated, Norris seemed to have overcome his recent grief. His family was a constant source of satisfaction and there was anticipation of a new arrival in the spring. He was again participating in fraternal and incidental business activities. Though political ambition burned within him, there was little he could do about it at this time. Certainly he had every reason to believe that the future would offer exciting new opportunities. The political and economic upheaval of the 1890's was now receding into history and the new century seemed to offer the hope and opportunity he had envisioned when he arrived in the short-grass country fifteen years before. True, the fifteen years Norris had spent in Nebraska had not been years of complete frustration and collapse. He had risen to a position of prominence. But his hopes and ambitions led him to suspect that the coming years would be even more rewarding. However, before his expectations could be realized, an even greater loss than that of his mother would befall him.