“WHAT THIS COUNTRY REALLY NEEDS . . .”

A STORY OF AN AMERICAN VICE PRESIDENT:

THOMAS R. MARSHALL

by

JOHN EUGENE BROWN

Introduction by

Birch Bayh, United States Senate (1963 - 1981)
What this country needs is a good five-cent cigar!

Thomas R. Marshall, Vice President (d. 1925)

"What this country needs is more Tom Marshalls!"

Will Rogers, humorist (d. 1935)
to the memory of

two gentle men of Columbia City, Indiana

George William Myers (1897-1977),
beloved friend, who introduced me to T.R.M.

and

Ralph F. Gates (1893-1978),
faithful Hoosier who emulated him
through his own governorship
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FOREWORD

By Birch Bayh
United States Senate (1963-1981)

History, in one of its many improbable turns, has relegated the name of Thomas Riley Marshall to quiet obscurity. When remembered at all, the former Hoosier Governor and two-term Vice-President of the United States is recalled as merely being the man who uttered the immortal line about America and a good five cent cigar. The earthy Marshall would undoubtedly not resent his peculiar position in American history. But it would be most regrettable for students of history to neglect the life and career of a man who presided over, and was personally involved in, one of the greatest periods of American history.

Thomas Marshall was a public servant in the finest sense of the word. Sincere, loyal, and unpretentious, Marshall served as a highly effective progressive Governor of Indiana from 1909 until his inauguration as Vice-President. Accepting the duties of the Vice-Presidency, Marshall remained quietly in the background presiding over, coaxing, and gently cajoling the United States Senate into acting on President Wilson's historic "New Freedom" program. He summarized his duty to the President simply:

I believe it to be my duty to obey not only the orders but the requests of my chief, and the only thing I got out of my loyalty was to be called by some people, an idiot, and by others, fool. Whether idiot or fool, I have the consolation of knowing that I kept my faith and my loyalty.
Marshall's credo of faith and loyalty was put to its sternest test during one of the most critical periods of American history. Woodrow Wilson, exhausted by his debilitating struggle for the League of Nations, suffered a series of strokes in 1919 which left him semi-invalid. The Constitution of the United States was ambiguous on the procedure to follow in the case of Presidential disability, stating only that, "In case of the removal or the President from Office, or his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President . . . ."

Given the ambiguity of the Constitutional language, the question of who would govern the nation depended chiefly on the actions taken by Marshall and the President's Cabinet.

Characteristically, Thomas Marshall responded to the President's illness with dogged loyalty. Devoid of any personal ambition, Marshall declared that he would assume the powers of the Presidency only if Congress, Mrs. Wilson, and the President's personal physician agreed.

His condition slightly improved, Woodrow Wilson lingered on in office for the rest of his term. The serious question of Presidential succession and disability remained unresolved for nearly fifty years after that. The twenty-fifth amendment, ratified by the states in 1967, finally established an orderly procedure in the case of Presidential disability--a recognition that unlike the America of 1919, modern America could not withstand weeks of doubt and uncertainty surrounding the Office of the President of the United States. For like the five-cent cigar he so loved, the simple slow-paced America of
Thomas Marshall is no longer with us. The twenty-fifth amendment which I authored is a response to the nuclear age of today.

But to prepare for the future we must draw upon the lessons of the past. Although he is rarely remembered, Thomas Marshall played a leading role in the most serious Constitutional crisis of this country. It is gratifying to see that through Dr. Brown’s extensive research and highly informative volume, Thomas Riley Marshall has finally received the historical recognition he so richly deserves.

Birch Bayh

United States Senate, 1963-1981
Prologue

The reporter knocked three quick times on the office door next to the Senate chamber. He paused, wasn't sure he heard a voice, and knocked again. From within, someone shouted, "Come in." He turned the handle firmly, opened the door, and saw the Vice President sitting at his small, rectangular wooden desk. The short, white-haired, white-mustached man appeared subdued but expectant. His visitor couldn't tell whether he was interrupting the man. The newspaperman had come there with unusual urgency. Despite his considerable experience in meeting public figures, he now wanted his words to say exactly what he meant to say.

A Washington reporter for the *Baltimore Sun*, Fred Essary seldom roved with the Senate, and never around the Vice President. He was a Wilson man, assigned to report on the words and deeds of the President. Now, he was a messenger with an announcement about the man mysteriously secluded in the White House.

"Mr. Marshall," he began, "the President's secretary asked me to inform you that Mr. Wilson could have a third stroke and die anytime...! Mr. Marshall?"

The sixty-five-year-old gentleman made no comment. His head was bowed as though he were in a trance.

Essary, standing at the front of the desk, repeated with effort: "Mr. Marshall, don't you understand? President Wilson's condition is very serious. You may suddenly become President of the United States!"

Still no response.
Frustrated, the reporter turned and went toward the door. As he opened it, he heard Marshall mumble something like, "I'm sorry I can't help you." What did that mean? Essary closed the door politely and hurriedly left the building. He had tried his best. God only knew what was to become of the Government.

The visitor was unaware that he had given Thomas Marshall the greatest shock of his life. The Vice President sat dumbfounded upon hearing the reporter's terse words: You may suddenly become President of the United States. The stress of the situation had reached its utmost. Days of waiting for some word, some real news of the President's condition--and now it was his time to act. One can fantasize what one will or will not do in a crisis, but cannot know with certainty his actual behavior or decision until it comes. Tom Marshall was now at that point.

How distant the time seemed when he first arrived in Washington, he reflected, although it had been only six and a half years. How different the mood in the Capitol now from the raucous campaign days of 1912, and four years before that the excitement of his race to become governor of Indiana. Nobody could take that victory from him, not even Tom Taggart!

His mind kept going back in time as if in defense against the stark affront of Essary's announcement. The Vice President envisioned himself in a more innocent day: as a nine-year-old boy, Tommy, sitting alongside his grandfather on the front porch of his home in rural Pierceton, Indiana, in 1863, a half-century earlier.
The nine-year-old boy sat still on the front porch of the family home in Pierceton, entranced with the old man's tales of earlier days. Tommy, named after both his grandfather Riley and his great-grandfather Thomas Marshall of Virginia, capitalized on the elderly gentleman's patience and pleasure in relating the past. The lad had heard some of it before, even lived part of it. Riley Marshall seemed important to the boy's understanding of himself, who he was, what he would become.

The family's American experience began just before the Revolution when three English brothers arrived in the New World under the British flag. John and Samuel settled in Maryland, while great-grandfather Thomas moved about in Virginia, looking for a proper place in which to live and raise his family of three sons. Harriet Oliver Marshall was a good helpmate to Thomas as they worked together to develop the fertile farmland in the center of the state.  

Colonial Virginia in the 1790's was enjoying a steady progress in agriculture, commerce, and land speculation. Enterprising farmers were buying Africans and using them on their farms. Thomas Marshall owned no more than a handful of slaves, a symbol
of rural prosperity and, for the more fortunate, part of English life in America. More than two out of five were of African descent in the area. Slavery had become profitable and appropriate to the economy and psychology of Virginian existence.

After a while Thomas became disenchanted with his Bedford County farm next to the Blue Ridge Mountains. Farmers in nearby Liberty were complaining about the soil getting bad from their planting tobacco so much. They passed on glowing news about the vast wilderness beyond the mountains and about getting wealthy through investing in new land with real estate speculators such as the Greenbriar Company of western Virginia. That was the answer to his discontent: move west.

While the young nation was being guided by the Washington Federalists, the pioneers of the period were clearing trails and moving westward, away from the populous coastline. The Marshall family with belongings and slaves left Liberty and worked their way along the James River as it cut across the Appalachian range to the western side and into a river valley. There Thomas found what he had been looking for, a new land -- few people, guarded at first, but friendly. Besides white folk he found Indians as neighbors, content with peaceful trade arrangements. In time the area would be named Greenbriar County.

Transplanted Virginia farmers had few slaves. While it was a mark of social status to be a master, not all people were persuaded of its propriety. Thomas was questioning slavery as a moral issue when news came of the action of John Randolph, a former neighbor from Roanoke and the foremost citizen of that area. Marshall admired the Virginia statesman's independent spirit even to the point of freeing his own few slaves when he heard that Randolph was doing so. Thomas' three sons were divided on this
issue of bondage of Africans. It was one more reason for the young men to go their separate ways. Alexander departed for Kentucky, while Samuel acted quickly by taking "a colored boy and girl and a team of mules" off to the Missouri territory before the slaves had been told they were free.² Riley, opposed to owning other human beings, bade his parents good-bye and moved northwest into Ohio. While in Highland County he courted and married Elizabeth Cravens and in 1819 took his bride into the new state of Indiana. Within the next twenty years they brought forth ten children, four girls and six boys.³

Tommy watched his grandfather strain to recall from sixty-six years of life what happened where and at what time. Riley relished the boy's attentiveness. He knew his grandson wouldn't understand everything he told him about the past half century, though he was living during the most exciting part of it with the War of the Rebellion into its third year.

Riley Marshall was as much a pioneer in the new world as any who had preceded him in two hundred years. Men such as he could buy eighty acres of farm land for only a hundred dollars, clear it of heavy timber, plant crops, and raise a family. In time Riley sold his land in Randolph County and bought eighty more acres, northwest, in nearby Grant County. The little boy listened to his grandfather's adventure of taking forty bushels of wheat in an old Conestoga wagon from Marion to Fort Wayne, some fifty miles in three days. For his labors he was paid one barrel of salt.⁴

For twenty years Riley Marshall and his growing family lived in Grant County, moving four times -- always to a larger acreage and a more substantial house. With energy and dedication he served his east central Indiana community as county clerk, auditor, and recorder. In time, Grant county became a rich oil and gas belt. Seizing the
chance to make good money Riley sold his land. "His neighbors said he was rich as a prince and he didn't deny the allegation," recalled a grandson. In 1849 he decided to move nearby to the undeveloped Miami County in the north central region of the state. With money from the sale of his farm he bought a dry goods store in the village of Lagro, a few miles east of Wabash City, northwest of Grant. His oldest remaining son, William, helped in the store while the younger brothers and sisters learned their lessons in school. The family grew smaller as daughters and sons married and moved away.

It had required only a little thinking for him to decide to gravitate westward. Riley's attention was diverted toward Kansas where land was said to be as cheap as dirt. Two of his daughters had married and were living near Osawatomie, and that seemed a sound place to buy land for further speculation. By 1849 his third child, Daniel--Tommy's father--had read medicine in the office of a local physician, taken the three-year course and graduated from Rush Medical College in Chicago, and returned to Indiana to claim a bride.  

II

The young woman who became the bride of Daniel Marshall had been born in Pennsylvania. Her parents subsequently moved across the Allegheny mountains into Ohio country and settled around Lexington near Mansfield. Martha Patterson traced her ancestry to educated ministers and professors and even to Charles Carroll of Maryland, one of the Founding Fathers. By the time Martha met Daniel while visiting at the Marion, Indiana, home of a sister, her parents had died. It was not difficult for Daniel to persuade her to become his bride. With his medical education behind him he was ready
to become a country doctor. Following their marriage in Piqua, Ohio, in 1849, Daniel
and Martha chose the village of North Manchester, Indiana, as the place in which to begin
life together.\(^6\)

Younger than her husband by six years, Martha settled confidently into the role of
doctor’s wife. Her one and-a-half story white frame house on Main Street was
surrounded by a white picket fence, erected to keep out wandering animals and chickens.\(^7\)
Her devotion to Daniel was surpassed only by her deep religious faith, handed down by
Scots-Irish parents. Martha Patterson Marshall was a Presbyterian, and even Daniel’s
backwoods Methodism could not erase her Calvinistic sense of destiny which she would
pass on to her son.

Martha was twenty years old when she married Daniel. Her first child, a girl, died
in infancy, and then a son, Tommy, was born on 14 March 1854. He proved to be a
healthy baby, but his mother would have no more children. Now twenty-five, she was
having trouble breathing and Daniel became concerned that he might lose her as he had
his little daughter. Shortly thereafter, Martha became dangerously ill with tuberculosis.
Daniel hoped a change of climate might help her. Living in the open air of the western
plains might make a difference.

The boy Tommy was nearly three years old when he and his parents moved
westward in a covered wagon. Daniel’s father, sisters, and youngest brother, Woodson,
were in Kansas, but two other brothers had gone no farther than Illinois. Sam and Ezra
had decided to operate a dry goods store in Champaign; they were there when Daniel and
his family arrived in 1857. For a time Daniel practiced medicine while his brothers made
their living in the center of town.\(^8\)
Throughout the year 1858, a great controversy on slavery was being debated around the state by the two rivals for the soon-to-be vacant seat in the United States Senate. On the 27th day of August, Democratic Senator Stephen A. Douglas and Republican Representative Abraham Lincoln met at the town of Freeport to continue their second of seven debates, one that would be crucial in defining their respective positions. Daniel Marshall was already persuaded that Douglas's position of popular sovereignty made a lot of sense: let the people decide whether they wanted their new state to be free or slave. Daniel's little boy might learn something from seeing those two politicians in action. It was a considerable distance for father and son to travel to the northwestern part of Illinois --over 150 miles--but it was worth it for both of them. They got front row positions. Something about the boy attracted the politicians at the podium, and at one point in the debate they invited him to the platform. Tommy sat on the lap of each speaker while the other spoke. He recalled that one was "tall and ungainly," the other "small and animated." Later, to his father's question the boy replied, "I liked the tall man." 

III

Martha's health was not improving. Her son remembered, "... For two years [we] lived practically in the open, on the prairies around Urbana." Dr. Marshall perceived that his wife's condition was worsening. After the election results revealed that Douglas had beaten Lincoln, the Marshall family decided to join grandfather Riley and the others in Kansas.
By late 1858 Kansas had become "a dark and bloody ground" with guerrilla bands intimidating persons and families of different political persuasion. Four-year-old Tommy was old enough to understand that living in Kansas was full of excitement and danger. He remembered seeing "John Brown, surrounded by a few of his misguided followers. Of course, I know nothing about it and, of course, I remember nothing about him, still I have it impressed upon my mind that he had an eye with 'a fine frenzy rolling.'"\textsuperscript{10}

Dr. Marshall's views on popular sovereignty caused him harassment. Some of the citizenry did not agree that a majority of the population in a territory should determine whether that new state would become slave or free. Unpopular with both pro-slavery and anti-Douglas advocates, the physician found few friends and patients.

The family did not stay long in Kansas but moved in their covered wagon to the Mississippi river town of LaGrange, Missouri, early in 1859. It was a small town in Lewis County, across the river from Quincy, Illinois. The townspeople included descendants of Scots-Irish ancestry, and surrounding counties had such names as Knox and Scotland. Daniel's Uncle Samuel had been residing there for some time with his wife, Hannah, and two daughters, Caledonia (aged 22) and Elizabeth (aged 18). A son, Silas, operated a general store and apothecary shop. Within a year Daniel had established his reputation there as a physician and surgeon. He was 37 years old, had a two-story cottage worth a thousand dollars, and felt that he had finally found a community in which to settle. Martha's health was improving in LaGrange's higher altitude and climate. Tommy, too, had cousins to play with, especially Lizzie (Elizabeth). For a year and a half the Marshalls lived secure in LaGrange.\textsuperscript{11}
As in Kansas, there were heated discussions about whether Missouri was to be slave or free. Prominent among local pro-slavery supporters were the Green brothers, Martin and James. Martin was an enthusiastic advocate of the Southern cause and eventually became a Confederate brigadier general in the War between the States. James after the War entered politics, subsequently to serve three terms as United States Representative and one as Senator. Dr. Marshall's outspoken defense of Douglas's views got him embroiled with the Greens, who were supporting Vice President John Breckinridge of Kentucky in the 1860 presidential race. Daniel's cousins and uncle feared that something drastic might happen to the young doctor. Martin Green had threatened Daniel unless he left the area. Tom later remembered that it was "Duff" Green who had gotten extremely angry when one day Daniel told him that within six months he, Green, would be leading a revolt against the national government. For Green this was an unforgivable and damnable charge. Perhaps Daniel suspected that he had gone too far in his offending remarks. His cousins were convinced of it.12

At sundown that same day the father, mother, and their little boy were guided out of town by the Marshall boys just before Green's guerrillas arrived at their house and destroyed everything they could find. Daniel drove the wagon fast down to the river dock to get his family into the ferry boat. Tommy never forgot the setting sun as he sat on the boat sailing across to Quincy. His small eyes watered as he thought about "a little girl playmate" whom he would never see again. His father silently reflected that they had lost their home but not their lives. They were still together, determined to start anew back in Indiana. On the sixth of November, the day Lincoln was elected President, the Marshalls disembarked from the train at Warsaw, now the home of Daniel's brother, Woodson.
After a brief reunion the refugees settled a few miles from Warsaw in the village of Pierceton. 13

IV

Within a year Daniel's father, Riley, returned to Indiana from Kansas with almost empty pockets. Southern sympathizers and pro-slavery extremists had succeeded in chasing out of their territory anyone who did not agree with their position. Riley had to leave his possessions behind except the memory of it all. There was no alternative for this once successful land speculator. With Woodson and his family not far away there was yet precious time to spend with two families and two sets of grandchildren. 14

Daniel had no trouble in starting a new medical practice. Pierceton had nearly a thousand people and several small industries, including a wheelbarrow factory. Tommy occasionally went with his father on house calls or overheard secret conferences between him and his patients. With short-cut hair and ears that stuck out sideways the lad resembled a prankish elf. He was filled with a boyish curiosity about life. "I well remember, as a boy," he wrote in his Recollections, "looking through a microscope into the abdomen of a dead man and seeing all sorts of squirming worms." With Dr. Marshall 's medical office in one part of the house on Main Street, the boy witnessed an increasing procession of patients who always seemed to be there at lunchtime! Mrs. Marshall felt compelled to provide a meal for such ill-timed persons. Aided by her cook and her maid, she let her son help now and then by gathering and storing kindling for the kitchen stove. 15
As Tommy grew older, he learned more about the land of his birth, Indiana. The state was not quite half a century old, yet it had been a part of the national history almost from the beginning: "The land of the Indians," where Hoosiers lived and imperiously pushed the Red Man into pockets of conformity. It was the land of Tecumseh and the Prophet, of Little Turtle, of the Miamis and the Delawares. Pioneers entered from the East, altering the population patterns, whether they were Virginians and Carolinians emigrating into the southern part of the state or "Buckeyes" and Pennsylvania "Dutch" entering the northern half. 16

Even the village of Pierceton was not immune to the world. With other youngsters Tommy learned the language of the streets, which occasionally got him into "considerable trouble." During the early 'sixties he listened to other boys share tales of horror about the "War of the Rebellion" fought hundreds of miles to the south. Indiana boys fighting in the War were returning home but not as victors. "It was not long," he recalled, "until I began to see plain pine caskets taken off the train, weeping women and wailing children, and for the first time I think I realized what life and death and war really meant." The boy's mother indoctrinated his mind and morality with study sessions on the Bible and on the Presbyterian catechism. As Tommy read about the battles of conquest in the Old Testament, his imagination switched to the current encounters of North and South. He heard his father and grandfather complain of the suspicion of neighbors who could not understand how Democrats could be trusted to be loyal to the Union cause. Yet, Riley Marshall's offspring were among those fighting for the preservation of the Union. 17
To his cousin, Elizabeth, nine-year-old Tommy shared his concern for his kinsmen in the war-torn Missouri. On 16 March 1863 he penned a delightful letter from his home in Pierceton, Indiana:

Dear Cousin Lizzie:

I thought I would write you a few lines to get an invitation to your wedding. We received a letter from there stating that you and Callie [Caledonia] were both going to get married. We would like when you and Callie get married to make us a visit. Ma says when you get married if you get a Major she will feed you on potliquor. I am clerking for Uncle Ezra. I get one Dollar per week. I suppose you have heard of the sad news of Grandfather's Death. Pa has written and written and has Received no Answer. We supposed there was some thing the matter that you did not write. I am at Exchange of Currencies in my Arithmetic. I believe I have told you all the news as you are going to be married. Ma & Pa send their love to all.

I remain your aff Cousian

Thomas Marshall

Caledonia, the older sister was about to be married, and the boy seemed impressed that his cousin Lizzie was contemplating marriage. Times were changing. Life did not want to stay put. Tommy sensed it. Grandfather Riley was now dead. The boy would miss the colorful old pioneer.¹⁸

Tom attended public school in Pierceton and, later, in Warsaw (primary through eighth grades). Dr. Marshall boarded his son at the home of his brother Woodson in Warsaw while the boy studied for part of a year there in secondary school. For one additional year of schooling Tommy lived in Fort Wayne, the largest city in northeastern Indiana, thirty miles from his parent's home. Daniel wanted his son to have a superior education. Tom studied the classics, science, mathematics, history, and rhetoric. His
essays included topics such as "Our Boat Is Launched but Where Is the Shore?", "Are Men Great Independent of Circumstances?", and "All Is Not Gold that Glitters." In the latter essay (dated 4 December 1868) the fourteen-year-old warned his fellow students to discern the false from the true:

Young men starting forth upon the stormy and intricate paths of a profession, on a commercial life, should always be on the lookout for men unprincipled in their designs who would not hesitate one moment by intrigue and fraud to pass upon them something, which in their old age, when they have acquired better judgment, they would discover to be counterfeit.

These words would have bold meaning for him in his later legal and political life.  

V

Tom was a mature fifteen years old when he entered Wabash College in Crawfordsville, forty miles northwest of Indianapolis. His mother tried to coax him into studying for the Christian ministry. He did not feel "called to preach" and, true to his faith, could not enter such a vocation without some directive from Above. He never appeared to have had money problems; his father provided for his room, board, books, and tuition. The youth took seriously the opportunity to learn about life and to become an educated man.  

Certain professors at Wabash impressed Tom by their dedication and their desire to give their best to the students who sat under them. Caleb Mills, professor of Greek, persuaded Marshall of the importance of reading the classics and the New Testament in their original language. His mathematics teacher, John L. Campbell, was fond of the Pierceton boy and wanted him as his assistant in a project after graduation. By then,
however, Tom's mind was set upon the profession of law. He believed he could not yield three years to be the private secretary of the Commissioner of the 1876 Centennial Exposition at Philadelphia. He realized years later that he may have made a mistake in refusing an opportunity filled with promising experiences in that big eastern city.\(^{21}\)

The liberal arts were not the only subjects he learned. Marshall's class in military science was taught by Colonel H. B. Carrington, a veteran of the war just concluded. The course included drilling and mock artillery exercises that at times proved too demanding and too ridiculous to college boys who had not gone to school to become soldiers. One day they "mutinied" and were summoned to appear before the faculty to explain why they had placed the College's cannon and caissons on the Big Four Railroad track at the edge of the campus. The students agreed among themselves that a persuasive argument and an artful arguer were their most pressing need. They chose Tom Marshall to plead their case.

Looking directly at the panel with intense gray eyes and standing erect to communicate confidence in his cause, Tom was bold and to the point. His father had sent him to college to become mature, not to act like an army mule. If the faculty did not agree, he and the rest of the boys were ready to leave school without the sheepskin. He proved persuasive: the mutiny was successful. Years later he reminisced, "So far as I have been able to ascertain, no man in the crowd distinguished himself at San Juan Hill, in the artillery, by the training he obtained at Wabash College."\(^{22}\)

On another occasion a female lecturer appeared at Wabash and, while lecturing with the students, allegedly "played footses" with the boys under the table. Marshall wrote an article on the incident for the new college paper, *The Geyser*. The woman was
furious when she learned of the story and sued everyone connected with the newspaper for $20,000. Since he had written the article, Tom was delegated by the newspaper staff to go to Indianapolis to the law office of Benjamin Harrison (later President of the United States) to request counsel. The portly Harrison advised the young man that he would have to secure evidence regarding the woman's character to persuade a court of law of the veracity of his position. Harrison agreed to take the case gratis and Henry Ward Beecher, by now a famous New York clergyman, was willing with others to testify to his knowledge of the lady's dubious character when she had lived in New York. Such a witness was enough to cause her to withdraw her case. It was a hard-taught lesson for the collegians never to charge anyone with wrongdoing unless they had solid evidence and good reason.23

College life was not all play, but the young man enjoyed learning. The course work was traditional: philosophy, science, Christianity, Greek, German, rhetoric, and military science. Tom felt that he was good at putting "things in a manner that seemed to please those who listened to what I said." He enjoyed most the debating society: it gave him opportunity to apply all of the history that he had been assigned to read by such authors as Guizot, Grotus, and Gibbons; Hume and Macauley; and Rollins, d'Aubigne, and Bancroft.

He listened to his professors' lectures, analyzed President Tuttle's Sunday afternoon speeches, and spent Saturdays at the county courthouse watching the lawyers in action. His experiences with his fraternity brothers of Phi Gamma Delta added to his enjoyment of his college days.
Tom was well liked. His fellow students respected him for his wit, intelligence, and liveliness, and he coveted the closeness of a few good friends. The class history recorded that "his height is 5' 2 1/2", his weight 128#, his hair nearly black and his eyes gray. He is a good scholar, excelling as a linguist. His ready command of language makes him a pleasant speaker and writer."

Almost the youngest graduate among the twenty-one who in 1873 received their diplomas, written in the traditional Latin, Tom Marshall was ready to take on the world. The question was, where should he begin?24
2.

The Honorable Thomas Riley
1873-1900

Experienced lawyers advised their young friend that he would do better reading law in the office of a practicing attorney than in attending law school. Tom had seen impressive, experienced men in action before the courts in his college town of Crawfordsville -- Thomas Hendricks, Joseph McDonald, and Benjamin Harrison: men who eventually became Governor, Senator, and President, respectively. Law schools were just in their embryo. Go to a small town, they advised. Study law there for several years before you try the big city.¹

By the time he graduated from college in 1873, Marshall decided to follow their advice and work for a practicing country lawyer. His hometown of Pierceton and surroundings was too small in population to support an attorney. Lawyers practiced in county seats. Since Warsaw (in Kosciusko County) was where his Uncle Woodson practiced law, Tom accepted to work in his law office for a time.

Nearby Whitley County was an equally active community with a population of over three thousand people. Columbia City, the county seat, was located some twenty miles west of Fort Wayne on the Pittsburgh Road. The heart of the town was the courthouse square with its businesses, banks, cafes, and dry goods stores situated roundabout. Traveling salesmen stayed at the Centenniel Hotel and frequented Daniel Myers’ restaurant nearby. Jacob Steinfeld, A. L. Sandmyer, and James Washburn
competed with each other by providing dry goods to the public, though Steinfeld had an edge by including hardware and clothing among his goods. Competition indeed was the order of the day with a diversity of attorneys, architects, dentists, and physicians attesting to the phenomenon of a growing midwestern town. Dr. Marshall had lately moved there with his wife and opened an office upstairs in the Feist building. In short order their son, Tom, followed from Warsaw and moved in with them at their new residence on the corner of Van Buren and Cherry.²

I

Adam Hooper was the most respected lawyer in Whitley County, and his reputation extended beyond the county line. He had been a Congressman in both Houses, and was still in his prime, 48 years old. With Walter Olds, a promising young lawyer from Ohio, as partner the firm of Hooper and Olds was as good as one might find. Olds' wife was a distant cousin of Tom's mother, Martha, a kinship which must have influenced the young man's attitude toward his new legal mentors.³

For a year and a half Tom worked as a clerk for the two men, researching, writing, listening, observing. He found the reading of law delightful. He felt at home in the community as he got well acquainted with all kinds of people who lived or had business there. More people were moving into the state from Ohio and Pennsylvania and from farther east. Civil and criminal cases accordingly increased in number and complexity. Thirty years earlier there had been only two or three resident lawyers (most lived in Fort Wayne). New lawyers were now moving into the community: Krider, Zollars, and O'Rourke. Columbia City was not standing still in its march toward maturity.
Neither was Tom Marshall. He felt ready to try his wings as a fledgling lawyer. He had learned about rural law practice, about the people, and about himself. Within a month of the sudden death of Adam Hooper, Marshall took the oath of fealty to the constitutions of his nation and state and to the profession. Walter Olds attested to his moral character, and on 26 April 1875, he was appointed an attorney of the Whitley County Circuit Court. He was now on his own professionally.

Competition for legal work was keen. People had to have time to see and hear this young attorney before they would trust him with their legal problems. Moral support and a little publicity now and then were provided by Eli Brown, editor of the Democratic Columbia City Post. The Wednesday newspaper was avowedly partisan, describing itself as being “devoted to the advocacy of the principles of the Democratic party and to general and local news.” A close friend of Daniel Marshall, Eli Brown offered Tom a desk in his editorial room. His help was a great boost. The Civil War had ended only ten years before and considerable animosity existed between many Republicans and Democrats. Marshall knew this. His early clients were usually Democrats, but then the majority of the voters of Whitley County were Democrats.4

The bulk of his first cases were mundane: collecting money due a client, writing a land deed, and representing a party in a divorce case. His first legal case concerned a group of townspeople dissatisfied with the proposed site of a new schoolhouse. They chose Tom Marshall to represent them. Appropriately, he went about the countryside gathering witnesses and later making an argument before the county superintendent of schools. He knew it would be only a matter of time before he would be asked to handle "big" cases.
When the young lawyer received ten dollars as his first earnings, he spent part of it with a certain young lady in mind. From a local tailor Tom ordered a pair of "lemonade" colored pants. When they were completed some days later, he prepared to visit the lass, who lived a mile or two from the edge of town. With lemonade pants on proud and joyful legs he proceeded along the dusty road. The late April skies were clear but Tom did not notice the clouds' gradual shifting. He heard only "the nocturnal calls of the robins." The evening experience was pleasant enough, but as he readied to leave his friend's home he faced a wet earth. His lemonade pants seemed in danger of dilution. He rolled them up and stepped out into the darkness. Down the lane a few yards his feet tangled with the cuffs of his pants. He missed the trail, stepped into a ditch filled with water, and fell pants first into the mud. Sheer humiliation about his clumsiness enveloped the young man. The girl may even have seen him trip! To forget the incident he vowed, then and there, never again to wear those lemonade pants. Some memories were not pleasant.5

Tom Marshall never forgot the first time he had to present his client's position before a jury. "The world went black." The only sounds came from within himself: his "voice sounded as though it were in the neighborhood of Chicago." He was on the point of breaking down when he remembered the counsel of an experienced lawyer: "When you make your first jury argument, make it if it kills you, and see what effect it will have upon your future life." That advice gave him the courage he needed. He never again was afraid of an audience. Judge Long who heard the case was impressed. So was the editor of the Republican Whitley County Commercial, writing in the 6 May 1875, issue: "Tommy Marshall made his first legal speech before a jury on Friday night last. It is
spoken of by those who heard him as an effort that would have done honor to an old practitioner. Tommy is a bright, young man, and we predict for him a useful career." By the time the Commercial appeared in its 1 July issue "Thos. R. Marshall" was included among the advertised list of lawyers doing business in the county.  

II

William F. McNagny was a "Buckeye" transplanted from Ohio. Born in Summit County on 19 April 1850, "Billy" grew up with no particular vocation in mind. His family moved west to Indiana where his father, Alexander, bought a farm in Whitley County. After attending common school and the Springfield Academy, he became a school teacher. He eventually discovered that the practice of law interested him more, and he quit teaching to become a railroad station agent so he would have more time to read about the legal profession. With ties to Ohio he decided to go back to Akron to read law under a friend. Following an apprenticeship he returned to Columbia City to commence his practice. Admitted to the bar in 1875, within a month he joined with James A. Campbell to open an office on the courthouse square, next to the post office.

In his relations with the public McNagny had a formal air, but he was at ease and informal with his clients. A popular orator, he was called on several times by the superintendent of education to speak before a teachers institute or to deliver a lecture before the Larwill Lecture Association. Such contacts with the public assured McNagny an increasing opportunity for serving the legal needs of the people. Within two years of their partnership Campbell left for greener pastures. McNagny, meanwhile, became a justice of the peace.
Billy McNagny and Tom Marshall, both lawyers and both Democrats, seemed
drawn to each other temperamentally. In time, a fifth law firm operated in the Whitley
County county seat as the new partnership of Marshall and McNagny. Eli Brown put
their law firm name at the top of the Post's advertisement section for attorneys and wished
them "a liberal share of the patronage." Though their backgrounds were different,
Marshall contributed his formal education and training while McNagny added his limited
experience but keen insight. The two were co-equals; Marshall's name simply came first.
If there were any noticeable qualitative difference between the two men, perhaps it can be
said that McNagny was a little more mature. He married quite a bit earlier than Marshall,
who seemed destined to be a perpetual bachelor.

During their first year of practice together the two men took turns working early
(6:45 a.m.) and late (10:00 p.m.). They made enough in paper work -- mortgages and
deeds -- to pay all of their expenses. By making themselves available to the farmers who
came into town early and to others who chose to see them in the evening, they became
one of the more sought after law firms. Periodically, Marshall and McNagny performed
legal services for the Board of County Commissioners, another indicator of their growing
reputation.

Certain criminal cases brought public attention to the young lawyers. In a case
against a minister charged with killing his wife, the prosecution had to determine what
constituted the evidence against the clergyman. The accused had superficial cuts on his
arms and chest resulting (according to the defense attorney) from a scuffle with an
intruder. As the prosecution lawyer, Marshall learned that during the evening of the
murder there had been a slight snowfall and that no tracks were found leading to or from
the house. Referring to this evidence before the jury he held, "It is possible and it is probable. They may have come in on the wing of the night, because they left no footprints!" He turned and looked at the jury for one full minute, letting his words sink in. The verdict was against the minister.

In another case a young man managed a farm but had been short in his accounts. To destroy the incriminating records he burnt down the farm home. During the fire he shot off one of his legs, claiming he had been shot by robbers in a fight to protect the property. In defending him Marshall made a dramatic defense, and then the jury went out to deliberate. "What do you think the young man will get?" he was asked. Marshall fired back, "He ought to get twenty years but I think he will be acquitted." The jurors, meanwhile, considered the defense counsel's plea that through the loss of his leg the man had already paid a frightful penalty. Marshall's plea was so persuasive, his words were so moving, that the young man was acquitted.10

In one of the most famous cases to be held in the Whitley County courthouse the young lawyers were asked to participate, Marshall for the defense, McNagny for the prosecution. The accused, Charles Butler, son of a wealthy Ohio physician, had killed his wife in an act of passion. The couple had been arguing in the home of her family in nearby Pierceton when the husband suddenly shot his wife in the shoulder and in the brain. Realizing what he had done, Butler surrendered to the sheriff but later escaped from the Columbia City jail, subsequently to be captured. To the surprise of many, Marshall refused to assist the chief defense counsel. Perhaps he did not want to be pitted against his friend and partner. It was later said that his mother did not want her son to get mixed up defending such an atrocious criminal. If this view were true, there must have
been a considerable conflict within Marshall as he sought to resolve his loyalty to his mother with his self-respect as a reputable lawyer. His way was to attend the trial as a reporter for the Chicago Times, sending out news developments in the trial every day. Butler was found guilty and eventually hanged in the courtyard of Columbia City, the first and only public execution in Whitley County.\textsuperscript{11}

McNagny's professional reputation grew with his courtroom accomplishments. He was impressive but distant to people. As he grew older, McNagny often wore a Prince Albert coat with a silk handkerchief wrapped around his neck. Compared to his partner, McNagny was an old-fashioned type, rather sober, who had "come up the hard way." Marshall had a college education, appeared less reserved than McNagny, and possessed a more social temperament. Marshall's personality radiated to others on the street. He often had a grin, a cigar, a cane, and a new joke. Tom Marshall's natural humor derived from the obvious pleasure he received in dealing with other human beings. A son of McNagny recalled how his father's partner could use the local dialects to humorous advantage. One such incident occurred not far from Columbia City.

During the 1880's and 1890's when railroads were being built throughout the midwest and companies were hiring the new immigrant labor, there was a section of track being laid south of the Eel River in an area called Fiddler's Green. Among the Irish workers was a fellow named Timothy Kelly. Marshall, driving his horse and buggy through the countryside, saw Timothy in a field digging a ditch. The attorney stopped, tied his horse to a fence, and walked through the field toward Kelly, getting mud and muck over his boot heels with each step. "Oh, Mr. Marshall, it shames me to have you wastin' your time on me--with all your honors and letters after your name!"
"How long have you been doing this, Tim?"

"Oh, some forty years."

"Kneel down, Tim," Marshall commanded. With the man in front of him the lawyer raised his right arm to heaven and proclaimed, "I confer upon you the degree Doctor of Ditches." Henceforth for ever after, Tim would sign his name "Timothy Kelly, D.D."12

III

Marshall found a variety of cultural interests in the community, among them the Presbyterian church in Columbia City. An earnest supporter of his church, he derived his inspiration early from his mother. With characteristic humor he noted that being a Presbyterian "does not necessarily make a good man, but it makes a religious one."

While he shared his mother's faith, he did not maintain a pious posture in his human relations. He knew his Bible "from kiver to kiver" and quoted profusely from it in the many speeches he gave throughout upstate Indiana, but his was a religion of the intellect. His emotional attachment was to his Calvinistic mother, not to any predestinarian God.

His father was respectful of religion, but Daniel had other interests which his son admired. Daniel Marshall was preeminently a dedicated country doctor. In the Columbia City Post of March 16, 1877, a letter to the editor extolled the generosity of that physician for coming to help two sick girls and not requiring any remuneration. Marshall had his father in mind when years later he characterized the country doctor as one who chose to put up with "the awful roads, the inhospitable houses that were called homes, the lack of furnaces, bathrooms, hot water, electricity, gas; mud everywhere; cracks in the houses
everywhere; children waking in the morning with their blankets covered with snow; huge fireplaces, where you roasted on one side and froze on the other." Obviously he had accompanied his father on many errands of mercy while growing up.\textsuperscript{13}

Perhaps Tom Marshall \textit{was} more like his father than his mother as he found so many interests and avenues for his talents. He became secretary of the county's Democratic central committee after being out of college for only three years, and was intimately involved in the county politics of that presidential election year, 1876. That same year he was elected to the board of directors of the Whitley County Joint Stock Agricultural Association. His civic interest centered for a time in helping to raise money for the building of a county library. His personal business interests included the county directorate of the New York, Fort Wayne, and Chicago Railroad. Within two more years he had become a stockholder in the Harper Buggy Company. At one point he was elected a school trustee. Noted an editorial writer: "The Honorable Thomas Riley Marshall is a bachelor, but he has always manifested considerable interest in our schools."\textsuperscript{14} Perhaps because of his outgoing personality as much as his abilities Marshall did very well for himself in business, in community activities, and subsequently in politics. It was in the hemisphere of the heart that he had unhappy experiences.

IV

Billy McNagny had kidded him about wanting Katie Hooper for her two million dollars, but Tom knew better. He had met her at Adam Hooper's home when he first arrived at Columbia City five years earlier. She was sixteen then. She interested him and must have felt he had something to offer.
Their relationship grew deeper from the good times shared in Philadelphia at the Centennial celebration (1876), away from the eyes and ears of their mothers who went along to chaperone. Within the next two years they saw each other more frequently. When Katie agreed to marry him, he was the happiest man in the world. With the wedding date set Katie made several trips by train to Indianapolis to buy all of the appropriate finery and invitations and particulars young women dream about. Her girlfriends got into the spirit of the occasion by buying new feathered hats and new dresses with tuck ornamented in silk braid and arranged in stylish designs. It would be a grand wedding.

And then abruptly, unexpectedly, Katherine, a lovely young woman of only twenty-one, died on the day before the wedding, 21 September 1878. Tom did not know that she had tuberculosis. Of all the things that interest a young man, none measures up to the attraction of the beloved. When Katie died, something vital within him seemed to expire.15

With all of his successes made insignificant by this personal tragedy, he depended increasingly upon alcohol to drown his sorrow or to give him imagined support. For all of twenty years (1878 - 1898) Tom Marshall beat a slow but steady path toward alcoholism. He was at times an embarrassment to his father, who was active in local temperance activities. Tom could talk about temperance, but he became an increasingly unlikely orator for that cause. To newly married Jewish friends he proposed a toast to their health in "the double distilled dew of heaven." Outwardly he gave the appearance of a likable and sociable friend, but the memory of Katie Hooper must have pained him deeply even as he wished joy to his friends following their nuptial ceremony. He kept
within himself his sorrow, but developed the habit of taking a drink more than he used to in order to fortify himself against the awareness of her death and the reality of his loneliness.

As he recovered from the first shocks of his grief, Marshall became known again as an eligible bachelor. By the fall of 1881, three years after the death of Katie, he was writing to Violet Casner, a young lady who had caught his attention. Her sister, Clarindas, was married to a Columbia City physician, Dr. Isaiah E. Lawrence. The couple resided in a large frame house with a spacious L-shaped porch fronting on the west side of Chauncey Street. The imposing structure was on the way between Marshall's home on Jefferson Street and his office one block south. The twenty-seven-year-old bachelor would hardly ignore the sight of a young lady seated properly but conspicuously upon the porch of the Lawrence "mansion." In time the two met and became acquainted in company with the Lawrences, playing cards with them or sitting together alone on the porch swing.

In the fall of 1881 she went to visit her family in Ohio. In anticipation of her return Marshall penned these lines: "My dear Ma'm'selle Violet, the gray matter in my brain is getting so heavy that I feel it absolutely necessary to write you, in order to lessen the weight . . . . You observe that your absence has wrought a wonderful change in me."

He poured out his feelings; he confessed his ardor. "All last week I watched the Lawrence mansion in hopes of hearing from you." No word. He even asked the postal clerk if there was any letter. Still no word. He vowed he would go to Clarindas, as if seeing her would relieve his longing. "I am going to see your sister," he wrote to Violet. "I long for a clove. I want to sit & look upon that greasy euchre deck & curse. I want to
pull down the blinds. I want to lean my head against the wall, and imagine I hear your sister swear."

He was not only lonely and longing; he was jealous. Violet was planning to have her picture taken by a young photographer, Tom Brown. She promised she would give Marshall a picture. He reminded her of this and admonished, "See to it that while he puts carmine on your photograph he does not bring the ruby to your cheeks by his soft nothings. I have bought me a pair of green goggles & have sworn to wear them whenever a painter is around so that I can hate, perfectly, your utterly attentive Mr. Brown."

She finally sent her photograph, two weeks before Christmas. The promise of her returning to Columbia City from her Ohio home was almost enough to provoke him into asking a serious question. Jim McDonald was a local pastor, and this fact would not have escaped Violet's attention. Marshall wrote her immediately upon receiving her picture by mail.

December 13, 1881

La Belle Violet:

For two days it has been raining, and I had begun to think the world was going to the "Venetian bow wows," then the express messenger causes a change to come over the spirit of my dreams. He was a stub & twish boy with a turned up nose, freckled face & shilling sugar hair, and yet when he left he was more to me than Ganymede.

I know that violets are accustomed to spring up in odd places & at odd times; but, I never knew before that a December rain would bring them out . . .

If it were possible, you are several feet taller this morning to my estimation. Believe me, I did not think you would ever send me your photograph. I had no more confidence in your doing so than
I have in the average republican.

When do you come to see your friends again? The days are so rapidly lapsing into the past that the Holy Christmastide will soon be upon us. What could be greater gifts to "a lovelorn creature" like myself than to see you arrayed in your new dress. Be kind enough to write when you are coming and on what train. I would like to creep behind the door at the depot & see you unawares. Come soon. You will no doubt create a sensation. About 14 Mesdames grande are ready to bid you to beware of me. If they don't succeed, I will prevail upon Jim McDonald to strike the fatal blow. Believe me, I am,

sincerely yours,

Tom Marshall

Violet eventually journeyed back to Columbia City to be with her sister and to see Tom. A breach was taking place, meanwhile, between Dr. Lawrence and Clarindas which did not help the relationship between Violet and Tom. A few days after Christmas, when Violet was expecting to be taken to a concert, Tom sent a note which told her that a business meeting in Warsaw would prevent their being together. He still seemed interested in her for he enclosed a poem, "And Have You Quite Forgot Me, Dear?" No more letters passed between them, apparently. Violet never married. Her sister subsequently was divorced from Dr. Lawrence, who gave her the house to live in. With Violet living with her sister (and with other brothers and sisters in the area) the Casner clan seemed complete unto themselves. Tom must have felt rejection. He had only his mother to turn to.16

Martha Marshall had not mellowed with old age. She was a "gossipy, spiteful-tongued old lady" who on occasion interfered with her son's professional work. Marshall had to contend with his growing public image as a ladies' man and a son of a crabby old
woman. The more socially accepted people of Columbia City did not always receive him well because of his playboy activities.17

Tom's father had a different reputation in the community. Even though a Democrat, in Republican eyes Daniel was an honest man and a universally respected country doctor. While his son had the facial features of his mother, Tom inherited his father's qualities of humor, earthiness, and political conviction. Daniel was not as rigid in his ways as Martha. He was more like a counselor, "the man who knew your peculiarities, your idiosyncrasies and your life." On 22 October 1893, a year after Daniel died of tuberculosis, his son participated in the dedication of a new church building to which he gave in memory of his father a large stained-glass window. At the dedication service he said, "We need and the world needs a broader charity and yet a narrower path of life. See to it," he admonished the officers of the congregation, "that this is God's church, not man's."19

Not all of Marshall's legal work was in Columbia City. Often he had to journey to surrounding communities to conduct his business: to Warsaw, Huntington, and Fort Wayne. One case required him as a journeyman judge to make periodic visits to Angola, county seat of Steuben County in the northeastern corner of the state. William E. Kimsey had been county clerk for some time in that Republican-dominated area, assisted by his daughter, Lois Irene, who had just completed a year of study in business at Tri-State Normal College in Angola. Judge Marshall entered the clerk's office now and then, but she gave him no thought as a potential beau. He had noticed her, though.

It was around the middle of the summer that a local attorney approached "Lo" (for so her friends called her), saying that he had a beau for her. A quizzical smile widened
her lips. She learned that Tom Marshall had been eyeing her. She considered him an old married man. No, her friend corrected, an old bachelor. Her willingness to meet Marshall formally on the steps of the courthouse propelled the attorney to report back to his friend the Judge.20

Tom Marshall began his whirlwind courtship immediately. He dated Lois frequently. Buggy rides over the low hills and around the tri-lake area of Steuben County became a favorite pastime. After a ride they would return to town and sit on the porch of the South Street home of her friend, Ina Craig Emerson, where Lois was lodging.21

Martha Marshall had died of cancer early in December, 1894. Almost ten months to the day later Thomas Riley Marshall married Lois Irene Kimsey at her father's home in Salem Centre, near Angola. In his wife were those qualities which he had admired in his mother: a quiet regalness, a tested confidence, and an attractive personality. He was forty-one years old. For Marshall the pretty twenty-three-year-old lass seemed to be the one who could fill the voids in his life. He needed Lois as he had needed his mother. He adored them both and years later dedicated his Recollections "to the two women who were uninjured in the Fall of Eden."

But if they were so pure and adorable, he did not feel himself to be so unstained. His periodic bad language, his easy inclination to anger, and his drinking problem contributed to make him feel uneasy in the presence of those he most admired.

He had to be honest with Lois. Before he proposed marriage, he told her about his predilection to liquor, which had been more frequently used lately since the deaths of his mother and father. He told her about Katie, who had been dead almost twenty years.
Lois thought she could help him overcome his weakness. She found the task overwhelming.

Following a speedy courtship of three months and a wedding trip of two weeks' length, Tom Marshall escorted his bride into a picturesque white Victorian home on west Jefferson Street in Columbia City. Entering through the front door, centered on a porch that stretched from one side of the house to the other, Lois found a parlor on her right and a library on her left. In the library were windows with leaded glass designs around them, similar to the glass in the front door. The light shining through these windows onto the floor revealed variously shaped pieces and varieties of wood beautifully designed. The stairway was not ostentatious: it stood in the center of the hallway, leading upwards at two right angles to the master bedroom on the left with its own tub and toilet and to three other bedrooms, for guests and for a cleaning maid and a cooking maid. It was a fine home for a new bride. It would be even finer, reasoned the master of the house, after improvements to the basement and the front of the house.

It was fun being married to a prominent country lawyer, Lois reflected. Especially if he were as funny as Tom Marshall. A bachelor could wear what he wanted when he wanted. Since he had business out in the country one morning, Marshall found nothing amiss in putting on high boots. As he donned his boots with his young bride looking on, he heard a snicker. She tried to cover her amusement by stuffing her mouth with her handkerchief. Lois found the high boots on her small statured man quite funny. He soon figured out the reason for her giggles and threw away his boots in disgust.

He liked her to help him into his shirt in the morning and to select an appropriate tie. First, she had to cure him of wearing the kind of tie that slid on the shirt button,
making tying unnecessary. For Tom it was a more pleasurable experience to have his pretty bride button his collar and tie his necktie.

She seemed not to mind his smoking cigars or occasionally a pipe. She could not abide by his habit of chewing tobacco and, even more, of his pretending he wasn't chewing. Their family stories included a dream she had in which she discovered exactly which pocket of his pants had a plug of tobacco. When she awoke, to test her dream she reached for the pocket and uncovered the "incriminating evidence." Marshall joked, "Since then I've actually been afraid to do anything I knew I shouldn't. I've been absolutely certain she'd dream all about it!"

A newcomer to the community, Lois came to know a number of the prominent families: the Walter J. Tyrees who lived next door; the Eli Browns across the street; the wives of McNagny and Clugston; and certain close friends, Mrs. S. F. Pontius, Mrs. Robert Hudson, and Mrs. Andrew A. Adams. With no effort she was on the social ladder.

After little more than a year of marriage Tom Marshall was "50 per cent up and 50 per cent down, physically." His drinking problem was becoming noticed in the courtroom. He continued to practice law but with increasing difficulty. People were talking. Lois was contemplating divorce unless he did something soon. He lost weight--down to 101 pounds -- and experienced "sciatica, dyspepsia, and malaria, intermittently." Marshall became desperate. He did not want to lose Lois, and he had to find a cure. In time he sent for drugs from an Illinois "Institute" and under medical supervision Mrs. Marshall secluded herself with her husband in the upstairs back bedroom for two weeks and helped him through his alcoholic illness.
In a 1910 interview Marshall mentioned his illness but never indicated that the cause was alcoholism. He jokingly expressed, "Once, after a lively run of typhoid fever, I broke all adult records in the neighborhood by balancing the beams of the scales at eighty-eight pounds scant. I doctored for years with regulars, specialists, old women and quacks, and then bought a fifty-cent bottle of medicine and was cured." One suspects that the medicine from Illinois cost more than one half-dollar, as it was used towards curing him of his alcoholism. It was a tremendous victory. The public only observed that Tom Marshall did not drink anymore. They did not know how or why, but Lois Marshall did and she vowed not to tell anyone.23

There was one additional development in this period of Marshall's life. For many months Lois had tried her best to dissuade her husband from drink. Her pleadings would have been insufficient had it not been for the sense of impenitence he was harboring in thinking how he had shamed his mother. She had wanted him to be a minister of the Gospel, but he had refused her. Many years later, after Marshall's cold turkey cure, it was learned that he had written to a college friend, a missionary in Tokyo, "telling him of his acceptance of our Lord Jesus as his personal savior and how it affected his life. This was at the time of his change of convictions . . . ." (Emphasis added.) The letter was written in 1900, symbolic of the transition from an old existence to a new beginning.24

Marshall must have experienced a religious conversion at about the same time as his victory over his alcoholic habit. He had never been as committed to the church as his mother had wished, had he become a minister. Perhaps her death and his growing guilt over his drunkenness were factors in changing his life. What effect his cure, his conversion, his wife, and his guilt bore in these events will never be known, probably, but
Tom Marshall entered a new century with changed convictions and ready to step into political life with a verve he had not had for almost twenty years.
The War between the States had challenged men to declare their political allegiances. The intolerance of a Methodist minister against Democrats had driven Daniel into the Presbyterian camp of which his wife was a member. Grandfather Riley declared that he would sooner "take a chance on Hell than on the Republican party" and remained a Virginian Democrat at heart, although both he and his sons supported the Union. Environment more than anything else influenced Tom toward becoming a Democrat. He saw himself as no different and no better than anyone else. As he grew older, he became persuaded there was only one of two main political philosophies a man could choose: democracy or autocracy. Looking at politics simplistically was the mark of the midwesterner, who was convinced that the fate of the country would be decided by either the common man or the corporate man.

While at college Tom developed his interest in party politics. For the campaign of 1872 he organized the Democratic Club of Wabash College. When gubernatorial candidate Thomas A. Hendricks visited Crawfordsville that year, Tom and the collegians escorted their hero in a downtown parade. Later, in Indianapolis, New Yorker Horace Greeley, the redoubtable presidential choice of the Democratic leadership, attempted to encourage support from Hoosiers. In enthusiastic attendance at that rally the Democratic Club, all seven or eight of them, boosted Tom Marshall onto a platform
where he gave his first political speech in public. He later considered that "it was about the crudest and most sophomoric effort that ever came from the mouth of a boy."¹

Politics had that special thrill about it, nevertheless, especially local politics. Young Marshall's "proudest moment" was his reading a poster on the county courthouse door listing his name with others who were to speak at a political rally. His political conviction, his successful legal career, and his speaking ability would work to make him eventually one of the leaders in Indiana party politics.

It was in the presidential election year of 1876 that Tom Marshall got involved in county politics. Barely twenty-two years old, he was elected secretary of the Whitley County Democratic Central Committee, undoubtedly through the influence of his father and Eli Brown, committee chairman.² This was the year that New York Governor Samuel J. Tilden hoped to bring a victory for the Democrats and defeat Ohio Governor Rutherford Hayes in the presidential race. Tilden was the darling of the Democrats and the Liberal Republicans for having exposed and sent to prison the Tweed ring of Tammany Hall. His running mate was Indiana Governor Thomas A. Hendricks, known for his sympathy for the South and for the resurrection of Democracy throughout the nation. Having supported Hendricks four years earlier it was obvious that the young lawyer would work to send him to Washington.

At a meeting of Democrats in Columbia City, Marshall and two other young lawyers were selected to draw up a declaration of principles for a Tilden-Hendricks Reform Club in upstate Kosciusko county. At that same meeting Tom's father, Dr.
Marshall, made "a ringing speech" on behalf of the party. His son, laboring in love for the party, was developing his own political philosophy. He adored the image of President Thomas Jefferson who had held aloft the virtue of the yeoman farmer and who had warned his fellow Americans against the crafty wiles of the business interests. Marshall accepted the populist agrarian philosophy which continued the polarity of plain American and eastern capitalist, giving a geographic distinction to the opposing social and economic groupings. Tom and his fellow Democrats were optimistic about victory. Tilden was strong with nearly enough electoral votes to win the presidency.

The predicament of a Republican candidate equally strong caused both houses of Congress to agree upon an electoral commission to decide whether Hayes or Tilden would win. With one Republican member extra to tip the balance Hayes was proclaimed the victor, and the Republicans got another term in the White House. The greater victory, however, went to southern Democrats who had cooperated with Republican leaders and won assurance that with the departure of Union troops the South would once more be governed by southerners. Tom Marshall's people had supported the Union cause, but he rejoiced that with a dozen years passed since the Civil War the South would once more be governed by Democrats.

It was during this period in Marshall's life that he courted and won Katie Hooper, and then lost her just as quickly to death. It became obvious to his friends that he was progressively less interested in affairs of the head and of the heart. It is perhaps with this in mind that Eli Brown recommended to Tom that he run for district prosecutor in the 1880 election race. Here was a real challenge for a Democratic hopeful, because the Thirty-third Judicial District (including both Whitley and Kosciusko counties)
contained more Republicans than Democrats. He had never run for public office. Here was a chance to win!

The Fourth of July celebration at the local community park was the traditional occasion for inaugurating a political campaign. Marshall chose to attend the Independence Day festivities in Warsaw rather than in Columbia City, the better to become known by voters farther away from his home. This annual gathering of townspeople and country folk was part of the excitement of politics. Tom's senses were alert to hear the crowds singing old, familiar, patriotic songs, to sit with family and friends and eat a basket dinner, and to learn which fire department would win this year's competition. He sauntered over the area to watch the grand trotting match, a balloon ascension, and the parade. Throughout the area ladies sipped lemonade while children gulped soda water and talked about the fireworks display that would excite the Indiana skies. Men smoked cigars and exchanged views on the cost of feed or on the change in the weather. This was the hometown scene that Tom never forgot. When the time came for political oratory he presented himself as best he could along with other candidates for various offices.

The final voting tabulations did not favor Tom Marshall. Though the race was close, out of 10,617 votes he lost by seventy-two votes. It was a bitter experience for him to lose, whatever comfort he might have taken in considering that 5,023 people did vote for him. He did not give up on the political process, but he learned a lesson: he who seeks political office is sure to lose unless he is first sought for that office by the people.

Neither Marshall nor his partner, McNagny, chose to run for public office during the 1884 election campaign. Tom had experienced a series of defeats: Katie, the
abortive race for prosecutor, and Violet. He was drinking more and enjoying it less. He was still respected but there was no joy of life such as he had once known. In an address before fellow Masons in May of 1884, Marshall revealed his growing cynicism of the world: "History is the imperfect recollection of mutations. It is the It Was of the world. It is the carving upon marble, the inditing upon papyrus, the printing upon paper of the ephemeral. It is blasted hope, with withered ambitions, dead enjoyment . . . . It is not growth, it is decay. It is a skeleton, a coffin, a neglected grave." These are the words of a dejected, demoralized human being. History for Marshall was the past, and its blasted hopes offered no solace for the future. Still, one might find some small thrill in political oratory.\(^6\)

One month later (in June) Tom Marshall went to the State Capital to speak before the Democratic Editorial Association of Indiana. It had been nearly ten years since he made his maiden speech before a county jury. Inside the prestigious English Opera House on the Indianapolis Circle, before men older and more experienced than he, the young man now spoke words of reassurance: "I know of no such thing as the old democracy. Like religion it never grows old. Founded upon that which is best and noblest in man they continue in perennial youth." He looked around the crowd of seasoned politicians and reporters, felt their response to his oratory, and played politics with his words: "I should but offer an insult to the gray haired men whom I see before me to-night, to the men who helped to Polk the whigs in 1848, who Pierced them in 1852, and who so successfully Bucked them, the republicans, in 1856, did I call them the old democracy . . . ." The thirty-year-old country lawyer set in bold contrast the typical Democrat and the typical Republican. Eulogizing the former, he held that the latter
"believed in packing courts and juries for party purposes and sent its soldiers into a sovereign state upon the ground of expediency." Here was a Democrat waving the bloody shirt in reverse. His audience liked what he was saying. Working within the Party, rather than running for office, seemed to Marshall to have its rewards after all.7

For the next three to four months both Marshall and McNagny worked Whitley and Kosciusko counties for the party. Dr. Marshall was eyed as a potential candidate. He was quoted as not being a candidate, though he had been frequently asked to run for office "and had just as frequently declined . . . but if his friends wanted to use his name he would abide the consequence." Daniel's close friend, Eli Brown, was being pushed as Democratic candidate for United States Senator. Thomas Hendricks was making a second try as a Vice Presidential running mate, now of Grover Cleveland of New York State. Hendricks urged all brother Democrats to get their precinct votes in to the ballot box as early as possible on election day, November 4. "Our cause is the cause of the country," he wrote in a campaign letter. The country agreed. The Democratic rooster was crowing with confidence.8

II

Grover Cleveland's administration proved hopeful for civil service reform and convincing for the Democrats over the next four years. The South became as natural to the Democracy as the protective tariff to the Republican party. Cleveland appeared strong and was supported again as Presidential candidate at the 1888 national convention in St. Louis. At home Billy McNagny was drafted as a candidate for Congress, but partisan Democrats cut him down at the state convention in Kendallville. The Post was
pushing Marshall to run for Congress, but he had no interest in the offer perhaps because his partner was a known candidate from the same district. Another lawyer friend from Columbia City, Andrew A. Adams, found the necessary votes to win a seat in the state legislature.

Marshall's partner looked better to the Indiana Democratic leaders four years later in 1892, when he ran for Congress from the Twelfth District. The Fort Wayne Journal held that McNagny "looks every inch a congressman and while he has none of the free and easy manners of the average politician, he impresses strangers favorably, holds his friends and grows in their estimation for he is a man of remarkable ability." McNagny proved victorious. Having invited fellow-lawyer "Harry" Clugston to work with Marshall, the new Congressman and his wife and two sons, Rob and Phil, went to Washington for the next two years, 1893 - 1895. During this period he served in the House and the family lived in Washington, McNagny's wife, Effie, died. From that time on he no longer was interested in remaining in the Capitol. At the next election a Republican replaced him, and he and his sons returned to Columbia City. It was McNagny who reached Washington before Marshall had achieved any far-reaching political influence. Some years later, the story is told, a young man approached McNagny, who as usual was wearing his three-quarter length coat, flowing bow tie, and black hat, and asked, "Tell me, why has Mr. Marshall gone so far?" The implication was, Why haven't you done as well? "Young man," McNagny retorted, "you just don't know your politics!"

Within the first two months of 1892, Thomas Taggart of Indianapolis became the new state chairman of the Democratic Central Committee. Having influenced
municipal and county victories in the center of the state the previous several years, at age 36 Taggart was fast becoming the top "boss" of the state Democratic machine. All who aspired to a political career would have to deal with Taggart: for him or against him. Within the next twenty years Tom Marshall and Tom Taggart would have numerous encounters. Their views on party politics were of quite different worlds. They would eventually work together because only in that way would both achieve their respective goals.¹⁰

National politics was not centered on only two political parties at this time. In the latter years of the nineteenth century growing discontent of western and southern farmers evolved into a loose political organization known as the People's or Populist Party. The Republicans were defeated by the Democrats nationally in 1892, but the Populist platform became appealing to larger numbers of voters. Over a million Americans voted support for the Populist ticket in 1892. It was feared that by 1896 that party might gain more support than the Democrats. Not since 1860 had any third party won any electoral votes.

In the early weeks of 1896, Marshall, recently married, became the committee chairman of the Party in the Twelfth Congressional District (the northeastern part of the state) and thereby a member of the State Central Committee. The free-silver debate was considered to be the central issue of the presidential race. Citizens worried about the value and the availability of the dollar. Democrats worried about their chances of winning because the second Cleveland Administration was being blamed for the 1893 "panic" and the hard times that followed. Marshall perceived that the free-silver issue was not as vital to the interests of the plain American as was the issue of responsible
banking practices. Democrats and Populists could not beat the Republicans, who proved persuasive to the American middle class with their cautious conservatism. William Jennings Bryan was no match for William McKinley. 11

In 1896 and again ten years later, 1906, Marshall was encouraged to run for a seat in the United States House of Representatives. With over twenty years of experience in local and district politics Marshall had gained a reputation as a popular Democratic speaker. Voters looked forward to his Saturday night bonfire speeches prior to election day. It was natural for party professionals to see in him a potential vote-getter. Since Republican candidates had consistently been victorious from his congressional district, Marshall did not want to be another Democratic "also-ran." Furthermore, the thought of his and Mrs. Marshall's living in Washington on the limited salary of a Congressman, and thus in a "third-rate" rooming house, was abhorrent. McNagny was disgusted with his partner's decision not to run. But Marshall had only one office in mind that he would work for: the governorship of the state. He admitted this aspiration only to a favored few of his friends, especially to McNagny and Clugston at first, to make them quit pressing him to run for political office at that time. It was said in jest but the idea stuck with him. 12

III

Indiana politics in the first decade of the new century was heavily swayed by state Republican leaders, some of whom were nationally known: United States Senators Albert J. Beveridge and Charles W. Fairbanks (the latter becoming Theodore Roosevelt's Vice President during 1905 - 1909). The Democrats in the state, as across the nation,
were divided by the defeat of Bryan at the hands of McKinley in the 1896 election. With war erupting for a time between Spain and the United States over conditions within Cuba, and with the Republicans vocalizing imperialistic sentiments shared by many Americans the Democrats simply could not command sufficient attention from the electorate. No one, nationally or in the state of Indiana, could be raised by the Democrats to lead the party and stir the populace during this high tide of Republican prominence.

It was the era of a century ago historians called "Progressive" (c. 1896 - 1916), when reform sentiment influenced individuals to spotlight America's critical economic and social liabilities: long working hours for men, women and children; unhealthy living conditions in the large cities where newly arrived non-English-speaking immigrants gathered in ghettos; unsanitary preparation of food in the meatpacking houses; working areas where man and machine engaged in daily battles and where mechanical parts and human bones got broken and blended. Machines could be repaired; bodies often could not -- all in the name of "progress." Yet, it was not just the workers who suffered pain and humiliation. America suffered at the hands of unscrupulous businessmen, politicians, and governmental officials. Some Americans began speaking up, and out, and loud. Some who spoke were political leaders who had zest and conviction and vision.

Republican leadership in Indiana during the days of William McKinley and of Theodore Roosevelt accomplished noteworthy beginnings in reform. The General Assembly passed laws that regulated the rates charged by such businesses as building and loan associations and insurance companies. Factory and labor laws were passed to ease the plight of the working people. Bills were directed at insuring fair voting through the use of voting machines.
During the administration of Governor J. Frank Hanly (1905 - 1909), legislative effort was made to eliminate such abuses as gambling and vice, political chicanery, and railroad fee cutbacks. Hanly's private passion was prohibition, and he pressured his legislature to enact a county option law whereby the voters of a county, in contrast to those living in the town or city, would decide whether their population would support the saloon business. Typical rural Indiana folk voted "dry" and Republican while the urban citizenry voted "wet" and increasingly Democratic. The 1908 governor's race in Indiana would be decided upon the voters' attitudes toward the liquor question. Nevertheless, issues are made by forceful personalities who can touch responsive hearts by the power and art of oratory. Tom Marshall was seen by his friends as one such personality.13

Albert W. Wishard, Louis Ludlow, Andrew A. Adams, Joseph W. Adair, Andy Moynihan, and law partners McNagny and Clugston -- all of these men were of a common mind: Thomas Riley Marshall should be the Democratic candidate for Indiana governor in 1908. He had the reputation of being a friendly person, a good lawyer, an honest man, and a devoted Democrat. He had the capability to speak the mind and tongue of the people of northeastern Indiana. He surely could do the same for the rest of the state.

Wishard of Indianapolis had been a college friend of Marshall. Though a Republican, he was confident that Marshall would make an honest and capable governor and so suggested the idea to Louis Ludlow, a Washington reporter for a newspaper chain in Indiana. Ludlow knew of Marshall's growing reputation in state Democratic circles and wrote an article in the Indianapolis Star (dated 3 September 1907) depicting the
upstate lawyer as a potential candidate in the upcoming governor's race. The Secretary of the Democratic State Committee regarded Marshall as an active candidate, and in addition Lou V. Ulrey, a former state senator from Fort Wayne and a personal friend of Marshall, endorsed the Columbia City lawyer. Ulrey passed his views onto Andy Moynihan, editor of the Fort Wayne Journal-Gazette, whom Marshall affectionately dubbed as "the most loyal son who ever lived on earth."\(^{14}\)

Supporting Columbia City lawyers (Adams, Adair, and Marshall's law partners) proceeded to work within their Twelfth Congressional District to insure him as the sole runner from that section of the state. McNagny and Clugston prepared an eight-page pamphlet on their candidate for use as a campaign tract. Marshall could not help but know of his friends' efforts to boost him, but the pamphlet his partners produced contained such fiction and flattery that Marshall assumed the costs of that production and had a janitor burn every one of the pieces. McNagny was incensed. Few people throughout the state knew Tom Marshall and if some material were not used, there was no possibility of his winning. His office secretary was working for his nomination by sending letters to newspaper editors throughout the state, asking them for their opinions of Marshall, and then relaying their replies to party propagandists for local and statewide publication. The candidate could not stand by and let his friends say about him what he felt was not true about himself. Angrily he charged, "You may write letters to your personal friends but you cannot go whooping around the state just as if I were a circus parade, a breakfast food, or a cure for smallpox!"\(^{15}\)

Tom Marshall did little to help himself during 1907, prompting the Fort Wayne Sentinel to explain that Marshall was not a candidate in the traditional sense of actively
seeking the office, but his support was spontaneous and vocal. He was labeled "brainy, broad-minded, brilliant," knowledgeable about affairs of state and of law, and a lover of justice. By the beginning of the new year Twelfth District Democrats centering around Fort Wayne presented a resolution endorsing Marshall as the next governor.16

The Columbia City lawyer began to move into public sight and hearing. On 22 January Marshall attended a reception at Greenfield, ninety miles south of Columbia City, giving people there a chance to see and hear him. He attended other receptions and meetings. Reporters interviewed him and learned his views on running for office. He said he felt complimented by being supported in the race for governor but that he would not have time nor money to go soliciting votes from every county in the state. He hoped that supporters would honor him with their votes at the Indianapolis convention in March. In accord with his philosophy Marshall was making a point to align with no faction. His position was both moral and practical, believing that views disruptive of the party harmony and philosophy would debilitate Democratic support and in the end prove perilous at the polls.

Mark Thistlethwaite, an Indianapolis correspondent for the Fort Wayne News, wrote that anti-Taggart men were concentrating on Marshall to win. Andy Moynihan was boosting his man for the governorship and his words on Marshall were adulatory: "His private character stamps him a stainless knight of the people, his great abilities have already made him a leading man in the state, and his powerful influence for right thinking, right doing, right governing combine to make him the man needed by the people of Indiana to insure the proper administration of their affairs." One week later the Columbia City Post noted Marshall as the principal speaker at a DeKalb County political
"love feast," and added the observation that if he was not working hard to be nominated it seemed strange that he was so involved in speechmaking.  

IV

Prior to the Democratic state convention in Indianapolis at the end of March, Thomas Taggart was working to get undisputed control of the delegate votes. An Irish-born, self-made businessman who understood human psychology, Taggart was maneuvering to get Samuel Ralston enough delegates to insure winning the party nomination for governor. Anti-Taggart men, however, selected William Fogarty to be the new Democratic chairman of Marion County (Indianapolis). Fogarty was responsible for deciding disputes over delegate seats. He saw too late that Taggart’s men were playing the game by different rules.

No matter what Fogarty decided in the Marion County district convention, Taggart had gained control of the credentials committee of the state convention and thus of sixty-six delegate votes. He was again in control of the delegate votes of his own county and was pledged support by several others. Thomas Taggart had developed a strong base of support not only in Indianapolis but throughout the state from top to bottom, north to south. He was "the city boss," to use Russel Nye's expression, "never quite socially respectable, but shrewd, intelligent, expert at his business." The name of the game was patronage, a carryover from the nineteenth century spoils system where power was jealously guarded to dispense various kinds of favors to supporters. Taggart used patronage wisely and with cunning. His fame would spread and in the process so would Tom Marshall's.
It was very unusual for there to be eleven candidates for governor at a state convention. Typically, the Party had one serious candidate. Since 1860 there had been only two conventions in which there were two candidates. By voting time there were six aspirants with real delegate strength: Samuel Ralston, L. Ert. Slack, C. K. McCullough, T. M. Kuhn, C. C. Conn, and Thomas R. Marshall.19

Most delegates had no negative feeling toward Marshall because they thought he had no real chance for the nomination. Marshall's campaign manager, Andrew Adams, had worked hard to get a delegation from the home district that was unanimously for their "favorite son." Adams knew his man might not win, but he refused to release the delegates to any other candidate until given the absolute word by Marshall himself. It was inexpressibly difficult to manage a man who was not willing, before the start of the convention, to canvas the state for votes.20

The top contender among the non-Taggart candidates was Ert. Slack, leader of the Democrats in the Indiana General Assembly. Many were for Slack because they were against Taggart or because they were for temperance. Slack admired Marshall and felt that should the situation require it, he would wish his delegate votes to go to the man from the Twelfth District. Stephen Fleming, a Marshall supporter working with Andrew Adams, agreed with Slack's manager to keep him posted on the Marshall ballot strategy.21

Following the convention keynote address which was anti-Republican, anti-tariff, anti-extravagance, and anti-centralism, the 1,371 delegates proceeded to vote. Claude Bowers, a young reporter from Terra Haute, remembered Marshall drawling at his headquarters in the Grand Hotel, "I can afford to lose the nomination, I reckon, and I reckon I will, but I can't afford to lose any friends. If the boys want me, here I am."
Marshall appeared to Bowers as a rather modest man who seemed to enjoy poking fun at himself and complimenting his opponents. His wide, gray mustache and "humorous eyes" made people glad to be around him.22

When the first ballot was taken, Ralston with the most votes got only 344 (he had expected 500). A lot of rural delegates had become disenchanted with Taggart’s man. Ralston was branded. Taggart denied unpersuasively that he was personally involved in this race.

Marshall got 239 votes to Slack’s 342. The country lawyer from Whitley County did not seem to be a winner, but his supporters surprised him. Periodic yells of "Rah Rah for Marshall!" carried through the convention hall. When the Twelfth District delegation was called on the roll call, as one man answered all of them arose in support of their man.

After two more ballots Slack had moved ahead of Ralston. Marshall trailed by some 267 votes. Most of the other candidates dropped out of the race. Things were not looking well for Taggart’s political future and certainly not for Ralston. Some radical action had to be taken by Taggart before the next ballot, which would surely be the last. Fast thinking was called for: if Ralston could not win, Slack must not. The next highest vote-getter was Marshall. His dark horse candidacy could save Taggart’s influence and keep him firmly in control of the party machine.

At Taggart’s direction Ralston withdrew his votes. Small American flags had been given to all those delegates who had switched their vote to Marshall. The more votes Marshall got, the more American flags were being waved about. At the end
Marshall received 719 votes, Slack 630, and Conn 21. There is no question but that Taggart forces had helped Marshall by the time of the fifth and last ballot.\textsuperscript{23}

Conciliatory remarks were made following the voting in the huge civic auditorium. Slack was quite emotional. He had had victory so close but lost it. Still, the anti-Taggart men felt that they had thoroughly defeated the Taggart forces. Taggart's men, on their part, felt that they had defeated the machine represented by Slack and his cronies.

The winner stood at the convention podium, looking at the mass of perspiring party faithfuls, It was time for Marshall to be forthright and forceful, and he was. He observed, "It has been the fortune of my life to have the bitter and the sweet strangely intermingled." He admitted that though he had just won the Democratic nomination for governor, he was a compromise winner. Nevertheless, he made it clear that he would not be compromised. "I cannot say that I am unduly exalted over this gift from your hands. I don't pride myself on being the first Democrat in Indiana. But I am not depressed, for I believe you will all take me for what I am worth." Marshall emphasized that he had no ill will towards the vanquished. In fact, he wanted the support of all the Democrats: "The good book tells us that on one occasion when there was talk about divisions among the early Christians, the great apostle urged the followers to cast aside differences and to all be for Jesus Christ. And so now I ask the Democrats of Indiana not to be for this thing or that, but to be all for the Democratic party."\textsuperscript{24}

Among the cheerers no one was more exuberant nor more indefatigable a worker than Fr. Anthony Ellinger, an intimate friend of Marshall's and the pastor of St. Paul's Roman Catholic Church in Columbia City. Stephen Fleming from the Twelfth
District had been in the thick of the battle for Marshall. His Fort Wayne Brewing Company was in competition with the Indianapolis Brewing Company, supported by Taggart. Being a brewing man, Fleming wasn't happy about the temperance plank of the platform. His man had won, though, and Taggart had lost. Andrew Adams was overcome with joy; he had become a successful political campaign manager. As for Lois Marshall: "I did not care to see Mr. Marshall nominated, but now that he has been chosen as the nominee I naturally want to see him elected."
Following the state convention the Marshalls left Indianapolis by train for northern Indiana and home. Young James Adams was also on his way home from Wabash College for a weekend respite. Marshall invited him to sit beside them as the *Vandalia* chugged northward to its destinations. The older man revealed that he had just been nominated by his party for the office of state governor. Adams appeared pleased, proud to be in the Marshalls' company and to know them personally. After all, Mr. Marshall was an alumnus of his college.\(^1\)

At dusk the train steamed into the village of South Whitley; people were standing expectantly at the depot with shouts of cheer for their returning hero. Marshall stepped to the rear platform of the train, waved and expressed a few words of appreciation, and then returned to his seat. His college friend offered, "There may be quite a demonstration for you at Columbia City." "I hardly think so," he answered.

As the locomotive slowed to a halt at the Columbia City station, whistles were blowing so vigorously that Adams thought there must be a fire nearby. Disembarking the train Tom and Lois Marshall were confronted by the Auburn band, vigorously playing a marching tune and drawing them into a parade headed up Ellsworth Street toward the courthouse square.\(^2\)
Crowds jammed Chauncey Street and thronged the courthouse lawn. Leaving the carriage and with his young wife by his side the Candidate strode into the Centennial Hotel and soon appeared at the balcony overlooking the square. His speech was brief: "My fellow citizens, I have lived among you for thirty-three years. You know the evil there is in me. You know the good there is in me. If you think I would not make a good governor, it is your duty to vote against me!" The words were to the point. The people listened intently, as though drawn by the magnetism of the man, a prophet honored by his own and hundreds of well-wishers from the northern part of the state.

Following the speech, John W. Baker, postmaster and former editor of the Republican Commercial, spoke to the Marshalls on behalf of the three to five thousand citizens present. Baker had first met Marshall at Pierceton, and later attended the same school, Wabash College. Although a Republican, he was proud of his Democratic friend. Pointing to Marshall's wavy gray hair, Baker told the people the Republicans would take his scalp. Marshall replied loudly, "If you take my scalp, I hope you'll give it to Mr. Baker. He needs it!" After the laughter and applause, the Marshalls returned to their carriage and headed home with the band marching behind, serenading. A reporter for the South Bend Times noted that of the several candidates for the Democratic nomination for governor the one who got it did the least campaigning. For him this was a sure sign of the office seeking the man.

For the next few weeks the Marshalls vacationed in Arizona where Lois' family usually went for periodic vacations. Upon his return to Indiana Tom Marshall looked
"brown as a berry" and said he never felt better in his life. His law partners were carrying on the legal responsibilities of the firm. McNagny was busy as a special judge for a case in adjoining Kosciusko County, while Clugston worked attentively in the office.

Meeting with the Democratic State Central Committee Marshall learned of the times and places of his scheduled campaign tour throughout the state. It looked simple enough on paper: about twenty communities between then and the end of August. What he did not realize was that there would be many sidestops and extemporaneous speeches required of him.⁵

Marshall's opponent was James E. Watson of Rushville, a Republican congressman of nominally conservative persuasion. He had a "big name" but being personally against the temperance plank he was often at cross purposes with Republican Governor Frank Hanly, an obsessive opponent of liquor interests. Nationally Watson had a bad voting record so far as organized labor was concerned. Samuel Gompers, American Federation of Labor president, urged Indiana workers to defeat the Republican candidate in the upcoming election. Even many Hoosier Republicans did not give their complete support to Watson. The party was badly divided, and a strong minority of delegates was sick that he had won the nomination. Senator Albert J. Beveridge, for example, did not trust Watson. In a letter to Chicago publisher John C. Schaeffer, Beveridge admitted that he had tried several times to develop a friendship with Watson but he always got the feeling that he could not trust him. On his part Watson believed that the way to success was through cooperation with the Republican state party machinery.⁶

Unfortunately for Watson he had gotten out of touch with his fellow Hoosiers. During the campaign Marshall emphasized state problems; Watson spoke primarily on
national problems. The Democratic candidate interpreted the executive branch of
government as literally the organ of legislative execution, whereas the Republican
emphasized the leadership role of the executive branch. Marshall argued the position of
local option with respect to the most heated issue of prohibition, Watson (for his party’s
sake) favoring county option.\textsuperscript{7}

The initial speech of Marshall’s campaign tour was given at Indianapolis. From
there he traveled to Crawfordsville (the home of his college), and then to New Castle
across to the east central side of the state. While there he told a large crowd that moneyed
corporations press the public even as the President, Theodore Roosevelt, acts like an
emperor carrying a big stick. He spoke with conviction but he also spoke in line with the
current philosophy of the Democratic party nationally. Four days later found him west of
Indianapolis at the town of Danville. He told his audience that he would not give a
speech but would just talk, which he did for an hour and a half.

Claude Bowers, the news reporter who recently met Marshall at the state
convention, followed him around the state. To him the candidate appeared as "a scrawny
looking individual, dominated by a flaming red tie." Marshall’s words and ways were
unorthodox and quite refreshing. He told his audiences, Bowers later reminisced, what he
would do if they elected him governor. Marshall held that they probably would not like
that kind of talk and would vote against him to which he added that he didn’t much care if
they did. He could always go back to his country law practice, "taking advantage of the
idiocy of people who didn’t have any more sense than to go to law instead of settling their
quarrels among themselves." Bowers saw that the crowds liked what Marshall was
saying. Here was no carbon-copy politician! Marshall’s memoirs reveal that he was
"called to headquarters" to confirm or deny that he was saying such things to the people. He admitted that it was so and was promptly informed that "that was no way to campaign. What I ought to do was to beg them to vote for me." Marshall, however, was wise enough to know that as the sole Democratic candidate he could say anything he wanted to say, and so he kept on being "as utterly frank and honest as you possibly could be." 

At Richmond on 2 June, Marshall outlined for the first time his position on matters which had not yet been discussed by him in public. It was a keynote speech in which he talked on two major concerns: trusts and temperance—the former a national and economic problem and the latter a statewide and social question. Marshall was as opposed to trusts as was President Theodore Roosevelt, but he did not agree with his methods of trust-busting. There was a flagrant inconsistency, he noted, whereby Republicans supported also a high protective tariff, that is, wanting Congress to charge foreign imports at such rates to make domestic products competitive on the market. One position worked contrary to the other, he warned.

In the manner of Marshall's approach both to the liquor question and to Indiana audiences one friend quoted him loosely: "There's a considerable amount of misunderstanding about the issues in this campaign. I want to try to clear it up! You've heard a lot about township option and county option. Mr. Watson is for county option and I'm for township option, but I want to make it perfectly clear that we're both 'wet.' Mr. Watson thinks that if you want to drink you ought to have to go to the next county to get it. I think it's far enough to go to the next township!" The audience would roar with laughter.
Republican editorial reaction was represented by the Hamilton County Ledger, which held that Marshall's speeches were so mild that there was little to protest. Incumbent Governor Hanly on his part was now for local option, curiously, in contrast to his party's position. He felt that the people of the township and the city wards should be given the chance to vote on whether to permit the sale of liquor within their district. Many had earlier voted that they did not want liquor sold. Since Hanly was a "dry," he felt his position to be a step in the right direction: local option over county option. Democratic reasoning in favor of the same position was quite different. If a city votes for local option, and it becomes the law, the sale of liquor is not permitted in those areas which prohibit it. This is not so if the law favors county option, because as the position was so constructed prohibition of liquor sales could be forced upon townships and cities whose citizens actually wanted liquor to be sold. The Columbia City Post--Democratic--called the position of county option "not only thoroughly undemocratic but impractical." 11

II

As his party's candidate for governor it was appropriate for Marshall to attend the national Democratic convention at Denver in June. It was a thrill for him to visit and have a small part in the convention. He was asked to present his views to the platform committee in regard to the bank deposit guarantee plank, and to reporters he indicated his opinion that the Democratic platform was the product of that committee and not of the presidential candidate, William Jennings Bryan, who was reported to be overbearing in his policy suggestions. Marshall proved to be articulate in his views, and it was fortunate for him that he was.
John Worth Kern of Indiana was a vice presidential aspirant, and his nominating speech was to be addressed to the Denver delegates by John E. Lamb of Terre Haute. As fate would have it, Lamb's voice failed him and Marshall was asked to give the speech with only fifteen minutes to prepare.

When the time came for him to speak, he faced undoubtedly his largest audience to date. As if to spur him on, the Indiana delegation moved to the front of the convention floor with the gallery band beside them playing "On the Banks of the Wabash." This was a time for a happy blending of wise words and impressive oratory: "Mr. Chairman and gentlemen of the Convention, I rise, at the instance of the Honorable John E. Lamb, of the State of Indiana, to greet the representatives of an oft-times defeated but never dismayed Democracy, to salute the delegates of a reunited and confident Democracy, to hail you as the harbingers of a new springtime in the cause of the people and Constitutional government." To the delegate voters Marshall worked his voice to exalt his home state of Indiana: its place in the Union through sons who have served the Democratic party: Thomas Hendricks, Joseph McDonald, and Daniel Voorhees. But "the greatest man in Indiana" at the moment was John Worth Kern, a man skilled in statecraft, a man of character, a knowledgeable Democrat, a proven vote-getter. "Gentlemen, beware how you close this convention." Marshall concluded.

His was the first nominating speech for a vice-presidential aspirant, thanks to the yielding by the Alabama delegation. Though there were a few other nominations, the convention unanimously acclaimed Kern as the running-mate of Bryan, who was making a third attempt to capture the Presidency. An unkind interpretation, and possibly true one,
was that party bosses had already decided that Kern would be named and would win a "sham battle."\textsuperscript{12}

Who knows what effect Tom Marshall had upon his hearers? In the printed Proceedings his speech does not look that distinctive, but he had, as he was wont to say, "a way with words." Claude Bowers, Tom Taggart, and Stephen Fleming all knew this, and John Kern surely appreciated it. One would think John E. Lamb would be grateful; he was to have made the speech in the first place. Marshall, within the first six months of 1908, had become something of a national figure.

III

As election day in Indiana neared, the mood of the people seemed to favor the Democratic gubernatorial candidate. An eleventh hour attempt to turn the voters away from Marshall threatened to undo the image the man had labored so hard to mold. His past, his "dirty" past, was brought forth for all to behold. By way of rebuttal the Fort Wayne Journal-Gazette headlined:

MARSHALL'S PASTOR REFUTES HELLISH FALSEHOOD

Rumors had spread about the candidate's reputation with the bottle and with the ladies. People throughout the state had written to Marshall's Presbyterian pastor wondering whether there was any truth to allegations against his character:

Was it true Marshall appeared drunk in the courtroom?

Was it true that his wife didn't trust him out of her sight?
Isn't Marshall really a hypocrite and a fanatic?

The Reverend Alexander Sutherland was appalled. He knew his parishioner very well. He knew Marshall's past and that it was no enslaver of his present. The minister could not remain silent: "Mr. Marshall is not only not a drunkard, but on the contrary is a total abstainer; a practical, consistent temperance man, yet not a hypocrite nor a fanatic. His influence and support are foremost in every moral and philanthropic movement in this city. No breath of scandal of any kind rests upon him here, but he is loved and admired by all right living, right thinking people irrespective of sect or party."

Sutherland was telling the truth. He himself was a Republican, not a Democrat. His fellow clergyman, Father Ellinger of the local Roman Catholic Church, was also close to Marshall. They were kindred spirits, and the priest endorsed the minister's sentiments against the political slander circulating about their friend.

The Presbyterian pastor was particularly angry that Lois Marshall was included in the scandalous gossip. "Mrs. Marshall has always accompanied her husband on his business trips since their marriage, and she is but continuing the custom now. Having no children, it is a matter of congeniality for them to travel together; besides she is a great support to him with her sympathy and intelligent interest in this arduous campaign. Language cannot fully portray my indignation that partisan depravity should not even spare her name." The minister went on to speak of Marshall's home, church, and community life. He was pictured as an active churchman, college trustee, thirty-third degree Mason, accomplished lawyer, and "a sterling Christian gentleman of exemplary conduct and unblemished character." Apparently Marshall was deeply grateful to Sutherland for his words of support, but his pastor's letter to the newspapers might have
backfired and brought more trouble to the candidate. Adversaries had a way of twisting statements of fact to political advantage.13

"The last Saturday of the campaign," he remembered, "Mrs. Marshall and I got up at five o'clock in the city of South Bend, managed to secure a cup of coffee and a sandwich, and took the train for Goshen where I talked for an hour. At twelve o'clock I was talking again in Middlebury; at two o'clock, in Shipshewana; at four o'clock, in the Princess Rink, in Fort Wayne, and as the midnight bells announced the ushering in of Sunday, I quit talking on the steps of the courthouse in the city of Fort Wayne. We took the train at four o'clock for home. I went to bed and knew nothing until Monday morning."

The night before the election the Marshalls' home on Jefferson Street was filled with well-wishers from around the state. A group of partisans from Fort Wayne appeared before the screen door with a "Democratic Mule" that had been a part of a parade in that city. Lois opened the door and invited them in, mule and all. "The donkey," she later remembered, "seemed to realize the importance of the occasion as he walked very sedately the whole length of the library" to where Marshall was sitting. The master of the house, for a good laugh, obliged his callers by mounting the long-eared beast. "It all seems very foolish now but then it was quite amusing," she wrote to her historian friend, Robert Lancaster.

Elsewhere in town, Republican ladies assembled at the home of a prominent lawyer, even as a collection of Democratic ladies was preparing to celebrate the expected victory of their candidate. An unknown, Republican female voice telephoned the Democratic women that Watson had defeated Marshall; thus ensued gloom and silence.
Soon realizing that they had been tricked, the Democratic ladies conspired to have one of them telephone the Mossman home and use reverse psychology. Their spokesman, conjuring up a deep voice, informed Mrs. Mossman that Watson had been elected and the Republicans had won the entire county ticket. The Republican ladies screamed with joy, according to the account. Literally scurrying with bells on the Brand home where the Democratic ladies were thought to be gathered, the women made so much noise that for a time they did not notice that their counterparts had gone downtown to celebrate the victory of Marshall over Watson.

By then it was early Wednesday morning, the day after the election. Marshall, exhausted by the campaign, was asleep at home when his wife was telephoned by Thomas Taggart in Indianapolis with happy news: the Republicans had conceded the election in favor of her husband! She raced upstairs to her soundly sleeping husband, woke him, and revealed that he was about to become the new governor.14

The election results showed that Marshall had won by some 14,800 votes over James Watson. The Republican Presidential candidate, William Howard Taft, carried Indiana with around 10,700 votes over Bryan. The pluralities indicated the lines drawn between people who were "wet" (favored the local or township option) and those who were "dry" (favored the county option). The offices of governor, lieutenant-governor, and superintendent of education went to Democrats, though the Republican candidate for secretary of state squeaked by with a 492 vote margin. Of thirteen new Congressmen sent to the House of Representatives eleven were Democrats.

Why did the voters come out so strongly for the Democrats? Certainly, many Hoosiers were upset by what they regarded as the asinine antics of Governor Hanly for
his extreme temperance stand and his intraparty arguments with fellow Republicans. The urbanites especially were incensed with the state's control of the sale of liquor. Republican voters, while faithful to the national ticket, did not favor the control of their state party in the hands of politicians who seemed interested in their own affairs. Democratic voters were tired of voting a third time for the same national candidate, Bryan, but were encouraged to support a candidate whom they felt could beat the opposition for the top state office. Furthermore, Marshall's personality appealed to the people who heard him speak in a witty, down-to-earth, honest way. Fate may have played a part in Marshall's election. He believed so. Hoosier voters wanted him. That is certain. Not since Claude Matthews' governorship a decade earlier had the Democracy controlled the top state office. People once again had a working two-party system in their state. The people from the city were beginning to see the results of their voting power; a significant shift was occurring in Indiana society.

The victory was Marshall's. He was wanted by the people. No machine cranked him up. He did not force himself on the people (though his campaigners wished he had tried a little harder). It was nearly thirty years before, that he had run for office -- and lost. Now, he was a proven campaigner, a practiced politician.

That Monday morning, knowing now that he had won, Marshall went to his law office after an absence of a month and a half. His mail was heaped onto his desk, much of it containing campaign contributions from supporters, checks ranging in amount from five to twenty-five dollars and totaling over seven thousand dollars. As he later explained, his political campaign cost him $3,750. He returned every single contribution
to the "good Democrats" and borrowed money from a local bank in order to prevent any party from alleging that votes were bought or that he was bought by vested interests.\textsuperscript{15}

As Marshall wrote in the \textit{Recollections} some fifteen years later, he felt obliged to express his opinion of Thomas Taggart. (Curiously, Taggart is mentioned solely in the section following the account of Marshall's gubernatorial victory.) The diversity in the philosophy of political ways and means between himself and Taggart, as Marshall understood it, was expressed this way: "So far as I have any knowledge, there has never been the slightest personal difference between us. In matters political we have been as far apart as the poles. In making this statement it is not to be implied that I deemed myself right and him wrong. It is only the difference in viewpoint. He has believed in the power, efficiency and necessity of organization. I was never able to divorce myself from the idea that the appeal for principles should be made to the individual. I was foolish enough to think that an honest presentation of a cause to the people is enough. Perhaps he was right; perhaps I am wrong." Perhaps both were right in their way. Despite divergent philosophies they did work together. The 1908 campaign established that the people preferred Marshall's practical political philosophy. They understood what he had been talking about.\textsuperscript{16}

On 1 December 1908, the law firm of Marshall, McNagny, and Clugston dissolved. Thomas Marshall was about to move to Indianapolis. Harry Clugston was dying of a pulmonary disorder. William McNagny with the aid of his two sons, Rob and Phil, continued his private practice of law in Columbia City until his death in 1923.