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## Article Title: N K Griggs and the Nebraska Constitutional Convention of 1871

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Article Summary: Nathan Kirk Griggs, Nebraska lawyer and statesman, was a member of the Constitutional Convention of 1871. Only twenty-seven years old, he served on six committees and occasionally chaired sessions of the convention. Although he was known as an advocate for justice in general, he strongly opposed woman suffrage.

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# N. K. GRIGGS AND THE NEBRASKA CONSTITUTIONAL CONVENTION OF 1871

RUTH MOORE STANLEY

**N**ATHAN Kirk Griggs,<sup>1</sup> pioneer lawyer in Gage County in 1867, excelled in perhaps too many endeavors to achieve fame beyond his lifetime. That was the

<sup>1</sup> Nathan Kirk Griggs b. Oct. 25, 1844, Frankfort, Ind.; LL.B., University of Indiana, 1867; came as pioneer to Beatrice, Nebraska, June 3, 1867; admitted to practice in district court of Nebraska, Oct. 7, 1867, and in the U. S. Court, Nov. 11, 1873; m. Epsie Emily Saunders, Delhi, Iowa, Dec. 21, 1869; children, Nelly K. (Mrs. Hartley Burr Alexander), Era E., Dorothy W. (Mrs. Bert E. Buckmaster); in banking business with Hiram P. Webb, ca. 1870-1876, Beatrice, Nebr.; in law practice with W. H. Ashby, 1871-1875, Beatrice, Nebr.; member, Nebraska Constitutional Convention, 1871; elected to Nebraska state senate, 1872, and re-elected, 1874; president state senate, 1875; appointed by Pres. Grant as U. S. consul in Chemnitz, (now Karl-Marx-Stadt) Saxony, 1876-1882; in law practice with Hugh J. Dobbs, 1882-1884, Beatrice, Nebr., and with Samuel Rinaker, 1885-1893, Beatrice, Nebr.; attorney for the north-western division of the Burlington Railroad (western Nebraska, South Dakota, Wyoming, Montana), 1890-1910; died Sept. 4, 1910, enroute to Alliance, Nebraska. Author, *Lyrics of the Lariat* (Chicago, 1893 and 1904); *Hell's Canyon* (Chicago, 1899). Author and composer, *The Lilies* (1890); *Voices of the Winds*, 8 folios (Leipzig, Chicago and York, Nebr., 1896-1904); *Four New Songs* (Chicago, 1907); *The Pole King: A Christmas Cantata* (English and German versions prepared for publication, 1910).

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opinion of his son-in-law, Hartley Burr Alexander, who said after Mr. Griggs' death in 1910:

Men of the legal profession say that it is in his lawyer's work, his just analysis, his brilliant incisive portrayal, that the impress of Mr. Griggs' public life will be longest apparent. But it is probable that he is even more generously known as an orator, poet and musician. *He was conspicuously each of these, having too much the character of all three to be obviously one or the other.*<sup>2</sup>

Yet as a lawmaker and statesman N. K. Griggs did so much to help build Nebraska between 1870 and 1910, and so much as poet, diplomat, lecturer and musician during those years to enhance the reputation of the young state beyond its borders, that he deserves to be remembered in the annals of Nebraska history.

His first service for the state was performed at the age of twenty-six, as a member of the constitutional convention of 1871. This longest and hardest-working of Nebraska's constitutional conventions hammered out the body of basic law which four years later with few alterations was adopted by the electorate, and for two generations remained substantially unchanged. Griggs was one of the fifty-two delegates who assembled in Lincoln "in the jerry-built state capitol on June 13, 1871," and "after two months of wrangling . . . adjourned on August 19, having adopted a constitution which in the main followed the Illinois constitution of 1870."<sup>3</sup>

A. E. Sheldon described the debates from a more favorable point of view in his preface to "The Minutes of 1871":

The debates are vigorous, comprehensive and stirring. The vital questions argued today in our courts and public forums were debated in the convention by the early founders of this commonwealth, many of whom have since been leaders in its affairs.<sup>4</sup>

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<sup>2</sup> *Nebraska State Journal* (Lincoln), September 11, 1910. (Italics added).

<sup>3</sup> James C. Olson, *History of Nebraska* (Lincoln, 1955), p. 186.

<sup>4</sup> A. E. Sheldon (ed.), *Nebraska Constitutional Conventions* (3 vols., Publications of Nebraska State Historical Society, Lincoln, 1906), I, 11 and 14. *Nebraska Constitutional Conventions* cited hereafter as *NCC*.

In 1871 political debates seem to have been conducted on a rather high level, in Nebraska, and recorded in shorthand by remarkably literate reporters.<sup>5</sup> The delegates were concerned about such niceties as exact expression, rhetorical style, even manners and proprieties. They thought they were writing a constitution which would last for all time.

Young Mr. Griggs was active almost from the first day. "We completed our organization the day you left," he wrote his wife Epsie Emily on Thursday, June 15, 1871.<sup>6</sup> "Our convention I am thinking will be stormy. Genl Strickland (my man) was elected President."<sup>7</sup> (Griggs was of the dominant Republican majority.)

Next day President Strickland announced the thirty-two standing committees of the convention. N. K. Griggs was named chairman of the Committee on Township and Precinct Organization, and was put to work on five other important committees—Legislative, Judiciary, Banks and Currency, Educational, and Miscellaneous.

Surprisingly, in view of his later prominence as a churchman, Griggs indulged in occasional mild flings on the week-ends. Epsie Emily was visiting relatives in Medina County, Ohio, for the duration of the convention; he wrote her from Omaha on Saturday, June 17:

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<sup>5</sup> "The minutes of 1871 are complete—every word spoken in the convention . . . Where corrections had been made they were in the hand of one or another of the [shorthand] reporters." *Ibid.*, 10, 13.

<sup>6</sup> Through the generosity of N. K. Griggs' grandson, Professor Hubert Griggs Alexander of the University of New Mexico, the writer has been permitted to examine a large collection of Griggs papers and photographs. Mrs. Lyman G. Louis, a granddaughter of N. K. Griggs, also contributed information and the loan of letters. All letters quoted in the text are from the collections of Professor Alexander and Mrs. Louis.

Thanks are also due to Mrs. Roy W. Green of Lincoln for information, and to the staffs of the Nebraska and Oklahoma State Historical Society Libraries. Most of all, thanks are due to Miss Mamie J. Meredith of Lincoln, who first suggested that a paper on N. K. Griggs should be written.

<sup>7</sup> Silas A. Strickland of Douglas County, former Indian fighter and Civil War General.

I was out last night together with Col Cropsey<sup>8</sup> and Gov. Paddock<sup>9</sup> to a "Blonde Troupe" performance, and between the speaking, singing, *Showing of legs &c*, we all enjoyed ourselves hugely. We were the guests of *Gov. Paddock*. We were *all very virtuous*. . . . (Col. Cropsey and I) are trying to work up the Omaha and South-Western R. R.

Griggs offered his first resolution on Tuesday, June 20, an important one concerning mandatory reapportionment of the legislature every two years, and the vote was favorable.

The following week the convention got down to business. Between sessions the standing committees worked every day; the Legislative Committee was one of the first to submit its report, on Monday, June 27, while the committee of which Griggs was chairman reported a day later. The letters from Lincoln to Bennetts' Corners, Ohio, became fewer and briefer:

Our convention is hard at work . . . Before we are done we will have one of the most bitter contests that ever came off in the State. The woman suffrage question will be a close one, a resolution to abolish capital punishment will be bitterly opposed. We are going to *fix the law*, so that our county *cannot be divided* . . . Our work is accumulating here and I have hardly time to write to my Ohio dear. (June 20-24.)

Griggs and Dr. Reynolds of Beatrice now moved from the Townley House to the home of Colonel A. J. Cropsey. "We can get our boarding much cheaper and it is a much better place to stay—so quiet and home like." (June 26.) A few days later he wrote proudly:

Yesterday I was Chairman of the whole Convention all day and I think I performed my duties well, so all say. Epsie I am trying to make a record that my wife will not be ashamed of me. (June 30).

On June 30 the convention adjourned for ten days, giving the delegates a chance to celebrate July Fourth at home, and to look after their law practices, business enter-

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<sup>8</sup> Col. A. J. Cropsey, land speculator and Lincoln banker, was not a member of the convention.

<sup>9</sup> Algernon S. Paddock of Beatrice, Nebraska, served briefly as Governor of Nebraska in 1861. In 1875 he was elected U. S. Senator.

prises and farms. ("I hope I won't have to deliver a 4th of July speech," Kirk wrote Epsie on June 29.)

I feel sad to go home and find my home empty. . . . I have half a notion to go to Ohio, but I guess I have duties to perform at Beatrice and must go to my labors there. (June 30.)

Indeed there was a wide variety of labors awaiting him in Beatrice, as a glance at the letterhead of July 2 will show. Apparently Jefferson Burns Weston,<sup>10</sup> one of the founders of Beatrice, and Griggs' banking partner Hiram P. Webb<sup>11</sup> were taking care of the law practice, the real estate business and the bank while Griggs worked on the constitution in Lincoln. He had the duties of a householder too, for he and Epsie had built a new home in Beatrice the previous autumn. On the first day of his return to the convention, he wrote Epsie about his busy week at home:

I had the cellar cleaned out by Bradley while I was at home, and I think our lard will not spoil. [Water had flooded their cellar from the "terrible rain" described in his letter of July 2.]

Last Sunday I was at my place in the Sunday Schools. No one seems to lead in the singing when I am away. . . . I brought up \$3000 yesterday which I sent to Omaha. We had issued 100 drafts when I left Beatrice. . . . A stage driver at Beatrice attempted to commit suicide yesterday morning by cutting his throat with a dull knife. He succeeded in cutting his *windpipe* about 2/3 off but it is still doubtful whether he will die. . . . He is the one who drove the stage to Marysville. Whiskey was the cause of the act. (July 11)

Next morning at ten he wrote from the convention hall that the Article on "Education, School Funds & Lands," with Dr. Stewart of Pawnee County in the Chair,

<sup>10</sup> The first three practicing lawyers in Beatrice were S. B. Harrington, N. K. Griggs and J. B. Weston. See *Blue Valley Record*, early Gage County newspaper, for Aug. 26, 1868, as cited by Hugh J. Dobbs, *History of Gage County, Nebraska* (Lincoln, 1918), p. 330.

<sup>11</sup> "Nathan Kirk Griggs and Hiram Peter Webb began a banking business in a small way" (ca. late 1869 or early 1870) "as private bankers, in the two-story building at 314 Court Street which they had built. Neither possessed sufficient capital for any but the most meager banking operations—but they did have: youth, enthusiasm, self-confidence, and the confidence of the community, well-deserved. . . . Webb was Gage County Treasurer, 1869-1876. Many a pioneer bank in Nebraska had its inception with the election of the County Treasurer." *Ibid.*, pp. 228-229.

was being considered, and that "the discussion is long and tedious." (July 12.) Possibly to enliven, at least for himself, the next day's debate on State Lands and Funds, Griggs delivered his first speech on the convention floor:

Mr. Chairman, I am in favor of the principle contained in this substitute, that is, the loaning of this fund to the different districts of the State. I believe that it would be of great good to the counties in our 12th District . . . but I am opposed to this State land office because I think there are chances for great corruption and fraud. Another reason why I am opposed to it is, that it says this fund shall be given to the counties and loaned out to individuals : I am opposed to that for I believe that this State has lost several thousand dollars, in loaning to irresponsible individuals. I believe with the gentleman from Lancaster (Mr. Robinson) that it should be loaned on good securities, such as school district bonds, city or United States bonds.<sup>12</sup>

N. K. Griggs felt strong responsibility for the quality of the laws written into the Nebraska constitution. He also had pride in the honor of his position, usually adding the letters M. C. C. (Member of the Constitutional Convention) after his name when addressing letters to Epsie. Although his letters regularly began, "My Dearest Epsie," or "My Dearest Wife," and often ended, "With a kiss for Epsie," he signed himself rather formally during this second year of their marriage, as "N. K. Griggs." His wife, by contrast, in her rather infrequent but ardent letters, invariably signed herself "Epsie." Both were twenty-six.

As Griggs had predicted in one of his first letters to Epsie, the "Female Suffrage Question" proved to be one of the hardest-fought and most time-consuming issues at the 1871 convention. N. K. Griggs' reasons for being firmly opposed to woman suffrage remain a mystery unrevealed in some seven hundred letters covering forty years of his life, in the twelve hundred printed pages of verbatim minutes of the 1871 constitutional convention, in any of Griggs' published or unpublished work which has been

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<sup>12</sup> *NCC*, I, 335.

available.<sup>13</sup> But against it he was, as the official roll-calls of the convention make explicit. On almost every other issue before the convention Griggs' speeches and votes show a deep concern for justice, and on several subjects his views were ahead of his time. We can only guess that much as he seemed to respect most women, he believed their place was in the home.<sup>14</sup> In letters to Epsie his references to woman suffrage are either noncommittal or, as on June 15, slightly derisive. ("Mrs. Stanton<sup>15</sup> lectures here tomorrow evening to get us poor chaps to allow the women to vote. May she prosper on her errand of mercy.") On June 20: "This afternoon we take up the question of female suffrage and what a fight it will be. You know how I stand on the question." Yet he closed a second letter written on the same day, "Epsie I really think that I almost worship you, and there is scarcely an hour but that I think of you."

The determined band who believed that Nebraska's

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<sup>13</sup> "A Suffragist Sufferer" (in Griggs' *Lyrics of the Lariat*, p. 114), written by him in humorous vein some twenty years later, hardly gives a serious clue:

Ach, frau, mein frau, mein liebe frau,  
 Such dricks, as dese, I don't allow;  
 You go so soon, und sthay so late,  
 Unt makes poor Fritz for supper vait;  
 Unt neffer makes de fires no more,  
 Nor chops de woot, like once pefore;  
 Unt say, vat use hab men for fraus,  
 Ven dey, demselves, must milk de cows?  
 Ach, donner, how I hates dose men,  
 Dat gomes here dwenty dimes again,  
 Unt dakes you off pefore mein eyes,  
 No madder how dot paby cries;  
 Unt, frau, I dells you vat I says:  
 Iv you don't sthop dose horrit vays,  
 I'll for dose fellers chust will lie,  
 Unt gick myself unt plack mein eye. . ."

<sup>14</sup> The possibility exists that Griggs' stand against woman suffrage merely evidenced his political astuteness. Of the five separate proposals submitted to a vote along with the 1871 constitution, Woman Suffrage was more resoundingly defeated, by far, than any of the others. On all other issues before the convention, however, Griggs apparently spoke for his convictions or (rarely) kept still.

<sup>15</sup> Elizabeth Cady Stanton was president of the National Woman Suffrage Association from 1865 to 1893, and in this office was traveling and lecturing before legislative bodies and other groups in all parts of the United States.

pioneer women should be permitted to vote had a struggle even getting their measure to the floor. Outflanked and thwarted on June 20, they tried again on July 14 with W. H. Curtis' resolution that woman suffrage ought to be voted on "by females alone."

N. K. Griggs sprang promptly to his feet: "Mr. President, I move to amend by referring it to the Standing Committee on Rights of Suffrage."

Eleazer Wakeley, Democrat from Douglas County and proponent of woman suffrage, immediately offered a substitute motion to refer the resolution to the Committee of the Whole.

Edwin S. Towle of Richardson County, a Democrat but on Griggs' side in this matter, moved that "further consideration be indefinitely postponed."

The Ayes and Nays were demanded on these maneuvers, and in the end Griggs' delaying motion, the mildest of the three, was adopted. Stirring appeals for women's rights were made on the next day by John Nelson Cassell of Lancaster County, and again on August 7 by Barzillai Price of Jefferson County, but the opponents managed to sidetrack a final vote until the last week of the convention.

On the nineteenth day (July 15), Griggs was again in the Chair, as he wrote Epsie proudly, with General Manderson of Douglas County moving that they constitute themselves a Committee of the Whole to consider the report on the Bill of Rights. Before noon they were on the touchy subjects of Regulation of Railroads, Laws of Eminent Domain, Damages and Compensation, and restriction of the right of local governments to provide financial aid to corporations.

The railroads, increasingly important in the state's growth, had in attendance a corps of leading delegates to

N. K. GRIGGS  
Attorney at Law  
& NOTARY PUBLIC.

GRIGGS & WEBB  
Bankers, Attorneys  
AND  
Real Estate Agents.

R. F. WEBB  
Treasurer of  
PAGE COUNTY.

Beatrice  
Nebraska

July 21<sup>(2nd)</sup> 1874

My Dearest Jessie

I am at home again and yet not  
at home for the one that I love to meet at home  
is not here, and I feel so lonely. I arrived here last  
night, and found all glad to meet me.  
especially word and mother glad to see  
me, as it was a night. Last night we had  
a terrible rain. The rain, hail and lightning  
made up the full of a fearful night. The  
rain fell from 4 to 6 inches deep on the level.  
and our cellar is about ~~about~~ as deep in  
of water as when you was here. Now  
it is thundering and we will have more rain  
to night. Tuesday we are to have a 4<sup>th</sup> of  
July celebration, I amy pret from the M. E.  
ch, but, owing to the bad roads, only 68  
persons were in attendance. Dr. Davis intends  
to resign his position of Supt. of the  
to morrow night and they want Webb

Letterhead of the firm Griggs and Webb.



Silas Strickland. President of the Constitutional Convention



Epsie Emily Griggs.



Nathan Kirk Griggs.

look after their interests.<sup>16</sup> Speeches were long and vigorous in the morning session, waxed bitter and personal during the hot afternoon. The distinguished delegate from Otoe County, Chief Justice Oliver P. Mason, was the target of attacks from General Experience Estabrook and General Charles F. Manderson, both of Douglas County. At 6:40 P. M. Chairman Griggs got the tired and hungry delegates adjourned. He wrote Epsie from Omaha that week-end:

Genl Strickland and myself went out in town and at last went to a dutch "Beer Garden" where they were having music singing and drinking lager beer. I sat and looked on until I was tired then went to this hotel and went to bed. But sleep was almost impossible the night was so uncommonly hot. (July 16.)

Griggs arrived back in Lincoln about an hour before the twenty-first day's session began. He was "dusty and dirty," and he was also determined to speed the convention's slow-moving deliberations if it lay in his power.

"Mr. President," he declared, "I have a resolution I wish to offer." The Secretary then read his proposal:

Resolved. That upon any discussion of any subject in the committee of the whole house, no member shall be permitted to speak more than twice upon any one subject, and not to exceed 15 minutes at any one time. . . .

MR. GRIGGS. Mr. President, I move that the resolution be adopted.<sup>17</sup>

Experience Estabrook, D. T. Moore and James E. Philpott objected at once. Enos F. Gray ably supported Griggs' motion, but the resolution was rejected, 25 Ayes to 19 Nays, a two-thirds' majority being necessary to carry "under Rule 43."

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<sup>16</sup> Griggs wrote Epsie from Omaha on July 16: "This afternoon at 5 Dr. Stewart and myself are invited out to 'tea' at Hon. J. E. Boyd's house. He is a *member* of our Con. convention—President of the Omaha and N. W. R. R. also, and is a fine man. We will go as a matter of course."

The "tea" proved to be a dinner, and the evening "one of the best times I have ever had . . . I should not be surprised if I went to Salt Lake the first part of next month and if I go you may go also I expect." (July 17, 1871.)

<sup>17</sup> *NCC*, I, 416.

On August 4, however, three long hot weeks later, Griggs had the satisfaction of seeing an identical resolution carry.

The remainder of the week was marked by rising tempers and stormy debates on such subjects as Salaries of State Officers, Tests to Determine Insanity of Criminals, Representative Districts, and God in the Constitution.

Griggs supported Justice Mason on the question of higher salaries for state officials:

The ideas advanced by the gentleman from Otoe certainly meet my approval. I am opposed to making the salary of the governor \$6,000. . . . Neither am I in favor of placing it at \$2,500. I do not believe any man who has the ability to act as governor would accept such a salary, and leave his business to come here. . . . The gentleman from Washington (Mr. Ballard) says he knows a great many men capable of discharging the duties of the governor who are at present living in the ground.

Delegate Ballard countered:

I said I was opposed to fine palaces and high salaries when many of our citizens lived in the ground. I did not say they were eligible for governor, yet I do not say . . . they are not.

Replied Griggs:

Bring them into the position where they come in contact with men from all parts, and have to entertain visitors. . . . I believe that . . . the advocates of the low salaries, are the enemies of the state. What man will come here for \$2,500 when it will cost him \$3,000 or \$4,000 to pay his expenses while here? It allows no man to accept the position unless he has lots of money to spare. I am opposed to allowing any man, just because he has the money, to step in and take the place in preference to a man who is just as worthy but is unable because he is poor.<sup>18</sup>

Many speeches later they raised the governor's salary to \$3,000 a year, and other salaries accordingly, with the provision that they could be changed after five years.

Two other debate subjects of the week, God in the Constitution and Legislative Apportionment (or in their words, Representative Districts), have a modern sound.

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<sup>18</sup> NCC, I, 451.

Mr. Griggs felt strongly on both. "Today has been very stormy indeed," he wrote Epsie on July 20.<sup>19</sup> "I got almost mad once or twice, but managed to keep cool."

The debate on "God in the Constitution" had begun with the Secretary's reading of the Preamble as drafted by the Legislative Committee:

Preamble

We, the people of the state of Nebraska—grateful to Almighty God for the civil, political and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavor to secure and transmit the same unimpaired to succeeding generations—in order to form a more perfect government, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessings of liberty to ourselves and posterity, do ordain and establish this constitution for the state of Nebraska.

Delegate Seth Robinson of Lancaster County objected:

Mr. President, I move to strike out all the parenthesis, that is, beginning with the word "grateful" to and including the word "generations."

This was doubtless one of the moments when N. K. Griggs "got almost mad."

Mr. President [he said], I am not in favor of striking that out. When the people of Nebraska cannot be thankful to Almighty God for his blessings, I think they are pretty hard up.<sup>20</sup>

The vote was, predictably, 44 Nays to 2 Ayes against Robinson's motion, General Experience Estabrook being the only other opponent of God in the Constitution.

On apportionment of the legislature Griggs was also deeply stirred:

Mr. Chairman, I am in favor of this amendment [Delegate Hascall's move to substitute "representative district" for "county"] . . . . Although I represent Gage County in this convention, I also represent other counties that are sparsely settled. *I cannot vote nor will I vote to have all the power of carrying elections left with the large towns.* Suppose in

<sup>19</sup> Epsie Griggs had left Ohio in mid-July and was now visiting another group of relatives in Delhi, Iowa. It was in Delhi that she had been married to N. K. Griggs, on December 21, 1869.

<sup>20</sup> *NCC*, I, 522.

our county we have three representatives, Beatrice would get all three, and the other parts of the county would get nothing. I don't believe that because there are 150 men living in the town that they shall have the 3 representatives, and the 100 men who live in the country shall have nothing. . . .

I don't believe there is any gentleman on this floor who believes that this is fair or just. . . . I believe that when it [Hascall's amendment] prevails that justice thereby prevails and we will avoid *these swindlers and cheats*. . . . I hope that the friends of the welfare of the unpopulated part of our country, will vote for this amendment.<sup>21</sup>

Lengthy and emotional argument followed, but they adjourned with the question undecided and the Legislative Committee instructed to "sit again."

On Saturday, July 21, there might as well have been no session at all. "Our convention has adjourned until Tuesday at 2 P. M., after one of the stormiest times I ever saw," Griggs wrote Epsie in the afternoon. "All was in an uproar for a while over the question of adjournment." Victor Vifquain of Saline County had introduced the following resolution:

Resolved, that the members of this convention, while on leave or without leave of absence, or during the adjournment, will not be allowed pay.

Griggs protested:

While I am in favor of the main features of that resolution, I do not think it is fair. There are some who are not able to go home. They are left here to pay their board, and as they cannot go home it is unjust to withhold their pay. I would vote for a resolution that all who are absent or on leave should not receive pay.<sup>22</sup>

They proceeded to get into such a tangle of quarreling and confusion that finally all agreed with a voice of reason, that of Delegate A. L. Sprague of Saunders County. In view of the heat and general fatigue, he held, they could "do no more business today."

Griggs had planned to spend Sunday in Nebraska City, but now, with an extra day at his disposal, "I guess

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<sup>21</sup> *Ibid.*, I, 532. (Italics added).

<sup>22</sup> *Ibid.*, I, 551.

I will go home," he wrote Epsie, "as there is law business awaiting my coming. Oh, how I wish you was here to go with me." (July 21, 1871.)

On his return, July 25, the Nebraska constitutional convention of 1871 entered its final, but longest and most difficult phase. Night sessions became frequent, after longer, harder days of work. Three-day week-ends were no more. The perspiring delegates understood that August 1 would soon be upon them, and that many of their most troublesome tasks lay ahead. The docket was crammed: Compulsory Education, Taxation of Church Property, the whole fabric of County Government and City Government. There would be a bitter fight over the permanent location of the state capital. Fair legislative apportionment, perhaps the knottiest problem of all, had been merely postponed. And hovering over the convention was the uncomfortable knowledge of many long orations yet to come on the bottled-up subject of woman suffrage.<sup>23</sup>

The shorthand reporters began to object to the night sessions:

We require five hours for transcribing each hour's shorthand notes. We transcribe till midnight and commence again early in the morning when you hold day sessions only, but when night sessions are held we come here and report until 10 and 11 o'clock, and then are worn out and cannot go home to transcribe.<sup>24</sup>

Judge Mason declared that "in the name of the people who have to pay the taxes, and are not able to bear it," he was "ready and willing to relieve the reporters from taking anything that I may say."

To this O. A. Abbott of Hall County retorted skeptically:

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<sup>23</sup> A partial list of other issues over which long debates were held after July 25 include: Financing of Higher Education, State Supreme Court, State Immigration Board, Eligibility for the Legislature, Pay of Legislators, Impeachment, Bribery of Officials, State Contracts and Appointments, State Militia, Limitation of State Debt, Liability of Stockholders in Corporations, Municipal Aid to Railroads.

<sup>24</sup> *NCC*, II, 197. John T. Bell was the spokesman.

When men who pretend to talk about the people being burdened with taxes, and not being able to afford these expenses, and these gentlemen are those who talk the most, I think such remarks come with bad grace. I am willing to pay my share.<sup>25</sup>

It was Griggs who proposed a plan which saved the only verbatim record of a Nebraska constitutional convention.<sup>26</sup> Said he:

I would not be willing that the report should be broken off at this stage. . . . I would be willing to pay the \$3 I receive [per day] towards the pay of the reporters. . . . I know they do work until midnight. When we quit at night we have our leisure, but these men have to work for hours and then do not get through more than half.<sup>27</sup>

After protracted dispute the convention voted, 27 to 16, to pay the reporters \$150 extra for five night sessions. Each member was to contribute three dollars of his own pay to make up the \$150. As it turned out, there were many more than five night sessions.

Several times Griggs had written Epsie that the convention would adjourn by August first. He now received a delayed letter sent by her from Delhi in eastern Iowa:

Kirk, I presume you don't know when you will get your work done there but do you guess you will be through by the first of Aug. ? That is the time I have set for my return but I want you to go home with me.

Kirk, shall I come by the way of Omaha or Neb. City?

.....

Oh, how I want to see you! (July 19, 1871.)

He replied at once:

I do not know when our convention will be over. . . . It don't make any difference. . . . you can stay with me in Lincoln until I go home with you. I want you to come as soon as your visit is over for I am impatient to see you and

<sup>25</sup> *Ibid.*, II, 198.

<sup>26</sup> The economy-minded Convention of 1875, which produced what for some years was called "The Grasshopper Constitution," kept no verbatim record of its proceedings. "We have only the journal, the memories of members, newspaper accounts and letters from which to reconstruct its proceedings," A. E. Sheldon wrote in 1905, in his *Brief for a Special Item of \$2,500 to Publish Debates of Nebraska Constitutional Convention of 1871*. (NCC, I, 10.)

<sup>27</sup> *Ibid.*, II, 198.

if you can come the 1st of August I will be looking for you then. You had best come by the way of Plattsmouth and then right on to Lincoln. I presume you can come to Omaha and then to Lincoln better than. . . to Neb. City and then here. (July 26.)

With July 27 his letters to Epsie ceased until August 8. Evidently she arrived in Lincoln about August first, stayed for a week, saw that the convention would drag on longer than expected, and consented to Kirk's taking her home. His August letters to her were addressed to Beatrice.

The first question up for debate after Epsie's arrival in Lincoln was on the important subject of Compulsory Education, which numerous members of the 1871 convention considered "an invasion of the sanctity of the fire-side." Said R. F. Stevenson, Democrat of Cuming County:

God, when he created us, placed us here as free moral agents. . . . Let us erect school houses; give the children a chance to attend, and if they do not embrace the opportunity, the state is not to blame.

A. J. Weaver countered eloquently:

Under a republican form of government there is safety and prosperity only to the extent of the enlightenment of the people. . . . I ask the question whether education is not the strong armor with which to fight the battles of life? Whether if it shall once become universal it will not have a tendency to do away with riot, revolution, bloodshed and war? . . . Enlightenment is the only safeguard against extremes and excesses.

Delegate J. A. Kenaston of Cass County declared that

. . . very poor, infirm . . . aged parents . . . may need the attention of their child even though he be under 16 years of age. This very section would tend to instruct the child to disregard his parents, and set aside the first law of nature.

N. K. Griggs delivered one of the final arguments:

I am in favor of compulsory education because I believe it is right. While I believe the parents has rights; yet . . . I say that the child has a right to an education, and a right that the state must protect and care for, and if the parent refuses to give to that child the education necessary for it,

it is the place of the state to step in and give it that necessary education.<sup>28</sup>

By midweek Griggs and Judge Mason were at odds on Annual vs. Biennial Sessions of the Legislature. Griggs had declared:

In this state, progressing as we are now, we need annual sessions. There are new things growing up that need the care of the legislature, and I hope it will remain as it is.

Judge Mason objected to annual sessions with his usual complaint of the financial burden to the taxpayers, claiming that each session would cost the people \$75,000. He added a nasty thrust:

And somebody will enquire, "Why do you have annual sessions of the legislature?" Somebody may answer, "To make great men out of small politicians." The people will answer, "We have no special interest in that."

Griggs kept his temper:

Mr. Chairman, I only wish to notice the matter of the expense of this annual legislature. The gentleman from Otoe (Mr. Mason) says it will be about \$75,000 for each session. I would say, sir that this is simply bosh. This convention of 52 members has been here in session for about 2 months, and we have not yet expended \$15,000. It is not possible that we should expend more than \$25,000 at any session.<sup>29</sup>

He went on vigorously, but was voted down. Yet he won the next round, when the delegates agreed to his amendment to increase the pay of state legislators from three dollars to four dollars per day.

The next day, August 3, the convention entered the sensitive areas of Impeachment,<sup>30</sup> Bribery of Officials, Legislative Privilege, State Contracts and Appointments. Justice Mason deeply offended General Strickland, president of the convention, by saying:

Men who are handling the state funds today. . . . I am informed upon reliable authority, use that fund to buy war-rants at fifteen per cent discount. . . . State officers . . .

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<sup>28</sup> *Ibid.*, II, 229-234, *passim*.

<sup>29</sup> *Ibid.*, 335-337, *passim*.

<sup>30</sup> Less than two weeks before the 1871 constitutional convention opened, Governor David Butler had been impeached and removed from office for misuse of state funds.

make their fifteen per cent. I want to cut this evil up by the roots, and to make it a penitentiary offense to do this thing.

MR. ABBOTT. I desire to know who they are.

MR. MASON. I will inform you.

General Strickland apparently decided this had gone far enough. With the eloquence of strong emotion he delivered the longest presidential speech of the convention:

Branding the entire legislature of the state of Nebraska as unworthy of any trust of honor! . . . It is a standing insult to every man who aspires to the position of serving his constituency in the legislature.

.....

My friend says he speaks for poor, weak, suffering humanity. I am not one of those who believes in the doctrine of total depravity. . . . Why, there is so much more good in man than evil. . . . See the spires of our beautiful churches pointing heavenward, and see how many are preaching the gospel of Christ; and the world . . . is getting better every day, and has been for 1800 years.

We could not have the liberty we have, education, and the security of personal rights if it were not that the great streak in mortal man was goodness, tempered only occasionally with meanness.

There have appeared in the legislative bodies of this state men who have sold out the . . . rights of their constituents for dollars and cents. But where are they today? They never made their appearance a second time, and I never knew a constituency that did not punish a representative when he came home with the smell of corruption on his garments. . . . It is a high and solemn position to come here . . . to make an organic law. . . . And withered be the man's right arm, and blackened be his heart, or damned his soul that would sell his vote or corrupt his opinions. . . . I beg of you, as honorable men, do not class the legislature which is to come here, as a band of thieves and corruptionists. Assume in your organic law that they are honorable men. Make your criminal law strong enough to punish crime. But let the word "honorable" stand before those who do honorably.

Now, sir, lastly and forever, I protest against this insult to the whole state.<sup>31</sup>

There was no rebuttal. Chastened, the delegates turned to less flammable subjects—Drainage, Mining, State Printing, Limitation of State Debt. And they behaved amicably

<sup>31</sup> NCC, II, 382-384, *passim*.

until the next day, when bitter quarrels broke out over the permanent location of the state capital. Griggs took no part in this fight, which was reaching unseemly proportions when D. T. Moore of York County restored sanity by poking fun at the extravagant attacks being faithfully recorded for all time by the shorthand reporters.

They adjourned at 6:20 P. M. When they reconvened at 8:00 P. M., the delegates were at last ready to adopt a resolution limiting speeches to fifteen minutes. N. K. Griggs must have taken no little pleasure in moving the adoption of the resolution.

Griggs was able to provide effective leadership when the constitution-makers turned to practical questions of county government. Although he had lived in Beatrice only four years, he with his mother and brothers had staked their claims in the early days, when the first house in Beatrice, "Pap Towle's Cabin," still served as wayside inn and postoffice. By all accounts N. K. Griggs was a man of "boundless energy" and versatility. In four years he had touched county government at many points.

He spoke first for the counties' right to levy sufficient taxes to conduct essential business:

Mr. Chairman . . . It is necessary that there should be a provision for levying a tax of more than 2 mills. We could not carry on our county government if we did not. You must recollect that in these western counties we have not so large an amount of property to tax, as there is in the eastern counties. Jefferson County had only about \$500,000 valuation last year. . . . Leave us the right to levy in the western counties the amount necessary to carry on our county government. I give you my word that we don't intend to levy a larger amount than we need.<sup>32</sup>

Because he took Epsie to Beatrice on the week-end and had to make the slow stagecoach trip back on Monday afternoon, he missed most of Monday's session, which unfortunately was concerned with the Article on Counties. His first letter home expressed his regret:

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<sup>32</sup> *Ibid.*, II, 457-458.

We arrived last evening at sundown hot and weary, and found that a large amount of business had been done in our absence. (August 8, 1871.)

He had missed Location of County Seats, Division of Counties, County Judges, and Salaries of County Officers. But he was in time to have his say on the County Commissioner system, and on the eligibility of the County Treasurer to be re-elected. His remarks were direct on both subjects:

It seems to me this should be left in the hands of the people, and if they do not want him they will not keep him. I never knew a man to become popular by becoming a treasurer. . .

I think it is time we were rid of the county commissioner system. I wish in our fundamental laws to have the hands of the legislature tied up so that the people if they want township organizations shall have them.<sup>33</sup>

During the final week of the convention N. K. Griggs made his two longest and perhaps most fervent speeches. He knew that one of his chief duties, as a delegate from Gage County, was to press for municipal aid to railroads. As R. C. Overton, writing in *Burlington West* of the Beatrice of 1872, pointed out, "Beatrice itself was virtually created by the building of the Burlington railroad. A town lot company operated within its limits, and its people were well aware of the monopolistic characteristics of all large corporations. Nevertheless, when the Burlington offered to buy for development 120 acres within the town, the local editor urged that the deal be consummated." Overton cited the following editorial:

#### OUR OPPORTUNITY

In these degenerate days, the growth and prosperity of western towns are dependent almost wholly upon the railroad companies. They, like all the rest of us, are trying to make money.

Not only is the location of their lines determined by their pecuniary interest, but a company, like the B & M, with a great and perfect system of advertising extending throughout the civilized world, can and does build up towns or tear them down, as interest dictates. One place gets a great corporation interested in welfare, and in a few years

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<sup>33</sup> *Ibid.*, II, 507.

it becomes a flourishing city. Another gets the ill-will of the same company, and forthwith grass grows in its streets.

It becomes us then to MAKE THE RAILROAD COMPANIES OUR ALLIES, by pursuing toward them such a generous policy as will make it possible for them to work for their interest and ours at the same time. . . . The B & M. Co. . . . do not come begging—it is a fair business transaction, and one of vast consequence to us. . . . There are towns on the north and on the south which they *can* make money building up, and this they will do if we choose to give them the cold shoulder. It is not too much to say that no more important opportunity ever presented itself to Beatrice.

*Beatrice Express*, May 4, 1872.<sup>34</sup>

As we have seen, Griggs had a passionate interest in the growth of the "new lands" of the West. In particular he had a pioneer's concern for the undeveloped western counties of Nebraska. Therefore, when the convention debated Municipal Aid to Railroads, he spoke from a full heart (and he knew his constituents were with him):

Where do you find the opposition to voting bonds to railroads? We know we must have railroads in the southern and western portions of the state, or to use a common phrase, we are gone up. Without railroads our emigration<sup>35</sup> ceases, our trade is ruined—we have no market for our produce. When my colleague, Mr. Reynolds, and I come up to this convention, we are compelled to travel forty miles in a stage coach. I think if my friend, the Chief Justice (Mr. Mason) had to ride forty miles in a stage coach every time he came here, he would cry out of the other corner of his mouth. (Laughter.) I say that we should have the same right in the west that has been given to those in the east.

The gentleman from Dodge (Mr. Gray) is also opposed to granting aid to the railroads. Look at the county he represents,—look at the town in which he lives (Fremont), you will find that his place of residence has three railroads. . . . *They come here and say that we, who have no railroads, cannot aid in building them unless we get a vote of three-fifths of the voters in the county in favor of it.* I say, leave it so that the majority can vote aid to railroads, if they wish to.<sup>36</sup>

When the vote came, the men from the larger towns had their way, and the Nebraska constitution of 1871 as submitted to the voters closely followed, in this respect as

<sup>34</sup> Richard C. Overton, *Burlington West* (Cambridge, 1941), pp. 379-380.

<sup>35</sup> "Emigration" must be the reporter's error for "immigration."

<sup>36</sup> *NCC*, III, pp. 43-44. (Italics added).

in many others, the Illinois constitution of 1870, "a Granger document affirming the right of the legislature to regulate railroads and seriously restricting the rights of local governments to provide financial aid to corporations."<sup>37</sup>

After this defeat a Cassandra-like note was occasionally discernible in Griggs' few remaining speeches, as he warned the delegates that their summer's work was in danger of being rejected by the voters at the special election in September. As the event proved, he was correct, although the vote—8,627 con to 7,986 pro—was not overwhelming against the constitution itself.<sup>38</sup>

Before Griggs' other major speech, the advocates of woman suffrage had their day. Actually, they had four days, plus two well-attended night sessions. Griggs wrote Epsie:

Last night we had up for argument the woman suffrage question with a large crowd in the gallery. Estabrook was all the one that spoke upon the subject and we will again argue the subject tonight. (Aug. 11, 1871.)

During the long debates on woman suffrage, Griggs said nothing, but voted in favor of all maneuvers against it. On Tuesday, the fourth day of debate, he wrote Epsie at 8:00 A. M. from the convention hall:

We are having hot times here. We have just voted down the woman suffrage question by a vote of 23 to 10, and the other side is trying to again resurrect (*sic*) the question. I don't think they can do anything. Last night Mason made a great speech against woman suffrage. . .

<sup>37</sup> Olson, 187.

<sup>38</sup> It is interesting to gauge N. K. Griggs' political acumen by comparing the popular vote on the five separate proposals submitted to the voters in September along with the constitution, with Griggs' positions in the debates.

<i>Proposal</i>	<i>Popular vote</i> J. C. Olson's figures (see note 37 above.)	<i>Griggs' position</i>
(1) Liability of stockholders	7,425 pro, 8,580 con	CON
(2) Prohibition of County and municipal aid to corporations	6,690 pro, 9,549 con	CON
(3) Compulsory education	6,289 pro, 9,958 con	PRO
(4) Prohibition issue to be submitted to voters	6,071 pro, 10,160 con	CON
(5) Woman suffrage	3,502 pro, 12,496 con	CON

The fact is Epsie I am trying to write, and I can't. The woman Suffrage question has entirely turned the convention wrong side up. Now dear I will close. Hoping you are well and happy at home, I remain your loving husband. I send a kiss.

N. K. GRIGGS  
(August 15, 1871.)

Later on this day, August 15, he gave his longest and one of his best speeches. It was in opposition to a bizarre scheme for minority representation advanced by Eleazer Wakeley of Douglas County.<sup>39</sup> Wakeley's proposal has no relevance here, but N. K. Griggs' speech in rebuttal emphasized a number of important principles.

MR. GRIGGS. I move that this proposition be indefinitely postponed. I am opposed to this scheme of mushroom growth, for very many reasons. . . . I do not believe it to be consistent with true public policy. It is an old democratic saying that, the majority shall rule; it is a saying, or rather an axiom, that has been re-echoed by Calhoun, Webster, Clay and all the great statesmen who have left their wisdom upon the pages of history. . . . Pure minority representation. . . . can not be had except by allowing every elector to come to the capital in person, and be his own representative.

.....

The wish of the majority. . . . should administer the affairs of the government until the minority should increase in numbers and become the majority and bid them take a back seat. . . . The majority at first rules in justice and right, but at last becomes corrupt, and the government trembles and staggers beneath her load of political dishonesty and impurity.

.....

Mr. President, (Wakeley's) minority plan would be offering a premium to bribery and corruption. The corrupt moneyed politician who would have to bribe 300 voters in order to secure an election to office, would find it much easier to find 100 voters who would cast their three votes each for him, and thus elect him to the desired position.

.....

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<sup>39</sup> Wakeley's "Proposition": "At any election, when three or more persons are to be elected to the same office by the same constituency, each qualified voter may cast as many votes for any candidate as there are persons to be elected to such office, or may distribute the same, or equal parts thereof, as he may see fit, among the candidates, not exceeding the number to be elected. The candidates highest in votes shall be declared elected; or, if an equal vote for two or more having the requisite number shall require it, the choice between them shall be made by lot." *NCC*, III, p. 259.

Some may think this opposition to minority representation is coming from the Republicans alone, yet any careful observer will say that it is not a political question at all, but simply one of public policy and justice. I cannot, in view of what I consider to be right, vote for what I consider to be this humbug minority representation.

But, Mr. President, I have been asked, What harm can there be in submitting this question to the people to be voted upon? I answer that, why not submit every disputed question to the people to be voted upon? . . . Anything we submit comes to the people with a sort of endorsement or recommendation from this convention. . . . I believe that it is one of those subtle propositions that the mass of the people would not understand, and, if adopted, would do more to uproot our democratic institutions than anything else we could do.

.....

MR. WAKELEY. Mr. President, I move a call of the house.

Incredibly, Wakeley's scheme was adopted, 23 to 16;<sup>40</sup> and the convention turned back to woman suffrage, adjourning at 1:30 in the morning. "We are having a terrible time, all excitement and confusion," Griggs wrote Epsie on August 16. "Last night our Session lasted until 1:30 in the morning, had up the woman suffrage question and scooped it. We are determined to be through Friday. I am quite well and would like to be at home."

But the clique led by Douglas County, having tasted blood, had yet another stinging defeat to administer. Before the day was over they had won a plan for legislative apportionment which favored the larger counties. Griggs, Sprague, Moore, Price, even the redoubtable Judge Mason from relatively populous Otoe County, protested in vain. Griggs began mildly, albeit with one of his warnings which a month later became fact. He cited figures to show the injustice of the proposed apportionment:

Mr. Chairman, I would like to see this rule adhered to less strictly. *If we do not we will insure the defeat of the constitution.* Take Johnson and Gage Counties. Johnson County has enough for two representatives; she gets but

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<sup>40</sup> *NCC*, III, 259-266, *passim*. However, through some backstage trading apparently maneuvered by President Strickland after the session closed at 1:30 A.M., Wakeley's victory was scuttled on August 16. See *NCC*, III, 349; and Wakeley's wry comment on the steamroller device used, 350.

one. Gage County has within 47, and 77, respectively, of having enough for 1 more representative and one more senator, whereas we have but one of each. Now as Richardson County has already four representatives, if Otoe is willing to give one away, let her give it to Johnson County. If Douglas County is going to be so just, let her give her other representative to our county. If the rule has been 21 and 63, it would have let in our county, and Sarpy County also.

But Wakeley, Woolworth, Towle & Co. knew they had the votes:

MR. TOWLE. I move the adoption of the section.

MR. GRIGGS. I do not presume that anything that could be said would change this. I see the tide has set in and is carrying everything with it. But I want to enter my protest; *and those who have urged this thing are working against the western country. I shall remember them.*

MR. PRICE. So will I.<sup>41</sup>

The unjust apportionment was adopted by a vote of 29 to 11.

Griggs had written Epsie, "We are determined to be through Friday." For himself, he had decided that Friday would be his last day at the convention, even if it meant missing the farewell speeches and resolutions of thanks. He wrote one more letter home on Thursday, August 17:

My Dearest Wife

This beautiful morning finds me writing to the one I best love.

The work of our convention is over, except the work of *revision* which will take all day tomorrow.

Last evening I was at the State Teachers' Association and came home at 10 o'clock. . . . We have a couple of young ladies boarding here during the association, they are from Omaha. One of them sings very well and as a matter of course we sing a song occasionally.

Now dear I will close. I will be at home Saturday—I send a kiss.

Your loving husband  
N. K. GRIGGS

In the convention hall his remaining remarks were concentrated on urging the delegates to adjourn. He gained the floor on Thursday to read a short piece from the *Omaha*

<sup>41</sup> *Ibid.*, III, 313-3-8, *passim*. (Italics added.)

*Bee* on "Legislating Too Much." They had begun to consider two further items, Municipal Corporations and County Clerks' Salaries. The delegate from York County protested:

MR. MOORE. Mr. Chairman, I think this is perfect nonsense. I see no reason why we should continue to legislate for the legislatures of the next twenty years.

MR. GRIGGS. Mr. Chairman, I would like to ask the committee the privilege of reading from the *Omaha Bee*.

"The constitutional convention should remember that the world is often governed too much. Any attempt to interfere with the privileges of the people to legislate for themselves through representatives, as exigencies may from time to time arise, *will meet with rebuke at the ballot box*, which threatens seriously to destroy the entire constitutional fabric, spun and woven at such great expenditure of time, money, and above all, invaluable brains."<sup>42</sup>

Friday they worked all day on revision. Griggs rose shortly before noon to urge, "Mr. President, all I wish to say is I hope the speakers will confine themselves to short speeches this afternoon." At 3:25 P. M. they recessed for an hour and a half. As they began again, shortly after 5:00 P. M., Griggs made a last plea:

I hope we may succeed in finishing it tonight. I would call the attention of the Convention to the fact that those who live in the south part of the state, off the line of railroad, cannot get home this week unless they start tomorrow morning at 6 o'clock.<sup>43</sup>

Erratically, they adjourned a half-hour later "until 10:10 P. M.," but then, upon reassembling, recessed at once until 11:30 P. M. After that, for three hours they voted thanks to President Strickland, thanks to the secretaries, the reporters and the chaplain; they listened to the farewell address of the president, and the closing prayer of the chaplain. As three o'clock in the morning approached, President Strickland raised his gavel:

Gentlemen, wishing you safe return to your homes; wishing you success in the ordinary pursuits of life; wishing you honor in any public station in future service; wishing

<sup>42</sup> *Ibid.*, III, 471. (Italics added.)

<sup>43</sup> *Ibid.*, III, 419.

you well in this world and the world to come, I declare this convention adjourned, without day.<sup>44</sup>

Nathan Kirk Griggs was listed as absent and not voting on the resolutions of thanks. He was probably on his way to Beatrice to keep his promise, "I will be at home Saturday."

"Early pioneers seem to have come to Nebraska in significant numbers for the express purpose of carving out political careers for themselves in the new territory," James C. Olson has pointed out in his *History of Nebraska*.<sup>45</sup> There is abundant evidence in N. K. Griggs' life and letters that he was one of these. Frequently over the years in letters written to his wife on June 3 he would remind her that "twenty years ago today," or "thirty-two years ago today," he had walked from his mother's claim in Pawnee County to Beatrice, "to seek my fortune." He last mentioned this "anniversary," as he sometimes called it, about three months before his death. Writing to Epsie from Chicago on June 1, 1910, he added the postscript: "Today 43 years ago, I was just getting ready, down in Pawnee Co., to start for Beatrice, for wealth and fame. . . ."

Alvin Johnson, writing of the cultural history of Nebraska in the decades just preceding and just following the Civil War, said that in those days, "every young man of spirit dreamed of political office."<sup>46</sup> In the Beatrice of 1867, N. K. Griggs' "musical talent and social qualities had made him a welcome addition to the frontier village, and he soon became one of the leading spirits of the place. . . . Almost at first appearance among the politicians he was chosen President of a state Republican Convention, a position to which he was repeatedly subsequently called."<sup>47</sup>

He may have felt somewhat discouraged as he rode back to Beatrice after the Nebraska constitutional convention of 1871, but it was not in his nature to be despondent

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<sup>44</sup> *Ibid.*, III, 424.

<sup>45</sup> Olson, *op. cit.*, 122.

<sup>46</sup> Alvin S. Johnson, letter to Mamie Meredith, Feb. 4, 1964.

<sup>47</sup> Morton and Watkins, *Illustrated History of Nebraska* (Lincoln, 1905), I, 666.

for long. Nor is it likely that he took pleasure, a month later, in seeing his prophecy of the constitution's rejection, fulfilled at the polls.

Nathan Kirk Griggs was not yet twenty-seven. Within a few months he was energetically campaigning for election to the state senate; in November, 1872, he won handily, and two years later was re-elected "by the unparalleled majority of 6,500."<sup>48</sup> And in January, 1875, after being unanimously chosen president of the Nebraska state senate, he left the Chamber and sent a telegram to a friend in Beatrice:

"I am elected President by acclamation tell Epsie."

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<sup>48</sup> *Ibid.*, I, 666-667.