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William G. Thomas, III*

William Jennings Bryan, the Railroads, and the Politics of “Workingmen”

Early in his career as a lawyer William Jennings Bryan took a principled position that set him apart from many of his colleagues at the bar. When he teamed up with Dolph Talbot in a law practice in Lincoln in 1887, the state was growing faster than any other in the nation in that decade, catapulting from 450,000 residents to over 1 million. It was a promising field for the law business by any measure. Talbot took on a wide spectrum of clientele and represented the Missouri Pacific Railroad, but Bryan refused “to accept money from a railroad company.”¹ This in itself was remarkable, as attorneys in fast-growing towns and cities across the west and south vied for the opportunity to claim such a steadily lucrative client. The list of prominent railroad attorneys who made their way into politics was long and distinguished, from Abraham Lincoln of Illinois to Thomas S. Martin of Virginia. As the bar became increasingly professionalized, and at the same time increasingly split between trial and corporate lawyers even in the small towns and cities of the west, Bryan stood squarely on the side opposed to the corporation. His law practice featured a handful of cases in which he opposed the railroads—a tort case representing a seven-year-old girl struck by a Missouri Pacific train in Lincoln, a case for a contractor who had put a lien on the railroad company for payment of services, and a case involving the validity of votes to move a county seat from one railroad line to another. Bryan, it seemed, went

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1. MICHAEL KAZIN, *A GODLY HERO: THE LIFE OF WILLIAM JENNINGS BRYAN* 18 (2006).

out of his way to maintain his political purity and to keep his distance from the largest special interests of the day—the railroads.²

Later, in his political career, Bryan tried to turn this principled position into a virtue and at key moments took a vigorous stand against the railroads. His opposition to the railroads, it turns out, was remarkably consistent, and throughout his career he tried to focus widespread resentment against the big corporations into meaningful political change and greater economic opportunity for working people. After a trip to Europe in 1906, he was so impressed with the efficiency of government-run rail that he came back convinced the United States should make the railroads a publicly owned enterprise, a stance he had avoided earlier. Indeed, he quickly backed away from this idea only to return to it again in 1919. The railroads and the corporate power they symbolized were a political lodestar for Bryan, guiding his course through decades of his political life, a reference point again and again to gain his bearings on the problem of economic and social justice for the laboring classes. The political problem Bryan faced throughout his career was how to confront the railroads successfully, for after all they were, in effect, both the engine of corruption and the engine of growth.

Michael Kazin's biography of Bryan, *A Godly Hero: The Life of William Jennings Bryan*, views Bryan more as a progressive reformer than as a populist crusader. Kazin's central concern is to recover Bryan from the devastating obituary written by H.L. Mencken, who presented Bryan as a vestige of an earlier era, little more than a hapless hick bumbling about in the modern world.³ Kazin, on the other hand, allows Bryan to stand as a transitional figure to the modern era in both his Christian liberalism and his progressive vision for the political economy. Despite his arrogant refusal to take railroad clients and his long flirtation with populism, Bryan was no throwback. He made a concerted attempt throughout his career to resolve a very modern problem—how to realign the Democratic Party so that it represented the broad working and middle classes in an aggressively growth-oriented political economy.

2. See generally Andrew B. Koszewski, William Jennings Bryan's Law Practice in Nebraska, 1887–1891 (1991) (unpublished M. A. thesis, University of Nebraska-Lincoln) (on file with author). On the growth of the law business in the west, see Kelly Paulson, *Lawyers and the American West: An Empirical Investigation into the Components of Demand for Legal Services from 1850 to 1930* (May 4, 2005) (unpublished Honors Thesis, Stanford University) (on file with author). On the South and the separation of the law business in this period, see WILLIAM G. THOMAS, *LAWYERING FOR THE RAILROAD: BUSINESS, LAW, AND POWER IN THE NEW SOUTH* (Louisiana State University Press, 1999).

3. KAZIN, *supra* note 1, at 298–99. H.L. Mencken, *Bryan*, BALTIMORE EVENING SUN, July 27, 1925.

The full dimensions of this problem became widely apparent in Bryan's 1894 campaign for the United States Senate when, at the height of railroad abuse and power and in the midst of a crippling depression, Bryan ran against John M. Thurston, the Union Pacific's general counsel. In many ways, the 1894 Senate campaign in Nebraska became a dress rehearsal for the presidential run two years later. In his Senate campaign, Bryan began his move to pull populist energy into the Nebraska Democratic Party and faced the countervailing and contradictory politics presented by the "railroad problem." The line between populist demagogue (or "class warfare") and fair debate over economic issues has been a thin one ever since Bryan's campaign. Bryan confronted politically active economic interests (the railroads) aligned with the Republican Party, as well as a Republican Party adapting its rhetoric to defend the "workingman" in a modern economy. Gender was especially important in shaping these political confrontations, as Republicans confronted Bryan's democratic/populism with arguments linking their party through the tariff and other policies to the interests of workingmen, the benefits of railroad growth, and the values (such as manhood) inherent in Civil War service. The dilemma Bryan faced was how to attract the votes of workingmen and get them to vote in their "class interests" without crossing an arbitrary line into so-called "class warfare" or demagoguery.⁴

Bryan found the modern, railroad-driven economy morally problematic. He was not alone, of course. Henry Adams once remarked, "The generation between 1865 and 1895 was already mortgaged to the railways, and no one knew it better than the generation itself."⁵ Adams could see that railroads were "but one active interest, to which all others were subservient, and which absorbed the energies of some sixty million people to the exclusion of every other force, real or imaginary."⁶ They seemed, in other words, to pull everything and everyone into their orbit.

Earlier generations of Americans applauded the railroad, indeed had chanted its arrival as synonymous with civilization. Harriet Beecher Stowe, in *Uncle Tom's Cabin*, used railroads as a proxy for everything modern and advanced about the country, ignoring along

4. For an overview of the political currents in this period and the new historical approaches to them, see *THE DEMOCRATIC EXPERIMENT: NEW DIRECTIONS IN AMERICAN POLITICAL HISTORY* (Meg Jacobs, William J. Novak, and Julian Zelizer, eds., Princeton University Press, 2003), especially REBECCA EDWARDS, "Domesticity versus Manhood Rights: Republicans, Democrats, and 'Family Values' Politics, 1856-1896," in *THE DEMOCRATIC EXPERIMENT* 175. On gender and the politics of this period, there is a large amount of literature. See, e.g., REBECCA EDWARDS, *ANGELS IN THE MACHINERY: GENDER IN AMERICAN PARTY POLITICS FROM THE CIVIL WAR TO THE PROGRESSIVE ERA* (Oxford University Press, 1997).

5. HENRY ADAMS, *THE EDUCATION OF HENRY ADAMS* 240 (1918).

6. *Id.* at 330.

the way the fact that the South was laying track with slave labor as fast as the North was with free. “[U]nsophisticated” places, she wrote, were those “where there are no railroads.”⁷ Walt Whitman extolled the democratic promise of the technology: “Type of the modern—emblem of motion and power—pulse of the continent. . . . Law of thyself complete, thine own track firmly holding . . . Launch’d o’er the prairies wide, across the lakes, [t]o the free skies unpent and glad and strong.”⁸

Railroads did appear to be a “law unto themselves.” They defied conventional restraints of power and speed and, in so doing, reconfigured the experience of time and space. Their effect was so profound, so pervasive, that even those places without them in the nineteenth century conformed to railroad time and railroad space. The nearly ubiquitous nineteenth-century observation to capture this effect was that railroads “annihilated space and time.”⁹ The rapid advance of technology inspired trepidation and awe, fear and admiration, anxiety and confidence. Americans felt the need to make an accommodation to the railroads—to reconcile the losses (peace and repose turned into ugly landscapes, noise, and smoke) with the progressive force of the machinery (harmony, civilization, and advancement).¹⁰

After the Civil War, however, doubts about the railroads wafted in the political, social, and intellectual air like the thick smoke from their stacks, and in Bryan’s day the railroads had become simultaneously the means of national, regional, and local vitality and the symbols of corruption, dependency, subservience, and monopoly. The scandal of the Union Pacific’s subsidiary Credit Mobilier in 1872–1873 tarnished the nation’s premier railroad project.¹¹ The strike of 1877 sounded other alarms, as middle-class Americans feared what the railroads seemed to have made possible: a mass social protest rooted in economic inequality, inflamed by corporate callousness, and spread across the very rail network Americans thought would bind the nation together.¹²

7. HARRIET BEECHER STOWE, *UNCLE TOM’S CABIN* 283 (The Library of America, 1982) (1852).

8. WALT WHITMAN, *To a Locomotive in Winter*, in *LEAVES OF GRASS* 253 (Doubleday, 1923) (1891-1892).

9. LEO MARX, *THE MACHINE IN THE GARDEN: TECHNOLOGY AND THE PASTORAL IDEAL IN AMERICA* 194. (Oxford University Press, 1964); WOLFGANG SCHIVELBUSCH, *THE RAILWAY JOURNEY: INDUSTRIALIZATION AND PERCEPTION OF TIME AND SPACE* (University of California Press, 1986).

10. For a thorough history of railroad law, see JAMES W. ELY, JR., *RAILROADS AND AMERICAN LAW* (2001).

11. See Richard White, *Information, Markets, and Corruption: Transcontinental Railroads in the Gilded Age*, 90 *J. AM. HIST.* 19 (2003).

12. On the strike see ROBERT V. BRUCE, *1877: YEAR OF VIOLENCE* (1959); PHILIP S. FONER, *THE GREAT LABOR UPRISING OF 1877* (1977); WALTER LICHT, *INDUSTRIALIZ-*

By the turn of the century, one of the nation's most prominent and accomplished economists, Balthasar Henry Meyer, concluded that the railroads touched every aspect of American life. "The introduction of railways," he cautioned, "created a new world. So accustomed have we become to a civilization with railways that it requires conscious efforts to realize the economic, social, political and moral influences which have emanated from them."¹³ It seemed staggering to him that the railroad corporations paid in dividends the equivalent of two dollars per year for every person living in the United States. Of course, these dividends went not to the mass of citizens but to the small fraction of Americans who were stockholders. He noted, furthermore, that modern nation-states were using the railroad technologies for geopolitical purposes—Russia, for example, was building railroads to secure the "permanent control of Manchuria."¹⁴ Meyer concluded that to achieve social progress, the railroads needed a "harness" and, as he put it, "this harness is the *law*."¹⁵

Despite Meyer's confidence in the law, fitting it to harness the railroads would not prove easy. The crisis that both he and Henry Adams saw was one that we are familiar with today—the consequences of what we loosely call "globalization"—and it was exceedingly difficult to constrain through the law. We can draw some parallels between the 1890s and the 1990s in this regard. Sweeping changes in technology, in the alignment of capital markets, in the expansive competition of nation-states, and in the consolidation of big businesses contributed to both severe dislocation and extraordinary profitability. Barriers between markets collapsed; time and space were reconfigured. Historian Robert Schwartz has called this period the "first globalization crisis" for England and France, as these changes affected rural migration patterns, agricultural production, urban development, and political party formation.¹⁶

Bryan faced similarly sweeping currents in Nebraska. The railroads were responsible, for example, for virtually shutting down the

ING AMERICA: THE NINETEENTH CENTURY (1995); SHELTON STROMQUIST, A GENERATION OF BOOMERS: THE PATTERN OF RAILROAD LABOR CONFLICT IN NINETEENTH-CENTURY AMERICA (1987); DAVID O. STOWELL, STREETS, RAILROADS AND THE GREAT STRIKE OF 1877 (1999).

13. BALTHASAR HENRY MEYER, RAILWAY LEGISLATION IN THE UNITED STATES 3 (1903).

14. *Id.* at 5.

15. *Id.* at 6 (emphasis added).

16. Robert Schwartz, Presentation at the American Historical Association Conference: Railways, Uneven Geographic Development, and a Crisis of Globalization in France and Britain, 1830-1914 (Jan. 2007). See also, Sven Beckert, *Emancipation and Empire: Reconstructing the Worldwide Web of Cotton Production in the Age of the American Civil War*, 109 AM. HIST. REV. 1405 (2004) (for an analysis of global markets); Sven Beckert, *From Tuskegee to Togo: The Problem of Freedom in the Empire of Cotton*, 92 J. AM. HIST. 498 (2005) (also discussing global markets).

wheat and small grain economy of the middle-Atlantic states when the big farms of Illinois, Indiana, and eventually Minnesota and Nebraska came on line. Whole regional economies collapsed, and new ones developed in the wake of railroad extension. The railroads, in effect, began a process of market extension across boundaries, of market change both positive and negative, of interstate and multinational corporations, and of special interest involvement in politics. In addition to all of these, they shaped and sustained cultural ideas about space and gender; work and family; and liberty and citizenship.¹⁷

Obviously, one of the great concerns of nineteenth-century Americans was the unprecedented size and power of these companies. The railroads in the 1890s were being consolidated and merged, as court appointed receivers attempted to reconstitute the companies out of the wreckage of the 1893 depression. The resulting systems, financed largely by J.P. Morgan, were, in the words of the day, "colossal" or "gigantic" enterprises. When the Southern Railway, for example, emerged out of the defunct Richmond Terminal system, the *Omaha Bee* could not help but take notice. The system amassed over 4,500 miles of track, and the *Omaha Bee* warned Southern states that they would need "stronger governmental regulation to hold the railroads within their legitimate sphere" and that they would "soon appreciate the burden of railroad domination which the western states are now trying to lift."¹⁸

If the scale of these companies was a concern, then their cozy relationship with government officials cast serious doubt on the idea of ever containing them to a "legitimate sphere." When President Cleveland, for example, hopped on the private car of the president of the Pennsylvania Railroad to go on fishing trips to the Chesapeake Bay's eastern shore, eyebrows (Republican and Democrat) all over the country were raised. Cleveland began his first term with a vow to pay his own way on the railroads, though he soon accepted free rides from the companies. Benjamin Harrison, his successor in the Oval Office, firmly resisted luxury trip offers. The *Omaha Bee* reported that the Pennsylvania's presidential car was Cleveland's "favorite vehicle" and it is easy to see why. The interior of the car was "a dream of beauty and luxury."¹⁹ It came with a "cook's store room, which contains the

17. On the globalization and modernity railroads helped create, see, e.g., IAN CLARK, *GLOBALIZATION AND FRAGMENTATION: INTERNATIONAL RELATIONS IN THE TWENTIETH CENTURY* (1997); JÜRGEN OSTERHAMMEL & NIELS P. PETERSSON, *GLOBALIZATION: A SHORT HISTORY* (2005); ERIC RAUCHWAY, *BLESSED AMONG NATIONS: HOW THE WORLD MADE AMERICA* (2006). On gendered spaces and the railroads, see AMY RICHTER, *HOME ON THE RAILS: WOMEN, THE RAILROAD, AND THE RISE OF PUBLIC DOMESTICITY* (2005); WELKE, BARBARA, *RECASTING AMERICAN LIBERTY: GENDER, RACE, LAW, AND THE RAILROAD REVOLUTION, 1865-1920* (2001).

18. *A Colossal Railway Consolidation*, OMAHA BEE, September 6, 1894, at 4.

19. *Cleveland's Private Car*, OMAHA BEE, September 6, 1894, at 4.

rarest delicacies of the table and the finest of wines . . . a wide, roomy bed chamber, bath room, literary and observation room.”²⁰ Cooks, servants, and “nimble-fingered attendants” traveled with the car, and the car arrived in Washington fully stocked whenever Cleveland requested it. This controversy, over what was called “deadheading,” symbolized the insidious power of the largest railroads to corrupt the highest levels of government. When Cleveland sent federal troops to Chicago in July 1894 to enforce court injunctions against striking railroad workers, few were surprised.²¹

The *Omaha Bee* considered itself a kind of watchdog over corporate power and political corruption, and by the 1890s its editor, Edward Rosewater, became the leading Republican voice for railroad reform in Nebraska. However, the problem of the railroads, indeed the problem of the trusts, was not a simple matter of specific issues, such as high rates or rebates on railroads. “It is striking that Bryan’s middle-class followers,” Michael Kazin noted, “spent little time railing against the trusts; their letters and memoirs include few specific protests against a big business that injured their dignity or threatened their economic independence. Far more salient was their desire for a moral alternative to the corporate order as a whole.”²² Bryan’s middle-class followers, of course, were also the least likely to be threatened in direct ways by the trusts, though, like Henry Adams, they too may have felt “mortgaged” to them. The important point here is that Bryan tried to articulate a moral alternative, while he simultaneously appealed to those directly affected by the changing nature of the railroad-based economy.²³

As a Democratic political candidate, Bryan naturally opposed any form of special advantages for corporations. In this respect, he was not far from the convictions of the Nebraska Democratic leader, J. Sterling Morton, whose brand of democratic conservatism was strictly laissez-faire. He opposed subsidies for corporations as much as he did overregulation. “Railroads born before their time,” Morton explained at a centennial address in 1876 in Nebraska City,

are commercial deformities—monetary monsters which first consume the substance of the people, and then turn upon their proprietors to rend and destroy them also. Physical deformities are incarnate protestations against violations of natural laws; and commercial boa-constrictors in the form of railroads, through peopleless and cropless counties, are denunciations of the policy which donates into life railroads before there is anything legitimate for railroads to do.²⁴

20. *Id.*

21. *Id.*

22. KAZIN, *supra* note 1, at 214.

23. *Id.*

24. J. STERLING MORTON, A COMMEMORATIVE PAMPHLET 23 (1876).

Morton crusaded against the idea that western settlers had “made something out of nothing.” All such speculative building and finance—whether of railroads, towns, or crops—was, he thought, shameful and unnatural. By the time of his campaign for the U.S. Senate in 1894, Bryan had already begun to veer off from Morton’s conservative democratic principles against interference in the economy and to head into murky and uncharted waters for his party, but his essential argument against the railroads echoed much of what Morton had said earlier.

So, in the fall of 1894, William Jennings Bryan found himself in the fight of his young political career. He had resigned his seat in the U.S. House and was seeking election to the United States Senate. He faced John M. Thurston, a railroad attorney for the Union Pacific, an experienced Republican leader, a close associate of James G. Blaine, and a formidable debater. Thurston not only was a Union Pacific lawyer, but also was an appointed receiver for the bankrupted railroad. In 1893, Thurston considered putting himself forward as a possible U.S. Senate candidate, but he stepped out of the race to concentrate on his law practice with the Union Pacific. Despite his public withdrawal, desperate Nebraska Republicans in 1893 still tried to elect him, but they lost in the legislature when, in a remarkable move, Democrats and Populists succeeded in electing William V. Allen to the U.S. Senate, the first non-Republican ever elected to the Senate in Nebraska. So, in 1894, Republicans knew that they needed Thurston, and they turned to him to carry the campaign against the Democrats and Populists.²⁵

As the campaign got underway, the editor of the republican *Omaha Bee*, Edward Rosewater, broke with the Republicans whom he considered bought by the railroads. Rosewater was a longtime opponent of monopolies and railroads, and he generally hoped to thwart John Thurston’s brand of business republicanism.²⁶ He had opposed the nomination of Chauncey M. Depew for president in 1888, while Thurston backed him. The potential nomination of Depew, a railroad director on the Vanderbilt’s New York Central lines, seemed to some Republicans a betrayal of a “sacred trust” to represent the working people. The *Chicago Daily Tribune* backed Rosewater, claiming that

the party that had for its mission the relief of the oppressed of all races; that gave free homes to millions of the homeless; that struck the shackles from the limbs of four millions of slaves; that made the poorest laborer the peer of the

25. *Senator Allen from Nebraska: End of the Long Fight by the Election of a Populist*, NEW YORK TIMES, Feb. 8, 1893.

26. For some of the background on Rosewater and Republican infighting, see *Resigned in Dudgeon: Editor Rosewater Bolts the Nomination of Majors*, WASHINGTON POST, Aug. 23, 1894, at 1.

millionaire, cannot and must not stultify itself by kneeling at the shrine of railroad billionaires.²⁷

After years of determined and tough infighting and even tougher struggles in 1894 at the state convention, Rosewater bitterly stepped down from the Republican National Committee and issued a stinging letter of resignation. He accused the Nebraska Republicans of turning the Capitol building into a “den of debaucheries” and selling out to corporate interests. The convention delegates cheered loudly at the news of Rosewater’s resignation and quickly elected John M. Thurston to the National Committee in his place.

The 1894 Nebraska Republican Party platform called for some sensible adjustments to curb railroad power, such as the enforcement of a maximum rate act and a constitutional bar on fictitious, over-capitalized companies. Nevertheless, Rosewater fumed that the Burlington Railroad had bribed party delegates to nominate Thomas Majors for governor, a state delegate, he charged, “who has for years consorted only with railroad ringsters and boodle state officials.”²⁸ Majors, he wrote, had “been the pliant tool of the railroads in season and out of season” and was nominated “by the combined influence of corporate cappers, professional bribe-givers, jury-fixers, and impeached State House officials.”²⁹ Majors was popular and known widely as “Blue Shirt” Majors, because he always appeared in public clad in blue to emphasize his Civil War service in the First Nebraska Volunteers. Majors claimed to represent the farmers, the average Republicans, and the soldiers of the Civil War. Rosewater depicted himself as a crusader for the rights and interests of the “workingman” against the big corporate power that he saw infecting the democratic process, and a voice of true republican principles. “There is an old German adage,” he warned, “if you go to bed with dogs, you are sure to get up with fleas.”³⁰ So, Rosewater put a notice in the *Omaha Bee*: “All Republicans who are opposed to the domination of railroads and desire to resent the attempt to make the party subservient to corporate monopolies and public thieves” were invited to write him.³¹

And they did. All sorts of opinions came from around Nebraska. Rosewater probably published them all. One wrote of the “brass collar” that the Burlington fitted around Lancaster County, another of the “monopoly ridden . . . gang of pirates” in the party hierarchy, another of railroad employees instructed by the executives on who they

27. *Nebraska Republicans Will Kick: Protest of the Omaha “Bee” Against Threatened Monopoly Leadership*, CHICAGO DAILY TRIBUNE, June 13, 1888, at 7.

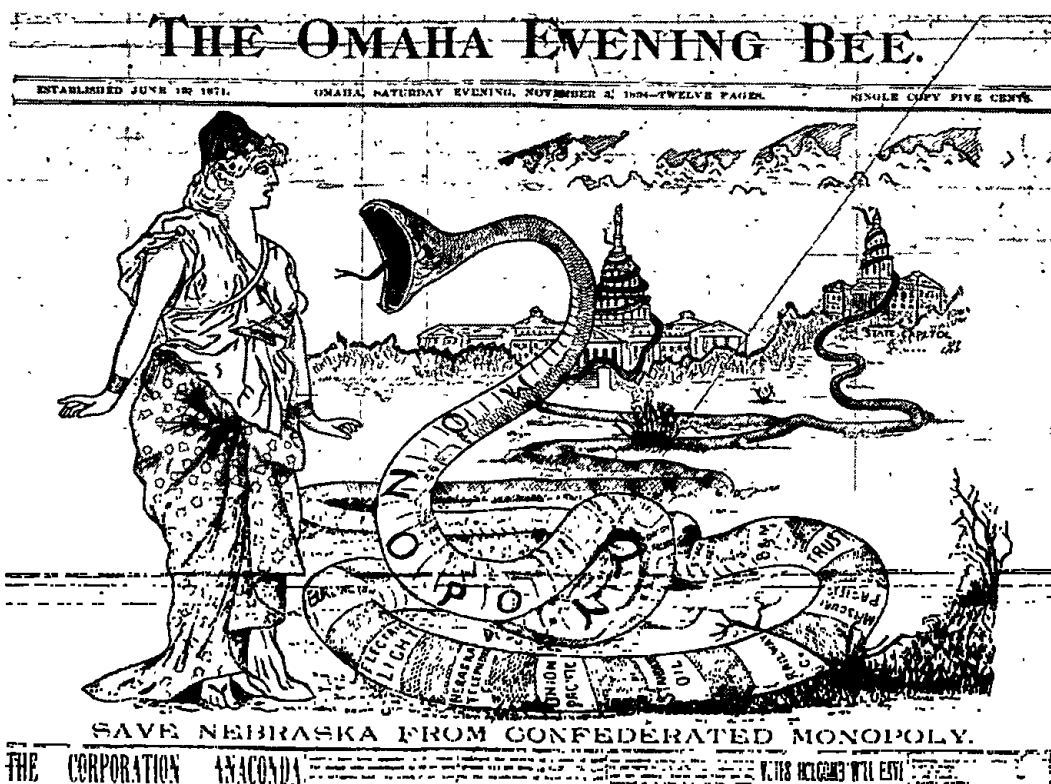
28. *Untitled*, OMAHA BEE, Aug. 29, 1894 at 4.

29. *Untitled*, OMAHA BEE, Aug. 28, 1894 at 4.

30. *Untitled*, OMAHA BEE, Aug. 24, 1894, at 4; *Where Nebraska Stands*, CHICAGO DAILY TRIBUNE, June 7, 1892 at 1.

31. *To Nebraska Republicans*, OMAHA BEE, August 26, 1894, at 12.

should vote for in no uncertain terms.³² Rosewater's Republican opposition to the power of the railroads focused mainly on their political corruption. But he noted that every good or service in America depended on them and the result was that a fraction of everything bought and sold in the United States went to the railroads. "Every person in the United States—native, naturalized, alien, sojourner, or traveler—pays tribute, directly or indirectly, to our railroads, every day," Rosewater emphasized, wrapping his argument in outrage at the dependence and subservience that railroads seemed to cause wherever they were extended.³³ Not all Nebraska Republicans appreciated Rosewater's righteous indignation. The *Nebraska State Journal* saw Rosewater as motivated by nothing more than a personal vendetta against the Republican gubernatorial candidate.



Republican editor Edward Rosewater emerged as the leading anti-railroad voice in the Nebraska Senate election of 1894 between William Jennings Bryan and John M. Thurston. Source: *Omaha Bee*, November 3, 1894 at 1.

At the same time, Rosewater and Bryan, as editors and leading voices against railroad involvement in politics, applauded the changing economy that the railroads made possible. They covered the do-

32. *What Shall We Do To Be Saved*, OMAHA BEE, September 8, 1894, at 1.

33. *Railroads and the People*, OMAHA BEE, Sept. 16, 1894, at 13.

ings of the railroad business, the “railroad gossip,” the comings and goings of the railroad men, the changing dynamics of the region’s service. The railroad seemed to sustain and—in many arenas of operation—to cultivate an expansive culture of workingmen and families: family travel and excursions, middle-class domesticity and gender values, independent laborers, and ideas about progress.

More than this, expanding the railroad system was championed not feared, even in the depression, as furthering national, regional, and local progress. When the Burlington line opened a new road into Wyoming and Montana that joined the Northern Pacific, Rosewater was full of praise and excitement for the same nefarious corporation he railed against day after day for its political corruption. The new route ran from Sheridan, Wyoming, to Billings, Montana. Its opening reconfigured the position of Omaha and Lincoln on a changing map of linked economies. Figuratively speaking, their “location” changed with the opening of this new route, but few thought of these matters in figurative terms—such changes were considered quite literal. “The building of this line is of incalculable benefit to Omaha, Kansas City, St. Louis, Chicago, bringing a territory of some 1,500 miles in extent almost to the doors of these cities,” Rosewater exclaimed.³⁴ It was, in effect, a drastic short cut to the Northwest shaving off 295 miles of a trip from Omaha to Helena, 385 miles off the trip to Spokane. The consequences were that a region that had been a “sealed book” to wholesalers in the Missouri Valley was now opened, and what had been a “monopoly” controlled by St. Paul and Minneapolis was “now for the first time brought into civilization’s rim.”³⁵ The agent of all this progress was, of course, the “progressive pioneer methods of the Burlington system of rails.”³⁶ The fact that the system now encompassed nearly 7,000 miles was not considered a threat in this context but a great advantage.³⁷

With the republican press in Omaha giving the loudest and clearest voice against the trusts and their political corruption but simultaneously opposing the Democrats and Populists, Bryan faced a difficult situation. Early in the campaign, as early as June, Bryan’s Republican opposition focused on the “fanaticism” of Bryan’s stand on the “silver question.”³⁸ And although the *Omaha Bee* would not publicly endorse John Thurston, it did not actively oppose him either.

34. *Through Historic Fields*, OMAHA BEE, Oct. 29, 1894, at 8.

35. *Id.*

36. *Id.*

37. *Id.* See also *Makes Work for Railroads*, OMAHA BEE, Aug. 29, 1894, at 7 (discussing Union Pacific’s advantage over slower, southern routes).

38. *Nebraskan Republican League: In Convention at Lincoln the Silver Difficulty is Neatly Avoided*, THE WASHINGTON POST, June 13, 1894, at 1.

The most dramatic events of the 1894 campaign were without question the two joint debates between Bryan and Thurston, a senatorial square off that seemed to many observers to approach the national scale and importance of the Lincoln-Douglas debates half of a century earlier. Seven thousand people attended the first debate, and fifteen thousand attended the second. So many people arrived to hear the men that the debate was moved from the Opera House in Lincoln to the state fair ground's largest building, Mechanical Hall. The University of Nebraska political clubs turned out in force and local leaders presided. Mrs. Bryan and Mrs. Thurston took prominent seats on the platform while their husbands stood for the debate. Surprisingly, Bryan, the great orator, was outmatched, and Thurston performed with a staggeringly effective blend of powerful logic, political savvy, and emotional passion.

Bryan began his address not with the silver issue, nor with railroad political corruption, nor with the "trust problem," but with the idea of a federal income tax and with the Democratic Party plank calling on the government to foreclose its loans to the Pacific railroads as soon as they come due. The railroad problem for Bryan was linked not so much to corruption but to the question of fairness and opportunity for the workingman. Bryan asked who paid the taxes, and then pointed out that regressive taxation on liquor and tobacco, and tariff duties on everything, made working people pay more for clothes, food, and basic necessities. Meanwhile, Bryan implied (without directly accusing or naming Thurston or Union Pacific), that the stockholders in the Pacific railroads had a privileged position, one that the people, as the chartering agent of the railroads, had bestowed upon them. The logic of foreclosing on the railroad loans was, it should be said, somewhat counterintuitive: Bryan figured that once free of the government debt and forced to consolidate, the watered stock would be drained off and the railroads' valuation would be more accurate. Bryan pointed out that these companies paid out large dividends throughout the loan period and yet claimed to be unable to pay the principle and interest back to the government on schedule. Because they were overcapitalized and in debt, the railroads charged excessively high rates, and Nebraskans paid. "The roads have collected the money and put it down in their own pockets," Bryan thundered to great applause, "and we deny the justice of . . . collect[ing] money a second time from the people who have already paid it."³⁹ Extending the loans, Bryan reasoned, would mean only that "the people along the line of the road" would be making payments in the higher rates they paid on everything they shipped.⁴⁰

39. *The Battle of the Giants*, OMAHA WORLD HERALD, Oct. 18, 1894, at 2.

40. *Id.*

Thurston, as anyone might expect of an experienced corporate lawyer, did not wilt before the challenge of his opponent, whom he earlier lampooned as “Billy Windmill Bryan.” In addresses to local Republican nominating meetings after all, Thurston ridiculed Bryan’s move into the newspaper editorial ranks, at one point calling him a “puny, petty, populist, political pissmire.”⁴¹

In the debates, Thurston was more dignified. His first move was to bring up what Bryan left unsaid in his focus on the Pacific railroads—that he, Thurston, was in the employ of one of them. Thurston was proud of work and claimed he “came across the Missouri river twenty-five years ago. . . . without an acquaintance or a friend. . . . an unknown boy.”⁴² He called himself a self-made man who was selected “without any solicitation on my part to stand at the head of the law department of the greatest railway system of the civilized world.”⁴³ He stated plainly for all to hear that since becoming a candidate for the Senate, he had left the Union Pacific and did not represent “a single railway corporation of the earth, a bondholder, a stockholder or any other interest therein.”⁴⁴

Thurston stood before the voters, then, as the ideal man of Henry Adams’ railroad generation, one who had searched out and found what he was “fit” for. Unlike Bryan who seemed aloof at times in his unwillingness to take railroad clients, Thurston placed himself as part of the wide movement of the times in which, as Henry Adams put it, “society dropped every thought of dealing with anything more than the single fraction called a railway system.”⁴⁵ And he drew great applause with this story of his coming up and his commitment to doing his “duty.” Thurston depicted himself first and foremost as a workingman, albeit one who had risen to positions of great opportunity and authority.

Thurston then took up the issue of the Pacific roads’ mortgages. He considered it astounding that Bryan would consider letting the railroads off the hook by canceling their loans and quickly pointed out just how out of step Bryan was with the conservative members of his own party. Bryan, in other words, stood before the voters not only as an advocate of silver coinage and monetary inflation, but also of the repudiation of debts, a conceptually broader threat to the republic. Thurston linked both the silver issue and the tariff issue into a defense of the working people in a globalized economy arguing that Bryan essentially misunderstood the great changes of the age around him. “Every laboring man in this union,” Thurston claimed, “whether

41. *Thurston on Bryan*, OMAHA BEE, Aug. 25, 1894, at 1.

42. *The Battle of the Giants*, *supra* note 39, at 2.

43. *Id.*

44. *Id.*

45. ADAMS, *supra* note 5, at 240.

in the shop, upon the farm, or in the mine, should be protected from the competition of the pauper labor of the whole world outside.”⁴⁶ Thurston hammered the Democrats for the fall in the price of wheat, the loss of jobs, and the failure to “take care of American industries.”⁴⁷ What the American workingman wanted, he said, was work—not free silver.⁴⁸

The republican *Nebraska State Journal*, perhaps not surprisingly, deemed Thurston’s effort “masterly . . . a legal and logical argument based on the principles of republicanism.”⁴⁹ Bryan, on the other hand, was “eloquent but illogical and inconsistent,” mired by the obvious chasm between his views and those of the Democratic administration in power.⁵⁰ Bryan committed a grievous political error, the paper maintained, when he ignored the heritage of Jefferson and Jackson and instead puffed “his ambitious plans for reforming the universe.”⁵¹ The *Chicago Daily* reported that “long-continued cheers” for Thurston marked the debate.⁵² Nearly every paper considered it the greatest joint debate in Nebraska history and a harbinger of the coming 1896 presidential election.⁵³

Bryan, for his part, shrugged off the accusations after the debate that he was a populist demagogue, saying “in these latter days he is a statesman whose ear is tuned to catch the slightest pulsation of the pocketbook, but he is a demagogue who dares to listen to the heart beat of humanity.”⁵⁴ The ease and flippant nature of Bryan’s post-debate comments hid the depth of the political problem he faced. Bryan’s oratory in the debate could not overcome the force of Thurston’s argument, and the ways that argument linked workingmen to the Republican vision.

One of the most perceptive summaries of the debates in Bryan’s *Omaha World Herald* came from Elia W. Peattie. A journalist and writer, Peattie produced a number of travelogues for Rand McNally and several American history texts in the early 1890s, as well as a collection of gothic short stories, including *An Astral Onion* and *The Shape of Fear*.⁵⁵ Peattie was commissioned to cover the debates and

46. *The Battle of the Giants*, *supra* note 39, at 2.

47. *Id.*

48. *Id.*

49. *The Big Debate*, NEBRASKA STATE JOURNAL, Oct. 18, 1894, at 1.

50. *Id.*

51. *Untitled*, NEBRASKA STATE JOURNAL, Oct. 18, 1894, at 4.

52. *Rivals for a Toga: Thurston and Bryan Engage in Debate in Lincoln*, CHICAGO DAILY TRIBUNE, Oct. 18, 1894, at 5.

53. *The Big Debate*, NEBRASKA STATE JOURNAL, Oct. 18, 1894, at 1; *The Battle of the Giants*, *supra* note 39, at 2; *Rivals for a Toga: Thurston and Bryan Engage in Debate in Lincoln*, CHICAGO DAILY TRIBUNE, Oct. 18, 1894, at 5.

54. *Bryan Closes*, NEBRASKA STATE JOURNAL, Oct. 18, 1894, at 3.

55. ELIA PEATTIE, IMPERTINENCES: SELECTED WRITINGS OF ELIA PEATTIE, A JOURNALIST IN THE GILDED AGE (Susan George Bloomfield ed., 2005).

to tell readers "how a woman viewed it all."⁵⁶ She pointed out that for every fifty men in the audience of fifteen thousand, there was one woman, but that the women had their own points of view.⁵⁷ Peattie, playing on widely accepted Victorian gender differences, suggested to her readers that women made political decisions from the heart and not from the brain. Having appealed to the gender conventions of her readers, probably in part to disarm them and draw them in, Peattie eventually set "joking aside." "Mr. Thurston looked secretive," she reported from the smoke filled chamber, "Mr. Bryan frank; Mr. Thurston was thin, with drooping shoulders; Bryan stalwart, with square shoulders, suggestive of protection; Mr. Thurston exceedingly intellectual, rather cautious, and full of reservation; Mr. Bryan essentially candid, very argumentative and fascinatingly impulsive."⁵⁸ She went on to describe Bryan's Jove-like facial features and his "compelling magnetism."⁵⁹

Peattie cast everything in contrast. Bryan had the "dash and fury of youth;" Thurston was tempered by experience. Bryan was a prophet; Thurston an advocate. Bryan spoke truths; Thurston old platitudes. Peattie went so far as to comment on both men's poor taste in fashion, taking them to task for wearing trousers that "bag at the knees."⁶⁰ Summing it all up, she gave what might be an enduring portrait, when she said,

Mr. Thurston is a remarkably clever man and a very adroit one. He is past master of the art of what not to say. Mr. Bryan has a spark of genius which would make any cause popular which he espoused, and which, if he used it as a sacred thing, for the good of his fellow man and the glory of God, will yet make him one of the great men of the nation.⁶¹

After the debates, the Republicans took out a full-page advertisement in Bryan's *Omaha World Herald* and made plain their view of what was at stake.⁶² Their argument hinged on the idea of a networked economy, an organic system which Nebraska voters, if misled by Bryan and his populist\democratic fusion, would easily upset. Republicans held that Omaha, Nebraska was built with "muscle, money, and mind."⁶³ The workingman provided the muscle, the eastern capitalist the money, and the Nebraska businessmen the mind or vision. Harmony among these three would allow the region to grow, while a rupture in these relations would injure workingmen and choke

56. *How A Woman Viewed It All*, OMAHA WORLD HERALD, Oct. 21, 1894, at 10.

57. *Id.*

58. *Id.*

59. *Id.*

60. *Id.*

61. *Id.*

62. *Railroad Cry*, OMAHA WORLD HERALD, Nov. 1, 1894, at 4; *Good Old Times*, OMAHA WORLD HERALD, Nov. 2, 1894 at 4.

63. *Railroad Cry*, *supra* note 62, at 4.

off growth. The Republicans of 1894 appealed to the “silent” majority of voters whose conservatism could be counted on to resist populist and democratic excesses.⁶⁴

With this logic, the Republicans swept the legislative elections, though the election of Thurston to the Senate seat was by no means assured. Rivals quickly emerged, including the defeated gubernatorial candidate Tom Majors. Majors’ supporters accused Thurston of “knifing Majors during the recent campaign.”⁶⁵ Thurston, however, was elected to the U.S. Senate by the Republican caucus on January 1, 1895.

Thurston outlined for the press “the principles that would govern him” in the Senate in a New Year’s Day announcement. The railroad lawyer quickly took on the mantle of reform and stitched to it a commitment to workingmen and a thoroughgoing, vibrant Americanism. Thurston rattled off a long list of short phrases (sound bites) as his principles: “a free ticket to China for any man who insists upon his right to buy the product of human labor without paying a fair price to the brain and brawn which produces it;” a one-term presidency; direct election of senators; “governmental supervision and control of transportation lines and rates;” “the protection of the people from unlawful combination and unjust exaction of aggregated capital and corporate power;” “war on the three great . . . trusts—oil, whisky and sugar;” and finally, a thorough American patriotism—“an American flag for every American school house.”⁶⁶ Thurston then announced that he would retire from any legal work involving railroads. He wanted “to relieve the republican party of Nebraska from even the apparent responsibility” of electing a bought man.⁶⁷

So, Thurston started off the year in 1895 no longer a railroad lawyer and, like Theodore Roosevelt later in the presidency, began his term in the Senate with an effort to co-opt key elements of the progressive reform agenda his opponent William Jennings Bryan had advocated. He appeared before the Nebraska legislature in mid-January to accept its nomination and to outline his views of the coming Congressional session. Thurston called first and foremost for a tough protective tariff. He was convinced that

the prosperity of this country and its people, especially of the industrial masses, depends upon the broadest application of the American idea that whatever labor is to be done for the people of the United States shall be done by the people of the United States under the Stars and Stripes, and that the

64. *Id.*; *Good Old Times*, *supra* note 62, at 4.

65. *The Nebraska Senatorship: Active Rivalry Among Prominent Republicans*, WASHINGTON POST, Nov. 22, 1894, at 1.

66. *Senator John M. Thurston: Joint Caucus Ends All Speculation*, OMAHA BEE, Jan. 2, 1895, at 4.

67. *Id.*

prices of the products of American labor shall be fixed by American conditions and American competition.⁶⁸

As a new U.S. Senator, Thurston vaulted into the ranks of Republican leadership. He served on the National Committee for the GOP and attracted the attention of national reporters with his story of success. The *Los Angeles Times*' Frank G. Carpenter, for example, featured him as "the boy hunter of Nebraska" who, like Lincoln, had grown up on the prairie "[f]ishing for pickerel for a living and trapping muskrats" to become a successful lawyer.⁶⁹ He became National Party Chairman in 1896 and gave speeches all over the country, including the Cooper Union in New York City. At nearly every venue, he delivered "electrifying" speeches and was greeted with loud and sustained applause from Republicans in large part because he had bested Democratic presidential nominee Bryan in the 1894 race.⁷⁰

In retrospect, it might seem that Bryan faced an impossible challenge in 1894. Michael Kazin's *A Godly Hero* suggests as much.⁷¹ After all, the conventional answer to why Bryan lost might be that corporate interests bought the election, as they did a year earlier in Virginia where the obscure railroad attorney Thomas Staples Martin was elected to the U.S. Senate over the popular former governor Fitzhugh Lee, nephew of Robert E. Lee. The Democrats were divided, moreover, with J. Sterling Morton thoroughly opposed to Bryan's alliance with the populists and his soft money ideas. There was in 1894, moreover, a massive depression gripping the nation, and the Democratic administration of President Grover Cleveland was widely despised. As if these strikes against him were not enough, the railroads, banks, and insurance companies raised money to support Thurston while Bryan's campaign ran out of money.⁷²

Yet, for all of these obvious advantages, John Thurston saw himself as the underdog. Writing years later in 1915, Thurston maintained that he "plunged into the 1894 contest alone" and that the

68. *Chosen Leaders: John M. Thurston Represents Nebraska*, LOS ANGELES TIMES, Jan. 17, 1895, at 2. See also, JOANNE REITANO, *THE TARIFF QUESTION IN THE GILDED AGE: THE GREAT DEBATE OF 1888* (Pennsylvania State University Press, 1994) (discussing the tariff).

69. Frank G. Carpenter, *John M. Thurston: The Boy Hunter of Nebraska in the United States Senate*, LOS ANGELES TIMES, Dec. 8, 1895, at 25.

70. *Id.*; *The Convention Enlivened: Thurston Becomes Permanent Chairman and is Greeted with Great Enthusiasm*, LOS ANGELES TIMES, July 4, 1896, at 4; *Thurston on the Stump: Nebraskan Starts Ball Rolling at Madison on Friday*, CHICAGO DAILY TRIBUNE, July 30, 1896, at 4; *Thurston Scores Boy Orator: Nebraska Senator Speaks at Cooper Union, New York*, CHICAGO DAILY TRIBUNE, Sept. 6, 1896, at 6.

71. KAZIN, *supra* note 1.

72. *Id.*

Union Pacific did not give him "one dollar."⁷³ Thurston ignored the businessmen's associations that mobilized their own money to campaign on his behalf and instead focused on the statewide campaign speeches both he and Bryan made bringing the election of the U.S. Senator to the people. He considered himself "elected by the people" and thought that many observers underestimated the difficulty he faced and the temper of the times. "Nebraska had not had a Republican legislature for six years," Thurston noted,

It had been controlled by the forces of the Democratic and Populist parties, both of which nominated Mr. Bryan. We had a populist Democratic Governor and United States Senator. The prospect of success seemed very small and everybody thought I was leading a forlorn hope.⁷⁴

Thurston considered his triumph "astounding."⁷⁵

Thurston's memory may have been clouded, but his perspective provides a useful lens through which to see Bryan's campaign. Historians have been too quick, perhaps, to excuse Bryan for his political losses by suggesting that he was simply up against long odds, that powerful forces brought him down, or that his crusades were quixotic. At least in 1894 Bryan's campaign was not unreasonable. That he failed should not, however, be surprising. Bryan faced an extraordinarily canny, tough, and dedicated opponent in John M. Thurston, who was able to articulate a powerful defense of Republicanism for workingmen.

Two years later, in 1896, Thurston campaigned for William McKinley against Bryan and stumped across the Midwest with his speech "To American Workingmen." In attacking Bryan and the silver issue, Thurston used the slogan, "a promise of something for nothing is false and dangerous to the people."⁷⁶ Thurston thoroughly dismantled the silver question in his long speeches, but he reserved his emotional energy for his dismissal of Bryan. "No man who appeals to class prejudice," Thurston argued, "who incites the populace to tear down those who have succeeded in life; no man who puts sectionalism above nationalism, can ever be elected President of the United States."⁷⁷ It was an easy accusation to make, and its logic proved convincing to tens of thousands of voters. "Not by tearing down," Thurston cried, "but by building up, can the common people share in the blessings of American civilization."⁷⁸

By the 1890s, railroads penetrated nearly every American community and interlocked them in new system-wide territories. Consolida-

73. Eva May Fosbury, *Biography of John Mellon Thurston* 71-72, n.2 (Aug. 1920) (unpublished M.A. Thesis, University of Nebraska) (on file with author).

74. *Id.*

75. *Id.*

76. Senator John M. Thurston, *To American Workingmen* (Sept. 19, 1896).

77. *Id.*

78. *Id.*

tions and mergers helped produce the nation's largest business corporations, its largest labor unions, and its largest political movements. Yet, communities, individuals, and other institutions adopted much of the railroad network and attempted to make it their own, a process that was as confusing, and sometimes contradictory, for the railroad companies as for the Grangers and the populists. So it was that William Jennings Bryan could blast the railroads as agents of monopoly and at the same time derive his life's income from the lecture circuit that the railroads' speed and reliability made possible. So it was that workingmen might strike against the railroad companies and at the same time see themselves as its principle agents of growth. So it was that editors and middle-class voters might voice objections to railroad corruption and at the same time champion the largest systems in their region.

The Bryan-Thurston campaign in 1894 signaled the beginning of a modern political era and pointed to a challenging political problem: the difficulty of confronting the tight relationship of politics and large scale business in a time when the society was mortgaged to growth. Bryan in 1894 and again in 1896, for all of his appeal, his vigor, his youth, and his oratory, was not just facing entrenched interests equipped with modern campaign tactics; nor was he simply the voice of a group bypassed in the emergent modern economy and so a representative of the end of an era. Bryan's quest was to capture the workingman's vote that had for decades aligned itself with the Republican Party despite that party's leadership and orientation toward big business. Bryan in the strictest terms was not successful, but politics was never the same after it.⁷⁹

79. On the voting dynamics of the period, see *THE DEMOCRATIC EXPERIMENT: NEW DIRECTIONS IN AMERICAN POLITICAL HISTORY* (Meg Jacobs, William Novak, & Julian Zelizer, eds., 2003). See also RICHARD FRANKLIN BENSEL, *SECTIONALISM AND AMERICAN POLITICAL DEVELOPMENT 1880-1890* (1984) (discussing political parties and sectionalism in the United States); and RICHARD FRANKLIN BENSEL, *THE POLITICAL ECONOMY OF AMERICAN INDUSTRIALIZATION, 1877-1900* (2000) (places political developments in context during the period of United States industrialization). For an overview of the historiography of this issue, see HEATHER COX RICHARDSON, *North and West of Reconstruction: Studies in Political Economy in RECONSTRUCTIONS: NEW PERSPECTIVES ON THE POSTBELLUM UNITED STATES* (Thomas J. Brown, ed., 2006).