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1953-1955**

Theodore J. Wehrbein
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THE POLITICAL CAREER OF ROBERT B. CROSBY
NEBRASKA GOVERNOR, 1953-1955

A Thesis

Presented to the
Department of History
and the
Faculty of the Graduate College
University of Nebraska

In Partial Fulfillment
Of the Requirements for the Degree
Master of Arts
University of Nebraska at Omaha

by

Theodore J. Wehrbein

December 2006

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THESIS ACCEPTANCE

Acceptance for the faculty of the Graduate College,
University of Nebraska, in partial fulfillment of the
Requirements for the degree Master of Arts,
University of Nebraska at Omaha.

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THE POLITICAL CAREER OF ROBERT B. CROSBY
NEBRASKA GOVERNOR, 1953-1955

Theodore J. Wehrbein, MA

University of Nebraska at Omaha, 2006

Advisor: Dr. Mark Scherer

This thesis examines the political career of Robert B. Crosby, Nebraska's twenty-seventh governor, whose early popularity ended with his efforts to comply with a State Supreme Court mandate to equalize state-wide property tax assessments. Elected to the Nebraska Legislature in 1940 and re-elected in 1942, Crosby was chosen at the age of 31 as the Speaker of the Legislature in 1943, the youngest person ever to hold that position. After serving two years in the United States Navy, he successfully ran as a Republican candidate for Lieutenant Governor in 1946, and then, in a landslide victory, was elected Governor in 1952.

Crosby's sharp intellect, self-effacing demeanor, and wit attracted people to him. Always a partisan Republican who espoused conservative government and the importance of self-determination Crosby, in fact, steered a moderate course in politics.

The day after Crosby took office in January 1953, the Nebraska Supreme Court ruled that the state had to equalize

all state property tax assessments. He and the Legislature had little success in implementing a plan that would be fair for all taxpayers. Crosby then focused on the state's shortfall in personal property taxes and, through an initiative called "Operation Honesty," admonished citizens to be truthful in reporting their property to be taxed. He was denounced for "meddling" and blamed for increased taxes caused by the equalization effort.

Doubtful of winning re-election, Crosby sought the U.S. Senate seat only to be defeated in the 1954 Republican primary by Carl Curtis. With that first and only defeat in his political career, Crosby turned his back on any further public office and returned to private law practice.

Crosby's unsuccessful attempts to correct the state's tax problems eventually led the state to end the personal property tax in 1967 and replace it with a combination sales and income tax. Although his eight years in public office were relatively short, Crosby's dedication to state government and his honest efforts to help solve the state's tax assessment dilemma make him one of Nebraska's more notable public servants.

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I would like to offer my sincere appreciation to my committee chairman, Dr. Mark Scherer, for his encouraging and supporting efforts in guiding me through this thesis project. As a fellow "late bloomer" in the field of history, I have sensed his understanding and patience in helping me pursue my new focus in my life as a "budding history teacher." Certainly his own career transition has given me a notable example that such an effort is not only possible, but can be successful. The passion and command

of his subject that Dr. Scherer demonstrates has been a real inspiration to me.

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It has been my good fortune to be able to write about former Governor Robert B. Crosby, whom I knew for nearly sixteen years. The research and interviews that I have undertaken have been most enjoyable and gratifying. I am particularly indebted to his children, Robert M. Crosby and Susan Crosby Smith for sharing their family history with me. To Ardis Hunt Douglas, Governor Crosby's long-time personal secretary, I owe much for her "scrapbook of memories" and many leads in searching out details of Crosby's political career. LaVon Crosby, wife and former Nebraska State Legislator, has been most helpful in placing Robert B. Crosby's life in context with other political figures and events in the state.

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I am most grateful of all for my wonderful, supportive family who endured more than three years of seeing me with my nose in a book or in front of a computer screen. I am indebted to my daughters, Amy and Jenny, who helped with the editing and shared their computer skills which enhanced my paper in ways I could not have done myself. They, along with my 98-year-old mother, have been my most endearing cheerleaders.

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CHAPTER 1

THE FAMILY HERITAGE

"Bob was headed for a political career from the day he was born."

Robert Berkey Crosby was born to Mainard E. and Cora May (Berkey) Crosby in North Platte, Nebraska, on March 26, 1911. Elected the twenty-seventh governor of Nebraska in 1952, he was the third governor, following Keith Neville and Robert Cochran, to come from North Platte. After graduating from the University of Minnesota at the age of 19, Crosby entered Harvard University Law School in 1931. Forced to take some time off to earn money because of the Depression, he completed his law degree in 1935 and returned to Nebraska. In 1940, at the age of 29, he won election to the Nebraska Legislature and two years later was chosen by his colleagues to be Speaker of the House, becoming the youngest person ever to hold that position.¹ Following those first successful years in the legislature, Crosby became engrossed in politics and was eventually elected Lieutenant Governor and then, at the age of 41, Governor of Nebraska in 1952.

Politics and community service were a major part of the Crosby family history in Nebraska. His great-

grandfather, John H. Powers, who earned the title of "Honest John Powers," ran as the first Populist candidate for governor in 1890 and was narrowly defeated. However, there is some doubt whether he really lost. Addison E. Sheldon of the Nebraska State Historical Society maintained that Powers had actually been elected governor but was "counted out" under a defective election system.² As the former state president of the Farmers Alliance, Powers was appointed the State Labor Commissioner under Governor Silas A. Holcomb in 1895. Having served in the Union Army during the Civil War, he was later selected to be Adjutant of the Soldiers and Sailors Home in Grand Island.³

Crosby's paternal grandfather, Adelbert Crosby, married Lucy Powers and homesteaded in Lincoln County, south of Sutherland. His maternal grandfather, James Berkey, married Ann Olsen and homesteaded near Davenport, Nebraska. Both of Crosby's parents grew up on those family homesteads and worked hard to earn enough money to attend the University of Nebraska in Lincoln. After both were graduated from the University in 1908, they married in 1909 and moved to North Platte where Mainard, Crosby's father, established a successful law practice.⁴

Public service was part of Robert Crosby's family heritage. His father served as Lincoln County Attorney, mayor of North Platte, and as a leader in numerous civic organizations during his 60-year career as a lawyer. He served as president of the Western Nebraska Bar Association, North Platte Rotary Club, and master of Masonic Lodge, No. 32. He served as an elder for more than 40 years in the Presbyterian Church.⁵ His mother, also active in the church as a Sunday school teacher, served in the Church Missionary Society. She organized the first Camp Fire Girls Club in North Platte, served as longtime chairman of the volunteer Red Cross Service Committee, and worked diligently on the local Salvation Army board. Her genuine interest in and love for working with people contributed to her being named the North Platte Mother of the Year in 1953, and Nebraska Mother of the Year in 1955.⁶ Bob was extremely proud of his parents and emulated them throughout his entire life. With this strong family tradition of church and community service, Crosby, in like manner, became involved in many of the same activities as his parents throughout his public career.

Crosby's education at North Platte High School included membership on the debate team, student council,

yearbook staff, and the tennis team. He reluctantly gave up football after accepting the fact that he was too small to play the game. Debate and tennis would remain favorite pastimes and interests throughout his lifetime. Crosby graduated second in his high school class in 1927, receiving awards for scholarship and citizenship, two areas in which he distinguished himself further in later years. The Crosby family enjoyed music and singing, and young Bob learned to play the violin while in grade school. High school activities, however, soon took priority over his music and he discontinued his violin studies, but he continued to enjoy music throughout his entire life.⁷

At the age of sixteen, following graduation from North Platte High School, Crosby enrolled at Hastings College. He attended Hastings for two years, during which he totally immersed himself in campus life, using every opportunity to develop his skills in debate and public speaking. Lauren Williams, a fellow student at Hastings, remembered Crosby as a "pleasant serious young chap, who looked more like a 14-year-old than a college man."⁸ His youthful appearance, however, did not prevent him from being elected president of the freshman class. Crosby's activities included the college debate team, tennis team, Gospel Team, and service

as a sports reporter for *The Hastings Collegian*.⁹ In the 1928 yearbook, *The Bronco*, Crosby is pictured with the three-man negative debate team with the following caption:

Robert Crosby - Crosby, although only a freshman, made a good showing this year as a first speaker for the negative team. Hastings can expect big things from the lad from North Platte. Of the twelve decision debates that they participated in they won eleven and lost one. They also debated in three no decision debates.¹⁰

While at Hastings College, Crosby continued his interest in church activities as a member of the Gospel Team. This group of college men traveled to towns throughout the state and took charge of church services in the absence of the minister. As captain of the team his sophomore year, Crosby arranged many speaking engagements that helped him become familiar with the people of small towns and rural Nebraska.¹¹

After two years at Hastings, Crosby transferred to the University of Minnesota in 1929, still inclined to follow in his father's footsteps and become a lawyer. He had reasoned that he might have a better chance of being accepted by an Ivy League law school if he were to graduate from a major university.¹² The University of Minnesota had a well-known reputation in English literature which also appealed to him. For a brief time during his college years

in Minnesota, Crosby considered becoming an author, but soon dropped his fledgling writing career when none of his manuscripts sold. He later insisted that he never thought about politics while in college or even considered taking a political science course.¹³ As the Depression set in, Crosby, in an effort to reduce expenses, decided to accelerate his education at Minnesota in order to graduate at mid-year. He worked his way through school by waiting on tables and preparing breakfasts at the Faculty Club. At the age of nineteen, Crosby received his B.A. *cum laude* in English Literature and Philosophy in January of 1931.¹⁴

From January to September of 1931, Crosby worked for the Nebraska State Highway Department, assisting a gravel crew and carrying chain. It was perhaps this experience with road construction that established his interest in good highways, which consumed much of his time as Governor of Nebraska. That fall he entered Harvard Law School where his first-year grades earned him a scholarship for the following year. It was an honor he could not immediately enjoy, however, as he was forced to return home to assist his family during the economic distress of the Depression. Crosby found a job at the Day Milling Company in North Platte, delivering coal, working in the flour mill, and

serving as a general handyman. After working a year to earn enough money, he returned to law school and utilized his previously-unused scholarship. He again supported himself by waiting tables at a restaurant near the university campus, an experience, he later said, that caused him to become much more generous in his tipping habits. While working there he met Betty Ehler, a Nova Scotia sea captain's daughter, who was a waitress at that same restaurant, attending a secretarial school in Cambridge. Following a two-year courtship they were married on November 29, 1934, during Crosby's last year in law school. In 1935 he graduated with his LL.B. degree from Harvard Law School, ranking in the top ten percent of his class.¹⁵ Crosby recalled years later, that the reason he went to law school and followed in his father's footsteps, was because it was the "line of least resistance."¹⁶ At that time he said he never considered a political career, but had decided he had to make a living and the law was the only thing he was "really serious about."¹⁷ This disavowal of political ambitions would later be debated at length by family and friends. His wife, Betty, always insisted that "Bob was headed for a political career from the day he was born," citing several specific

indications as well as her own feminine intuition.¹⁸ Abel V. Shotwell, fellow Omaha attorney and Republican National Committeeman, agreed, saying "maybe Bob wasn't conscious of the fact, but he was heading for a political career from the start."¹⁹

When Crosby returned to Nebraska in 1935, the state was still in the depths of the Depression. After several months in North Platte struggling for enough work, his father urged him to seek a position in Omaha with attorney Henry Beal. Initially turned down, he persisted enough that Beal finally hired him for \$75 a month. Crosby quickly revealed his legal acumen. Beal gave him the file of a pending case and the young lawyer started to work immediately. After two days, Beal asked Crosby how he was coming along on the assigned case, to which Crosby replied that they should ask for more money, as he had discovered that an obscure common law, the "rule against perpetuities," had been violated. Beal asked for proof and his young employee stated that he had twenty books to back up his claim. Armed with Crosby's brief, Beal went to Alliance to try the case, which was being opposed by State Senator Harry Gantz. During a short eight-minute courtroom session, Beal pointed out that the rule against

perpetuities had been violated by the state. To the astonishment of Gantz, the judge agreed and told Beal to go ahead and draw up the decree. The decree gave Beal's client \$4000 more than Beal had originally sought. As old friends, attorneys Beal and Gantz had lunch together after court, and Gantz confided that he had never heard of the legal principle that Beal had sprung on him. Beal replied that "he needn't feel too bad about it, because he had never heard of it either. A young kid from Harvard in my office dug it up."²⁰ Crosby had proven his worth and earned his first year's salary on his first case.

While working for Beal, who was the Douglas County Republican chairman, Crosby gained his first opportunity to give a political speech. Beal asked him to speak in support of Republican Alfred M. Landon in the 1936 Presidential campaign. Thus began Crosby's first real exposure to political campaigning, as his father had been basically nonpolitical in his career in North Platte. As the 1936 campaign proceeded, he and Betty became more involved in the Republican Party organization and were subsequently "baptized into politics" during the Democratic landslide that year. In explaining the adoption of his political philosophy, Crosby often recalled that "he had

taken his sheepskin out the door and turned to the right instead of to the left."²¹

While in Omaha he joined the Barristers Club, a social organization for young lawyers. In that group, Crosby became acquainted with Roman Hruska, who later became a United States Senator and lifelong friend. The Crosbys lived in Omaha for only 13 months, during which time their first child, Robert Mainard Crosby, was born on June 10, 1936. In January of 1937, Crosby returned to North Platte, after the senior member of his father's law firm died, and joined his father, Mainard, and his older brother, Horace, in the family law practice until 1952.²²

The Crosby law firm had a general practice that represented a variety of western Nebraska interests. Mainard was considered one of the leading irrigation and water resource lawyers in the state, representing the Platte Valley Public Power and Irrigation District. During these years the young Crosby began "cutting his teeth" on irrigation law while working with the Paxton-Hershey Irrigation District and the Keith and Lincoln County Irrigation Districts.²³

Like his parents, Crosby became active in the First Presbyterian Church and many civic organizations in North

Platte. He served as president of the Lincoln County Bar Association, director of the North Platte Chamber of Commerce, chairman of the Lincoln County Defense Council, chairman of the Lincoln County Health Council, and president of the Ad Club. The Ad Club consisted of young professionals and businessmen in North Platte who felt the Chamber of Commerce was not active enough in promoting the community. Crosby's election as the first president of this group reflected his growing interest and involvement in community issues.²⁴ During this time their second child, Susan Mary Crosby, was born on September 6, 1940.

In 1940, several of Crosby's friends persuaded him to run for the Nebraska Legislature which had been changed to a non-partisan unicameral in 1937. Representing the Thirty-eighth Legislative District, which consisted of Frontier and Lincoln Counties, Crosby won the nomination in a five-man primary race, and then won the November election by defeating his opponent, Harry L. Pizer, by a vote of 7606 to 4861.²⁵ Crosby often rebutted those who said his political career had been premeditated by relating how it had only occurred to him during that first legislative campaign that his wife Betty, a Canadian, could not vote for him because she was not a U.S. citizen. Fearing that

his opponent would make an issue of that, Betty quietly went about the naturalization process without any fanfare or publicity.²⁶

When Crosby took his oath of office for the Nebraska Legislature on Tuesday, January 6, 1941, Nebraskans were living with growing fears of the war in Europe. Headlines in the *Omaha World-Herald* reported of German air raids over England and Hitler's armies sweeping through much of the European continent. President Franklin D. Roosevelt had just warned the nation that "an unprecedented peril faced the United States and demanded a swift and driving increase in...armaments for ourselves and democracies abroad."²⁷ Pictures and coverage of war-torn Europe occupied much of the daily news as the nation began preparing for the impending war. On that same January day, local news from Lincoln reported a crowd of 2000 football fans cheering the University of Nebraska football team as it returned from Pasadena, California, after losing to Stanford 21-13 in the Rose Bowl.²⁸

As the young Crosby and 42 other state senators prepared for the new 55th Legislative Session, the *Omaha World-Herald* reported its concern that the lawmakers "may exceed the 111-day record, and...would not likely return

home until after corn planting time." It was only the third biennial session under the new Nebraska unicameral system. Newly-elected Republican Dwight Griswold began the first of his three terms as governor and soon asked the Nebraska Legislature to reduce spending for the next biennium by \$5.7 million, slashing monies primarily from the Department of Roads and Irrigation. As the nation began preparing for war, state building and road construction came to an almost complete stop.²⁹

In his first legislative session, Crosby was assigned to the Education and Government Committees as well as a special Enrollment and Review Committee, which oversaw the drafting of bills. In his first year in the legislature Crosby introduced 8 bills and co-sponsored 32 others. Three of his eight bills were passed and signed into law. Of those bills, LB 134 dealt with the transportation of school children; LB 173 dealt with holdings of real estate by charitable and fraternal organizations; and LB 285 dealt with irrigation and changes in water storage sites.³⁰ As a young junior senator, Crosby could be rated "above average" in his legislative success that first year in office.³¹ Crosby enjoyed the study and debate that went along with the legislative process and worked well with the other

senators with whom he served. After 99 days, the 55th Legislative Session ended on May 23, 1941, just in time for corn planting.


Crosby won re-election to a second term in 1942 over former opponent Harry Pizer by a vote of 6092 to 1803.³² He promised "a continuation of sound policies in state government wholeheartedly engaged in the war effort."³³

Speaking before the North Platte Rotary Club in September of 1942, Crosby used the opportunity to address the social consciousness and duty of mankind. Noting the conditions of the current world war, he declared, "If civilization is to advance, man must gain a greater mastery over himself. We have in many ways conquered our environment—we have done many wonderful things in space and matter, but look how such progress

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Crosby
FOR THE
Legislature



—Re-elect—
Robert B. 'Bob' Crosby
to the Legislature!

"As a member of the Legislative Council which has been planning necessary, constructive legislation since the unicameral body adjourned last year, I hope to be returned to the next session so that this work may be fully carried out in the interests of the 38th District and the State of Nebraska.
"I wish to thank the people of Lincoln and Frontier counties for the interest they have shown and the constructive suggestions they have made during the past two years I have served them."

For a continuation of sound policies in state government wholeheartedly engaged in the war effort . . .

VOTE FOR
 ROBERT B. CROSBY
For Good Government

FIGURE 1
Source:
North Platte Bulletin,
October 29, 1942.

is being used today...our inventions are being used for destruction."³⁴

When the 56th Session of the Nebraska Unicameral opened on January 5, 1943, senate colleagues bestowed additional responsibilities and prestige on the 31-year-old Crosby by electing him Speaker of the House. In a heated contest involving several powerful and aggressive candidates for the post, Crosby emerged as a compromise candidate, prevailing over veteran Senators Harry E. Gantz and Frank Sorrel. Crosby still holds the distinction of being the youngest person in the state's history ever to be elected to that position.³⁵

On March 10, 1943, as Speaker of the House, Crosby invited former Senator George W. Norris to address the Nebraska legislature. It was to be the last appearance Norris made before the unicameral body before he died the following year.³⁶ Norris, more than any other Nebraskan, had been most responsible for promoting and helping secure the new Nebraska unicameral system with its nonpartisan membership. Crosby greatly admired Norris for his political independence and his concern for the welfare of the average citizen. The two men had much in common. Both were small in stature, gentle and quiet in their talk, and

pragmatic in their moral faith. Both began their political careers in western Nebraska and knew firsthand the character and independent nature of rural people. Years later, Crosby delivered the tribute to Norris at the Nebraska State Capitol when the George W. Norris West Legislative Chamber was formally dedicated on January 11, 1985.³⁷



Senator George W. Norris (left) and Robert B. Crosby, Speaker of the Nebraska Legislature, March 10, 1943, at the front of the west legislative chamber, now named for Senator Norris. Courtesy of Robert B. Crosby.

FIGURE 2

Source: *Nebraska History*, Volume I, 1985.

During his second term, Crosby served on the Judiciary and Revenue Committees. He introduced 12 bills and co-sponsored 15 others. Seven of his bills were signed into law. One successful bill, LB 58, regulated the interest rates and licenses of small lenders. A big issue at the time, Crosby concurred with others who believed that the small loan industry "stank to high heaven, and was a sore on the side of society."³⁸ Years later, he recalled how he had "watched in quiet astonishment" as the legislature eventually abolished interest rate ceilings on the Nebraska statutes.³⁹

Early in the 1943 session, Crosby had opposed legislation seeking to authorize transbasin diversion of "surplus" water from the Tri-County District of the Platte River to irrigate lands in the Republican River Valley. It was an extremely controversial issue and Crosby fought successfully to kill the bill. During the legislative debate he used the expression "persons foreign to the Platte Valley watershed" to describe those opponents who lived outside of the Tri-County District.⁴⁰ The *Hastings Tribune* responded by running a banner headline on their front page, "Crosby calls us foreigners." In his typical good-natured way, Crosby complimented *Tribune* editor, Fred

Seaton, for the great line. The two men later became good friends. Crosby defended his opposition to the bill, believing that it might be harmful to North Platte and his district. Kingsley Dam had just been built on the Platte River and there was still uncertainty as to whether there would be enough water to transfer to other basins.⁴¹ In February of 1943 the legislature ratified the "Colorado-Nebraska, Kansas Republican River Water Compact" resolving the long-standing legal battles over water appropriations among the three states.⁴²

Near the end of the session, Crosby continued his interest in resolving the state's many water issues by introducing and securing passage of Legislative Resolution 36. This resolution established a committee to study whether the state should permit the diversion of water from one water basin to another, even though the Nebraska Supreme Court had ruled in 1936 that such water could not be transferred.⁴³ As water and irrigation issues became more important for the state during the 1940s, the Nebraska legislature continued to hold hearings and debate the transbasin diversions of water. Crosby consistently supported the formation of irrigation projects throughout the state as sound economic development. When he later

became lieutenant governor and governor he frequently traveled to Washington, D.C. to testify in support of the Ainsworth project, the Pick-Sloan projects, and the federally-funded reservoirs on the tributaries of the Republican River.⁴⁴ In time, after further study and research, Crosby came to support water diversion within the state as an important factor in expanding the state's economy. Like his father, Crosby became a skilled lawyer in irrigation law and water conservation issues in the state.

The activity of the 1943 legislature remained relatively low-key during its 103-day session, despite 240 bills being passed and signed into law. LB 282, introduced as a constitutional amendment to reduce the voting age in Nebraska from 21 to 18, moved out of committee but was roundly defeated. Supporters of the bill argued that if 18-year-olds were old enough to fight in the war, they should be old enough to vote. The sponsor of the bill, Senator John Doyle of Greeley, acknowledged that there appeared to be little public support for the proposal, as "people are watching the war instead of the legislation."⁴⁵ Political discourse within the state and interest in the legislature seemed to be relegated to the background, as

the war effort dominated the public's attention. Crosby often said that it was easier to be a fiscally conservative state legislator during the war, because spending money and expanding domestic programs were viewed as unpatriotic.⁴⁶

Crosby continued as Speaker during a special legislative session called by Governor Griswold in March of 1944 to deal with an assortment of state administrative issues. As a state senator, Crosby routinely accepted the many speaking engagements inherent to the job. On May 25, 1944, he addressed the commencement exercise at the North Platte High School. Crosby again spoke of the need for moral courage and a faith-based responsibility toward mankind, a theme that became common throughout his political career. To the graduating seniors, he criticized an apparent over-emphasis of the material side of life among the nation's youth and noted that the tragedy of World War II might make it difficult for young people to hold on to their ideals. Crosby challenged the graduates to "hold fast to their faith and visions in order to insure...a good world after this war."⁴⁷

In April of 1944, as the war continued to rage across Europe and Asia, Crosby waived an exemption from the draft given to state legislators and accepted a commission in the

United States Navy as a lieutenant in the Judge Advocate General's Corp. Crosby's brother, Horace, had already joined the U.S. Army in 1943 and was serving in New Guinea and the Philippine Islands as a Master Sergeant in the 32nd Infantry Division.⁴⁸ After graduating with "high distinction" from a four-month orientation course at the Harvard Business School, Crosby was assigned to the San Francisco Naval Base where he worked primarily on contract negotiations with defense contractors. He and his family remained there until after the war, when he was honorably discharged in May of 1946.⁴⁹



Lt. & Mrs. Robert Crosby at his parents' home in North Platte

FIGURE 3
Source: Crosby Family Album

The war years in San Francisco were to be only a short respite from elective office, as Crosby quickly re-immersed himself in Nebraska politics when he returned home.

On March 2, 1946, while still in the Navy, Crosby filed for the Republican nomination for Nebraska lieutenant governor. His announcement in the *Lincoln Star* on March 5, 1946 read:

I hope to defend and advance certain ideals of government which need championing in this country. They are the ideals of forward-looking republicanism. I fought for these ideals in the legislature. After an absence of two years I am eager for the opportunity to resume the task.⁵⁰

Crosby confided years later that his active military service "may not have been too exceptional, but it was good politics."⁵¹

In the pre-primary Republican Convention in Omaha on March 19, 1946, Crosby won the endorsement over incumbent Lieutenant Governor Roy W. Johnson from Sumner. This pre-primary convention, the first to be held in Nebraska, provided for an endorsement system of political party candidates. The candidate who received top endorsement was listed first for the office on all ballots. Beneath his name appeared the notation that he had been endorsed by the party convention. A candidate who received second

endorsement was listed second on all ballots, with a similar notation. Names of all other candidates were rotated. The endorsement law, passed by the 1943 session of the legislature, had been proposed and supported by Republican and Democratic state leaders who felt it would help prevent "name" candidates and "political accidents" from winning state office. The law passed, despite attacks by some candidates who criticized it as a "return to political bossism." The endorsement proved to be a valuable asset in the June 11th primary, as all the candidates who had been endorsed by the state's Republican and Democratic parties were nominated on the ticket. As a result, 35-year-old Robert Crosby joined the Republican candidate for governor, Val Peterson of Elgin, to campaign for the fall election.⁵² Peterson was an Army veteran and former teacher and school administrator who owned and published the *Elgin Review* newspaper.

Ironically, when Crosby became governor in 1953, he signed legislation abolishing the pre-primary convention and the party endorsement law. Republican and Democratic state party leaders still supported the 1943 law and had hoped the measure would be vetoed by the governor. Crosby said, however, that he was "not disposed to overrule the

judgment of the legislature" and chose not to veto the bill.⁵³ Critics of the pre-primary law still insisted, however, that it lent itself to "boss" control in the selection of the candidates.⁵⁴

During the 1940s, the Republicans completely dominated politics in Nebraska. Governor Dwight Griswold had given the state a calm and careful wartime administration. Republican Hugh Butler easily won reelection to the United States Senate in 1946, as did Republican Kenneth Wherry in 1948. Both Butler and Wherry were strongly conservative and staunchly anti-New Deal.⁵⁵ As senior Republican of the Nebraska Congressional delegation, Senator Butler maintained firm control of the party through a vast statewide political organization consisting of loyal friends as well as paid political organizers.⁵⁶ Nebraska Democrats associated with the New Deal administration of Franklin Roosevelt were becoming increasingly vulnerable to the resurgence of the state's Republican Party. During the decade, the only state Republican representative to be unseated was Howard Buffet of Omaha in the second congressional district who lost to Democrat Eugene D. O'Sullivan of Omaha in the 1948 election.⁵⁷

The 1946 Nebraska GOP platform emphasized the maintenance of a republican form of government, deplored the encroachment of those exercising emergency powers, and demanded that these powers be returned to the people from which they came. It lamented that "today's major domestic issue is between radicalism, regimentation, all-powerful bureaucracy, class exploitation, deficit spending, and machine politics, as against our belief in American freedom for the individual under just and fairly administered laws for all, preservation of local home rule, efficiency, and pay-as-you-go economy of government, and the protection of the American way of life against either fascist or communist trends."⁵⁸ The platform strongly supported veterans' relief and old-age assistance, but opposed all forms of subsidies to agriculture.⁵⁹ The rhetoric in that GOP platform was typical of the growing dissatisfaction with the Democrats' hold on the federal government during the previous decade. As economic conditions began to improve in the state and the nation, Nebraskans seemed ready to abandon the New Deal and the growth of federal intervention in their lives that had accompanied it.⁶⁰

Having completed two terms in the Nebraska legislature, Crosby had gained experience and confidence in

the unique unicameral system and had come to believe strongly in its one-house system. While campaigning for lieutenant governor in Omaha in 1946 he stated:

Congress and the legislatures of the other states would do well to adopt streamlined rules of procedure pioneered in the Nebraska legislature. The simplified committee system, the method of selecting committee chairmen, the public hearing afforded each bill, and the publicity of each member's vote on the final passage of the bill, are all features which are urgently needed in the halls of Congress. Smaller membership makes each legislator conscious of greater responsibility, and it also results in election of better men. The absence of political party divisions in the legislature makes it possible for each member to devote his whole attention to the issues under debate, and to decide the issues on their merits, instead of on the basis of party obligation. This is appropriate in state government, because almost none of the issues that arise in the legislature can be properly called party issues. It is in the area of politics that the so-called party issues become significant.⁶¹

Despite that rousing endorsement of Nebraska's nonpartisan legislative system, Crosby later changed his position, and began to openly call for a return to partisan elections, while still retaining the small, one-house legislature.⁶² His service as lieutenant governor and presiding officer of the legislature may have caused him to better understand the difficulties of securing legislative consensus and accountability without party discipline. Crosby had come to believe that it was absurd for a

partisan lieutenant governor to expect to preside over a nonpartisan legislature.⁶³

Following the end of World War II, Nebraska faced a tremendous need to build and improve the state's roads which had been ignored and left in near-critical condition during much of the Depression and the war. As a result, many communities throughout the state began to form local associations to promote the improvement of specific highways for their own economic benefit. Political pressure and competition became intense as communities vied for limited highway construction funds.

Crosby had always maintained a strong interest in good roads. In a campaign speech in Curtis, Nebraska, before the Highline Highway Association in June of 1946, Crosby told the group that if Nebraska was to keep abreast of other states in economic growth, it must provide its citizens with adequate highways.⁶⁴ While Crosby served in the legislature he had worked hard to keep the state gasoline tax dedicated to only highway use. There was always constant pressure to use some of those monies for non-highway purposes. For years the Nebraska legislature had allowed the use of one cent out of the state's five cent gasoline tax to supplement old-age assistance funding.

When Crosby became lieutenant governor he helped Senator Norris Schroeder from Hoskins amend the state law to end the diversion of money away from the highway gasoline tax fund.⁶⁵

Crosby believed highway improvement to be a top priority for most Nebraskans. He understood the political realities and worked hard at devising ways to minimize the conflict between the State Roads Department and Nebraska communities. When he became governor he attempted to remove the political pressures from the decision-making of a sound road policy. When asked why he advocated more money for highways while trimming other state expenses, such as old-age assistance, Crosby replied that roads were a fundamental function of government, and that it had been clearly demonstrated that "Nebraska was lagging behind."⁶⁶ Clearly, old-age assistance was important, but Crosby believed it should be funded through the state's general fund.

Crosby spent little of his own money on personal campaign advertisements but relied on speaking engagements to any group or organization that would invite him. Each time he spoke he would draft a press release to be sent to newspapers throughout the state, allowing him to receive

optimum coverage of his speeches.⁶⁷ It was an effective campaign strategy that he used in every one of his political races, but it was time-consuming and often required grueling travel schedules. Crosby thoroughly enjoyed people and his outgoing, yet self-effacing personality allowed him to be comfortable with any group of listeners.

Arch Donovan, veteran news reporter and commentator for the *Lincoln Star* who wrote many articles and reports on Crosby, once stated, "Bob was one of the most conversational speakers I have ever heard. Yet his speeches never lacked vitality. He emphasized his major points with enough power that he got them across."⁶⁸ Crosby admitted that over his thirty years of making thousands of speeches, he never reduced a speech to manuscript form unless he had to. He said that he learned early on that his best success with an audience occurred when he did not take his notes out of his pocket. This did not mean that he did not work on the speech in advance, because preparing a speech was always a time-consuming and difficult task for him. Crosby understood that speeches were his chief asset as a politician. He did not have the money to spend on advertising, except for uncertain political contributions,

and speeches were good reasons to generate press releases.⁶⁹ Although his personal dynamism and gift of expression became well-known, he had one problem that frustrated him. Like many, he had trouble remembering names. Eventually he developed a system to jog his memory by jotting the person's name down on a scrap of paper, often several times. The method eventually helped him overcome that particular weakness.⁷⁰

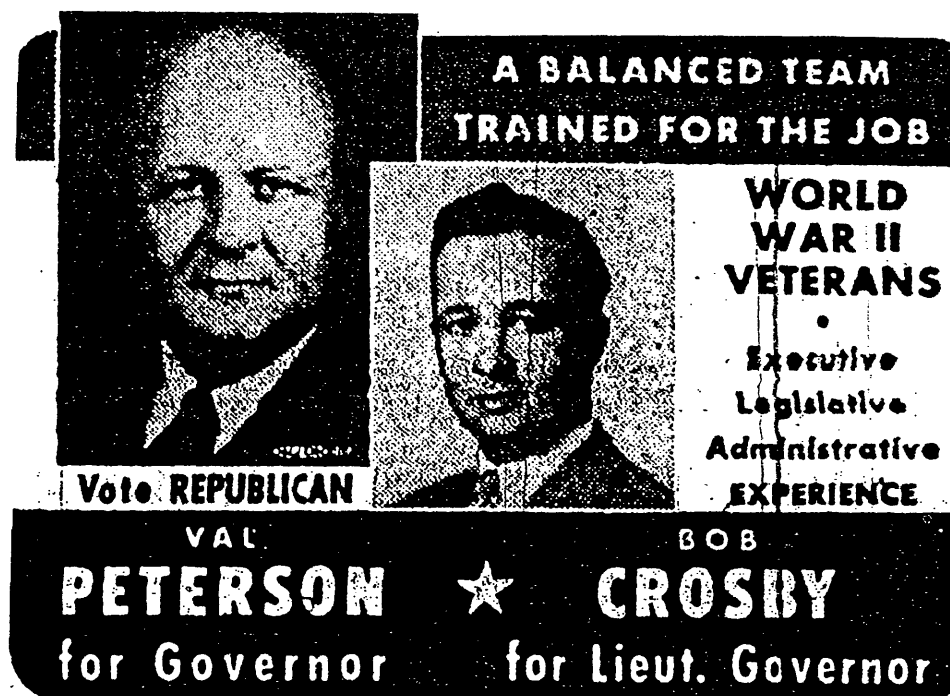


FIGURE 4

Source: *Omaha World-Herald*, November 2, 1946.

On November 5, 1946, Peterson and Crosby were both swept into office, consistent with the Republican landslide throughout most of the nation. *The Morning World-Herald*

had noted that fair weather dominated the state, and that most of the state's roads were dry and passable for voters to go to the polls. The newspaper encouraged Nebraskans to act on their feelings of patriotism, by running a tag line at the bottom of the front page stating "You Fought for the Right to Vote—Now Do It!"⁷¹ Despite predictions of a record turnout, the number of Nebraskans voting was the lowest since 1918. Although Republicans had controlled the Nebraska State House for most of the last fifty years, this was the first time in 15 years that Republicans controlled both the House and the Senate in the United States Congress. Crosby won the election for lieutenant governor over his Democratic opponent, Robert Swanson, by a vote of 229,673 to 134,443. Val Peterson defeated his opponent, Frank Sorrell, 249,468 to 131,367 votes.⁷² The two World War II veterans were both victorious in their first attempt at a statewide contest, as were the 5 veterans among the 14 new legislators elected to the unicameral.⁷³

CHAPTER 2

LIEUTENANT GOVERNOR

"If we are to have good government, each of us must be in earnest in practicing an interest and concern in political matters and affairs of government."

On January 10, 1947, after a 6-year hiatus due to the war, Nebraska held the inaugural ball for newly elected Governor Val Peterson at the University of Nebraska Coliseum in Lincoln. Nearly 2500 people attended the lavish event, including 65 representatives of the Ak-Sar-Ben royalty who came to Lincoln on a special train from Omaha.⁷⁴ The gala seemed to reflect a mood of relief and optimism in the state after years of economic and wartime stress. The new Lieutenant Governor Crosby moved his family from North Platte back to Lincoln where they resided in an apartment west of the Capitol for the next two years. Crosby continued, however, to maintain his family home and law practice in North Platte.

As Lieutenant Governor, Crosby received an annual salary of \$1744, twice the compensation of a state senator. His duties were to preside over the legislature, to act as governor in his absence or incapacitation, and to fill the vacancy should a permanent incapacity of the governor

occur. In a surprising move soon after taking office, Crosby began a campaign to abolish his own job. In his opinion, the office of lieutenant governor was just a "spare tire" and its function could easily be absorbed by other state office holders. Crosby was supported by Professor John Senning of the Political Science Department at the University of Nebraska, who agreed that the legislature could just as well elect its own presiding officer. Crosby convinced his friend, Senator C. Petrus Peterson of Lincoln, to introduce LB 328 which established a new line of succession to the governorship. On March 24, 1947, the legislature's Government Committee moved the bill out of committee on a 7-2 vote and sent it to general file for discussion by the full legislature. The bill called for a vote of the people at the 1948 general election on a constitutional amendment abolishing the lieutenant governor.⁷⁵ Governor Val Peterson politely noted that while Crosby may believe the office to be a "political blind alley," making it difficult to persuade men of outstanding ability to seek the position, "I consider Crosby's presence in that office to be a direct refutation of his own words."⁷⁶ The bill to abolish the position failed to pass the legislature, largely on the grounds that it was not a

propitious time to submit a constitutional amendment of this sort to the people, and that such a proposition could be better handled at a constitutional convention.⁷⁷

Several months later Crosby published an essay entitled "Why I Want to Get Rid of My Job" in the July 1947 issue of *State Government Journal*. The essay built his case for abolishing the position of lieutenant governor, citing other states that had successfully eliminated the office with no ill effects. Noting that there had been several attempts to eliminate the position in years past, and so the idea was not a novel one, Crosby argued that

before 1937, when we had two houses in our legislature, the lieutenant governor presided over the Senate and the Speaker presided over the House, ...[now]...our legislature is still required to elect its Speaker. But he doesn't preside; the lieutenant governor does that. Having once been a speaker myself, perhaps I can say the following more gracefully than another: The Speakership is an office of high honor without any corresponding duties or authority.⁷⁸

Crosby continued his attack on his own office by asking

Haven't you been struck with the absurdity of having a Republican or a Democrat serve as chairman of our non-partisan legislature? That is what I, elected on the Republican ticket, am doing. One of the consequences of this mismatch is that the lieutenant governor cannot have any influence on the legislative issues.

Oil and water do not mix. The non-partisan legislators do not want a party politician intruding into their deliberations.⁷⁹

After pointing out that elimination of the office could save money and simplify the task of the average voter, Crosby closed his argument with his typical disarming wit and humor by declaring,

Elimination of the office would save my constituents a lot of embarrassment. The title "lieutenant governor" is quite a mouth full. Some call me Governor, which is a form of flattery that I enjoy, but really isn't correct. Some call me "lieutenant" which is what I answered to in the Navy, but revives my inferiority feeling about Commanders. Why not be done with it and abolish the title entirely?⁸⁰

As politics continued to occupy a greater part of his life, Crosby's reputation as a student of government became recognized throughout the state, both within and outside his party. On October 25, 1947, Crosby joined a group of civic leaders headed by *Lincoln Journal* Editor, Raymond McConnell, and Mrs. Sidney Smith of Omaha in forming the Bi-Partisan Presidential Committee to address the shortcomings of Nebraska's presidential primary. Their objective was clearly stated in their first public announcement:

We are interested only in stimulating popular participation and in establishing the principle that the preferential primary

should be an instrument of the people themselves, not the candidates' managers.⁸¹

The Nebraska presidential primary system had been introduced in 1911 to provide an avenue for state political parties to nominate potential candidates from which the general electorate could choose. The system, however, was prone to manipulation by strong party leaders and incumbents who could dissuade some contenders from entering the primary. Over time it had become a mere showpiece rather than an instrument of citizen involvement and control. The committee sought to circulate petitions and enter the name of every viable candidate on the primary ballot, even without their consent, and thereby give voters better control over the election process. Although the 35-member committee had to deal with some uneasy and delicate decisions in the petition process, it did ultimately succeed in its mission. In March of 1948, it submitted petitions for the Nebraska presidential primary to include Harry S. Truman, Thomas E. Dewey, Douglas MacArthur, Joseph W. Martin, Harold Stassen, Robert A. Taft, Earl Warren, and Arthur Vandenberg. This rather ambitious effort by Crosby and the other members of the committee created a truly "all-star" list of candidates for the 1948 Nebraska

primary. Other states later adopted the innovative technique and the Nebraska Bi-Partisan Committee can take credit for reviving voter participation in the electoral process.⁸² The Nebraska legislature later changed the election law in 1952 so that a candidate could not be entered in the presidential primary without the individual's personal consent.

At the time of his involvement, Crosby was the only active state officeholder on the committee. He had chosen not to run for re-election at the time and used the opportunity to promote what he thought was good government. Crosby remained active in partisan Republican activities while both in and out of public office and, consistent with his personality, worked to maintain harmony within the party. He had always been an admirer of George Norris, who had fallen out of favor with the state Republican Party and been defeated by Kenneth Wherry in the 1942 senatorial race. As a good party member, however, Crosby did support Wherry's re-election bid in 1948 by serving as vice-chairman of the "Veterans for Wherry" movement for western Nebraska.⁸³ When Wherry died in office in November of 1951, Governor Val Peterson appointed Hastings newspaperman Fred A. Seaton to fill the vacancy. Crosby's political

philosophies were far more similar to Seaton's than they had been to Wherry's. He and Seaton both identified themselves as moderate and forward-looking Republicans who supported Eisenhower in 1952 and were aligned with the modern Republicanism that became dominant in the 1950s.⁸⁴

Crosby once responded to a letter written to him while he was governor, asking him to explain the difference between the Republican and Democratic parties. He began by acknowledging the difficult task in defining the parties, because each had changed a great deal over the years. However, he continued, "It is my feeling that the Republican Party stands for conservatism and the Democratic Party stands for liberalism."⁸⁵ He noted that has not always been the case, because "Thomas Jefferson was an outstanding Democrat, and yet he was one of the conservatives whom I admire the most." Crosby did not define the terms "conservatism" and "liberalism," but stated that within every political party you will find a division of opinion on any particular question. He believed that "the main purpose of the political party is to allow the average citizen to have a hand in the management of the affairs of their government." He went on to say that, because the United States is a representative

form of government, a citizen can, "through active participation in the political party of your choice...attain real representation in your government."⁸⁶ Crosby believed this to be a practical truth that allowed each citizen to exert influence on the affairs of government.

Crosby practiced what he preached. He worked hard in the Nebraska Republican Party, serving as precinct committeeman, county chairman, and later with the State Finance Committee. Eventually he was chosen as the Assistant Republican State Chairman. Throughout his political career, Crosby's work within the Nebraska Republican Party helped prepare him to have a hand in managing the affairs of government.

Crosby was an idealist in many ways. He often spoke of the importance of a responsible electorate in maintaining good government. In an unpublished essay, Crosby wrote, "If we are to have good government, each of us must be in earnest in practicing an interest and concern in political matters and affairs of government."⁸⁷ Crosby often used his education and scholarship in literature, human history, and government to hold up and promote the ideals of democracy. Many of his speeches included the

ideals of the great philosophers, the moral and spiritual aspects of the Christian faith, and the need for honesty, integrity and individual responsibility. Crosby noted that

government fiat cannot rub out the fact that each of us is essentially alone in this world and that each of us has only a brief interval in which to justify his personality. Whatever serenity that I capture in my time will come through my own effort. It will not be conferred upon me by government.⁸⁸

These comments and feelings reflect Crosby's pioneer heritage that required individual initiative and self-determination to successfully settle and survive life on the Nebraska prairies.

In a letter to a young student inquiring about a career in politics, Crosby noted that people often avoid politics as something "not nice."⁸⁹ He said, by definition, politics is described in the dictionary as the art and science of government, or managing the affairs of the public. He suggested that

Each citizen should be a politician in the sense that he is vitally interested in the affairs of his local, state, and national government. If they should select a public career, they should pay particular attention to their studies in history, geography, economics, political science and philosophy.⁹⁰

In March of 1947, in an address to campaign workers of Lancaster County, Crosby urged full support of the American

Red Cross, because "it represents one of the greatest opportunities for the people of this country to demonstrate to the world that Americans are the kindest and most generous people in the world."⁹¹ He lauded the quality of the people who devote their time to make such a campaign a success. "In this age, when the blind, the aged, and other needy are aided by the government through the levy of taxes, people sometimes lose sight of their obligation to their neighbors," Crosby asserted. The lieutenant governor concluded, "We have got to show somehow, that we still abide by the precept, 'Love Thy Neighbor'."⁹²

In a speech at a student assembly at the University of Nebraska in February of 1947, Crosby observed that there will be no hope for peace until people realize that the world is made up of people instead of national states and symbols. Acknowledging that "such symbols of nationalism bind us together," he regretted that the newly formed United Nations Security Council seemed to be based on representation of military power only and not a representation of the people.⁹³

In early 1948 Crosby announced that he would not run again for lieutenant governor. At the time, the Nebraska Constitution prohibited a lieutenant governor from running

for governor while still in office. Crosby had worked well with Governor Val Peterson, and knew that he would have a chance to run for governor when Peterson chose to retire. He returned to private law practice in North Platte but remained in politics, serving as assistant state chairman of the Republican Party. From 1949 to 1951, Crosby served as chairman of the Nebraska Citizens Committee for the Hoover Commission Reports.⁹⁴ This nonpartisan commission, established by President Harry Truman in 1947 and chaired by former President Herbert Hoover, sought to improve the efficiency and effectiveness of the federal government.

In a speech about the Hoover Commission's objectives to University of Nebraska students in March of 1950, Crosby compared the federal government to "a 12-cylinder operation being run like the one-hoss shay."⁹⁵ His often homespun rhetoric, along with his concern regarding the "obsolete methods of management in the federal government," made good copy for the newspapers throughout the state. He lamented that only 35 percent of the Hoover Commission's recommendations had been put into effect, with many of the important reforms being bogged down by political bickering.⁹⁶

Crosby seemed to be sincere in his concern about the growing centralization of government and supported every effort to protect personal liberties. Although he had served in the military during World War II, Crosby would go on record years later to end the draft and place all military service on a voluntary basis.⁹⁷ Peacemaking remained a recurring theme throughout his career within both his personal and public life.

When Crosby settled back into his law practice in North Platte following his term as lieutenant governor he again became active in community affairs. He had always faithfully worshiped and worked in the Presbyterian Church. However, his wife Betty had been raised a Roman Catholic, and when they were married, Crosby had agreed to allow the children to become members of the Catholic Church. While growing up in North Platte, young Robert and his sister Susan attended Saint Patrick's parochial school. As a family, they would often visit and worship in each other's church, always respecting each one's faith.⁹⁸ As a student of political history, Crosby was aware that few, if any, Catholics had ever won a state office in Nebraska. In his unsuccessful bid for the United States Senate years later,

he understood that being married to a Catholic may have been an issue for some voters.⁹⁹

Like his father Mainard, Crosby cared deeply about the community of North Platte and always spoke with pride of the city when asked where he grew up. Shortly after returning to his hometown, Crosby became involved in a reform campaign seeking to elect a new mayor to help clean up the city's tarnished image. For years North Platte, a long-time railroad center, had the reputation as an "evil, notorious, ill-run city" that ignored significant gambling and prostitution activity. In 1951 a group of concerned business and professional people formed the Citizens Committee to select candidates to run for mayor and city council with the goals of improving city government and strictly enforcing existing laws.¹⁰⁰ The Citizens Committee ran an aggressive campaign to clean up the town and supported a young businessman named Kirk Mendenhall to run for mayor.

Although Crosby's name was not officially on the "roster" of the committee, he was commonly recognized as being involved in the campaign and the subsequent cleanup activity. In a letter to the editor of the *North Platte Telegraph-Bulletin* that defined the issues in that city

election campaign, Crosby expressed his support for the "reformist" mayoral challenger, Kirk Mendenhall.¹⁰¹ (see Appendix, p. 127)

Interestingly, while the Citizens Committee generated news promoting the need for reform, the *Telegraph-Bulletin* editorials favored the existing city administration. This "business as usual" mindset seemed to be a deeply ingrained tradition in the city—one that had negated earlier attempts at social reform. It was reminiscent of the time in 1879 when the city council voted to make North Platte the first "dry" town in Nebraska, only to have the saloonkeepers call booze "buttermilk" and continue selling their liquor.¹⁰²

The entire slate of candidates who pledged to reform North Platte won the city election on April 3, 1951, by an almost two to one margin. The newly-elected Mayor Mendenhall soon appointed Robert Crosby as the new city attorney, the same position that his father had held some thirty years earlier.¹⁰³ Although he occupied this position for less than a year until he again ran for state office, Crosby's involvement and concern for the well-being of his community helped contribute to the eventual end of open prostitution and gambling in North Platte. In his own characteristic and non-confrontational way, Crosby was able

to admonish his friends in the old city administration and remind them of the need for better law enforcement, while still continuing to count them as friends.

In 1950 when Governor Val Peterson decided to seek a third and final term, he asked Crosby to serve as his state campaign manager.¹⁰⁴ This opportunity proved to be most helpful in allowing him to lay the foundation for his own campaign for governor two years later. For most state political observers, it seemed obvious that Robert Crosby was becoming the next rising young star in the Nebraska political scene.

CHAPTER 3

RUNNING FOR GOVERNOR

"There is no person in Nebraska who is a better student of our state government than Bob Crosby."

In July of 1951, 40-year-old Robert Crosby announced his candidacy for the Republican nomination for governor of Nebraska. His major opponent, in what would prove to be a long, hot, and expensive primary campaign, was Lincoln Mayor Victor E. Anderson. Former Governor Dwight Griswold signaled his early support for Crosby by stating that "he has the required experience, and he has both the strength of character and intelligence to make a fine candidate and splendid governor. There is no person in Nebraska who is a better student of our state government than Bob Crosby."¹⁰⁵ Crosby's running-mate was veteran state lawmaker, Charles J. Warner of Waverly, who had been serving as lieutenant governor under Governor Val Peterson.

Crosby opened his campaign headquarters in the Federal Securities Building in Lincoln, and appointed Thomas Pansing, a former Lincoln City Councilman, as Lancaster County campaign manager. It proved to be an interesting selection, since Pansing had worked to elect Victor

Anderson for mayor. Nonetheless, Pansing announced publicly, "I am very enthusiastic in my support for Robert Crosby, even though I'm still one of Vic's friends."¹⁰⁶

Appearing before several Lincoln clubs in January of 1952, Crosby spoke of his opposition to a state sales tax as well as the need to lower the cost of state government and reduce the number of state employees. Pointing out that there had been no reorganization of state administration since 1919, when 24 non-constitutional commissions were consolidated into six departments, Crosby noted that the state's bureaucracy had again grown to 46 commissions and agencies.¹⁰⁷

Although Crosby believed that his chances in the primary race were good because of his strong support throughout the state, he committed himself to an active campaign schedule. Prior to the Republican pre-primary convention held February 5, 1952, in Omaha, he worked hard campaigning for the convention delegates from Lincoln and Omaha. Crosby enjoyed meeting people, and although campaigning could be hectic at times, he never took himself so seriously that he felt overwhelmed or exasperated. Often making light of himself, Crosby once had to interrupt his campaign because of illness, but noted that "people in

general will welcome some relief from politics, whatever the cause."¹⁰⁸

After several months of hard campaigning, his efforts paid off as the convention voted to endorse both Crosby and Anderson for the April 1st primary. This double endorsement was allowed if any candidate received more than 35 percent of the delegate votes. Crosby received the number one spot on the ballot with 281 convention votes. Anderson received the necessary 35 percent with 173 votes. Two other gubernatorial nominees, Dr. A.D. Walker and John G. Donner of Elgin, failed to receive any endorsement. The Crosby supporters were particularly jubilant over winning a majority of the delegate votes in both Lancaster and Douglas counties. In the U.S. Senatorial pre-primary race, incumbent Hugh Butler and challenger Val Peterson also received double endorsements.¹⁰⁹

Shortly after Crosby filed for governor, he told a group of Aurora, Nebraska businessmen that "he would resolve to be entirely independent and free from any obligation to any group or faction, and promised no job or appointment, state or federal, to anyone. Neither would he make any commitment to any section of the state for any special road or benefit, saying that he was neither a rural

nor a town candidate."¹¹⁰ He said, if he were elected, he intended to represent all Nebraskans impartially.¹¹¹

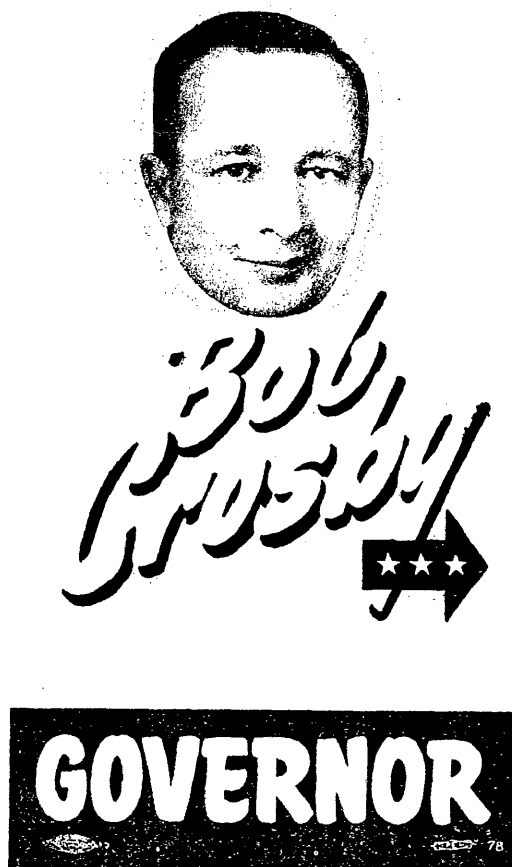


FIGURE 5
Crosby Campaign Literature
1952 Governor's Race

The race between Crosby and Anderson was conducted with little, if any, reference to personalities. The contest remained close throughout the campaign with both candidates spending near record amounts of money. Few if

any philosophical differences surfaced between the two candidates. Perhaps the biggest issue to surface was the curious question of whether North Platters or Lincolniters were the better citizens and taxpayers.¹¹² During the campaign, Crosby stated that he disliked labels but that, if he had to accept one, he would prefer to be labeled a "conservative Republican with all that label implies."¹¹³

Crosby defeated Anderson in the April 1st primary by over 27,000 votes. Approximately 220,000 Nebraska voters turned out for the 1952 primary election, with Republicans holding more than a two to one lead over the state Democrats.¹¹⁴ Crosby and Anderson both spent a historically large amount of money on the primary election. Crosby's post-election spending report to the state indicated that he had spent \$19,806 compared to Anderson's \$21,689. This surpassed the previous high of \$7,787.14 spent by Art Weaver in the 1946 governor's primary election.¹¹⁵ The large amount of campaign spending prompted many in the state to propose spending limits for future elections.¹¹⁶

Walter R. Raecke of Central City won the Democratic gubernatorial primary and would oppose Crosby in the November election. Raecke and Crosby were longtime friends, having shared an office together while serving in

the Nebraska Legislature. Both had served as Speaker of the legislature and each spoke highly of the other whenever their names would come up during the campaign.¹¹⁷ As a result, the race for governor between the two candidates became a model of restraint and mutual respect that avoided any kind of personal animosity.

Crosby's campaign platform centered on a proposed administrative reorganization of state government, that promised to improve efficiency and reduce costs. He proposed using a cabinet-style form of meeting with department heads to improve coordination and administrative effectiveness. Crosby emphasized the need to create a two-year road plan and a state highway commission to address the deplorable conditions of the state's highway system. He called for an overhaul of the present system of property tax assessments to correct the many inequities that existed throughout the state. In the area of education, Crosby believed a State Board of Education should be established to address teacher certification and school consolidation. Yet he also—and, perhaps, contradictorily—believed all of these issues were contingent on the need to “hold the line” and curtail all unnecessary services of state government.¹¹⁸

The manner in which Crosby conducted his campaign for governor appears to have had many similar characteristics to that of his great-grandfather, John H. Powers. Addison E. Sheldon, a noted Nebraska historian, was a country newspaper editor in 1890 when he commented on Powers' speaking style before a Populist (Peoples Party) rally.

I came to have for this quiet, sunburned farmer and country preacher the highest regard I have ever had for any man. He was not only a student—he was a scholar in the wide realm of literature, human history and government. He began his speeches in a very quiet key, with a voice set upon its lower tones, yet distinctly audible. He spoke with clear logic, an earnest, sympathetic emotion, rising to real bursts of homespun eloquence. He was one of the most persuasive and effective campaigners I have ever traveled with. His character, even more than his ability, made him the leader...¹¹⁹

In like manner, political observers often described Crosby's speeches as sincere and forceful, with words easily understood and articulated. The quality and variety of his delivery was pleasant and yet intensely focused on the subject.¹²⁰

Mindful of his youthful appearance, Crosby often wore blue serge suits to try to project a more mature image during his campaigning. He spent hours behind the scene studying and parleying with friends on every idea he advanced in the campaign.¹²¹ Crosby enjoyed the support of

many of the state's leading newspapers who viewed him as sincere and forthright. The *Kearney Daily Hub* noted, "In an era when the politically correct thing to do is to make all the promises possible without being pinned down on specific issues, the North Platte attorney is inviting pointed specific questions from his audiences... Mr. Crosby's explanation is that he would like to either win or lose on principles."¹²² The *Beatrice Times* observed, "As long ago as 1942 he was marked as one of the bright hopes of the Republican Party. His work in the state organization was full of judgment and force."¹²³ In a surprising change from previous state elections, the American Federation of Labor began circulating leaflets supporting Crosby for governor. The Nebraska State Federation of Labor had endorsed Democrat Raecke in his previous bid for governor in 1950.¹²⁴ Crosby's relatively short experience in state government had already established him with an enviable reputation and a broad base of support.

The one thing Crosby disliked about campaigning was the amount of time he had to be away from home. While absent from home, he would telephone his wife Betty almost every night. Once, having missed a football game where his

son, Robert, had made a touchdown, Crosby began telling his constituents that after the election he had no intention of continuing on the road. He would attend, he said, to the state's knitting as well as his own fireside. Although Crosby realized that the administrative duties would be exacting and require a great portion of his time, he nevertheless wanted to enjoy his family. "My 16-year-old boy and 12-year-old girl need my companionship at this time in their lives," he insisted, and "I would not want the governorship to unreasonably interfere with as normal a home life as the duties of that office permit."¹²⁵

When Crosby moved back to North Platte following his term as lieutenant governor, he used the opportunity to learn to fly an airplane. A flight instructor friend who owned and operated the Clinch Flying Service at the North Platte airport taught him to fly on a Cessna 170 single-engine airplane. As Crosby began preparing for a possible gubernatorial race, he understood the advantage that air travel could provide in his campaigning across the state. Crosby never did own an airplane, but could conveniently rent one when needed from the North Platte airport. Always careful and thorough, Crosby became a good pilot and took friends and family on trips around the state many times,

often having to land on grassed runways at many small Nebraska airports. His wife, Betty, and daughter, Susan, were not fond of airplanes, but young Robert thoroughly enjoyed the flying adventures.¹²⁶

In the November 4, 1952, Nebraska election, state Republican candidates, led by presidential candidate Dwight D. Eisenhower who defeated Adlai Stevenson, triumphed in a nearly two to one victory over their opponents. The Republican landslide helped Crosby defeat Walter Raecke by a 5 to 3 margin, with Crosby receiving 366,009 votes to Raecke's 229,700 votes. Crosby won all but 6 of Nebraska's 93 counties. Senator Hugh Butler easily won re-election to a third term in the United States Senate, while Dwight Griswold won election to the short-term Senate seat vacated by Senator Wherry. Nebraska's three incumbent Republican representatives, Carl T. Curtis, R.D. Harrison, and Dr. A.L. Miller, were also returned to Washington by overwhelming margins.¹²⁷

The Crosby gubernatorial campaign had received total contributions of \$9671 which included \$7700 from the state Republican finance organization. The report filed with the state listed 28 individual contributors, with none exceeding \$200. This compared with the Raecke campaign

that listed total contributions of \$5702, of which \$2000 came from the State Democratic Party. The number of individual contributors was 187.¹²⁸ Although Crosby outspent Raecke by more than \$3900 in the governor's race, it was far less money than he had spent in the primary race against Victor Anderson.

Crosby's win gave the Republicans control of the governor's office for the seventh consecutive term, a period exceeded only by the 24 years during which Republican governors held office from 1867 to 1891.¹²⁹ The race between Crosby and Raecke did nothing to lessen the friendship between the two old friends. Raecke publicly announced after the election that Crosby "will make a wonderful Governor."¹³⁰

Governor-elect Crosby made his first formal appearance after the November election before a hometown audience in North Platte. Speaking at a Chamber of Commerce banquet, he told them he would serve the state with humility, and that "his hands were free, as he had made no job commitment to any man in Nebraska."¹³¹ Although Crosby had focused on the state highway problems as a dominant campaign issue, he pointed out that the state also had major educational problems. He noted that Nebraska ranked lowest among the

48 states in standards for certifying teachers.¹³² Education was a major issue with Crosby throughout the campaign. He stated publicly that he was "keenly disappointed by the inadequate statement on education in the state Republican platform."¹³³ He supported higher teacher certification standards, more equitable distribution of school taxes, and higher teacher salaries. A strong proponent for more school consolidation, Crosby often cited the fact that Nebraska had 6639 school districts, more than any state in the nation, and that 26 percent of those rural districts operated no school at all.¹³⁴

Crosby's campaign platform was typical of many politicians running for office in that he continually emphasized the need to reduce taxes and government spending while still arguing for greater funding in some areas of government. One of Crosby's most vocal critics, Dr. Eric G. DeFlon of Chadron often pointed out this contradiction, describing Crosby's pledge to lower taxes as deceitful and "plain demagoguery."¹³⁵ The Chadron physician noted that there had been no explanation as to how Nebraska institutions could, with fewer resources, assume their full responsibility to educate the state's youth and take care

of the poor and afflicted. DeFlon said it "requires little courage and no political risks whatsoever to choose the popular side and receive the hurrahs of the multitude. None of this means your position is either right or commendable."¹³⁶ DeFlon cited the large number of people waiting for care in state institutions, the disgrace of low salaries for public employees, and the neglected condition of the Nebraska College of Medicine.¹³⁷ Crosby remained convinced he could do both, through a reorganization of state government and by establishing priorities.

Several weeks before his inauguration, Governor-elect Crosby boldly declared that he would take office with the "fixed intention" to reduce the state property tax burden by at least \$1,173,000 a year for each of the next two years.¹³⁸ Crosby acknowledged that such a vow might "impose a severe restraint on me that may become uncomfortable when I encounter pleas from the spending agencies." He pointed out, however, that there is more involved in the tax issue than "silly dollars." Taxes at the federal, state, and local level were going up faster than the real income of the people, and the consequences, Crosby said, "are not a favorable climate for freedom."¹³⁹

Nebraska, like most other states in the postwar era, faced increased demands from its citizens for public services, particularly in the area of transportation and education. The state's highway system at the end of the war was in critical condition, wholly unsuited to meet the growing demands of increased automobile traffic. The entire school system had become inadequate to meet the demands of the increasing number of children of the Baby Boom.¹⁴⁰ Returning servicemen were taking advantage of the benefits of the G.I. Bill and entering the University of Nebraska and state colleges in record numbers. These new realities required greater public funding for services and consequently more tax money. Nebraska's chief source of revenue had long been the property tax, and those upon whom this burden fell began to protest that the tax system was unfair.¹⁴¹ Understandably, voters appeared to approve Crosby's promise to reduce the size of state government and reduce the taxes that had escalated in the past decade. The reality of these ever-increasing taxes would soon become the single most confounding issue facing the new Crosby administration.

CHAPTER 4

GOVERNOR CROSBY

"Restraint is the watchword."

Crosby announced in his inaugural address before the Nebraska Legislature on January 8, 1953, "I regard the proper role of state government in 1953 as being one of restraint."¹⁴² In clear and easily understood language, Crosby set the tone for his new administration, by explaining:

By 'restraint' I mean this: only the essential services of the state government should be maintained, and that must be done with the least outlay of money and manpower. Any savings of tax money and employment hours that we can manage belong first to individual men and women, each of whom would rather make his own way by his own effort. During my own campaign of last year I felt fright at the number of people who have come to look on government as our main hope for bringing happiness, self-respect, and material welfare to people. This is a sad fallacy—more sad because it has entrapped the minds of men so often.¹⁴³

An editorial in the *Omaha World-Herald* observed that when it came to specific issues, Crosby did not propose indiscriminate slashing of budgets, but suggested thoughtful and practical recommendations that the legislature might consider. In his typical conciliatory

approach the new governor said, "Where possible, let us consolidate activities. Where reorganization is indicated, let us reorganize. Slowly, reasonably, one item at a time let us try to make the bureaucracy which has grown up in Lincoln more orderly, more efficient, and less costly."¹⁴⁴



From left:
Betty, Susan, Mr. and Mrs. Mainard Crosby,
and son Robert attending the
Governor's swearing in ceremony

FIGURE 6
Source: Crosby Family Album

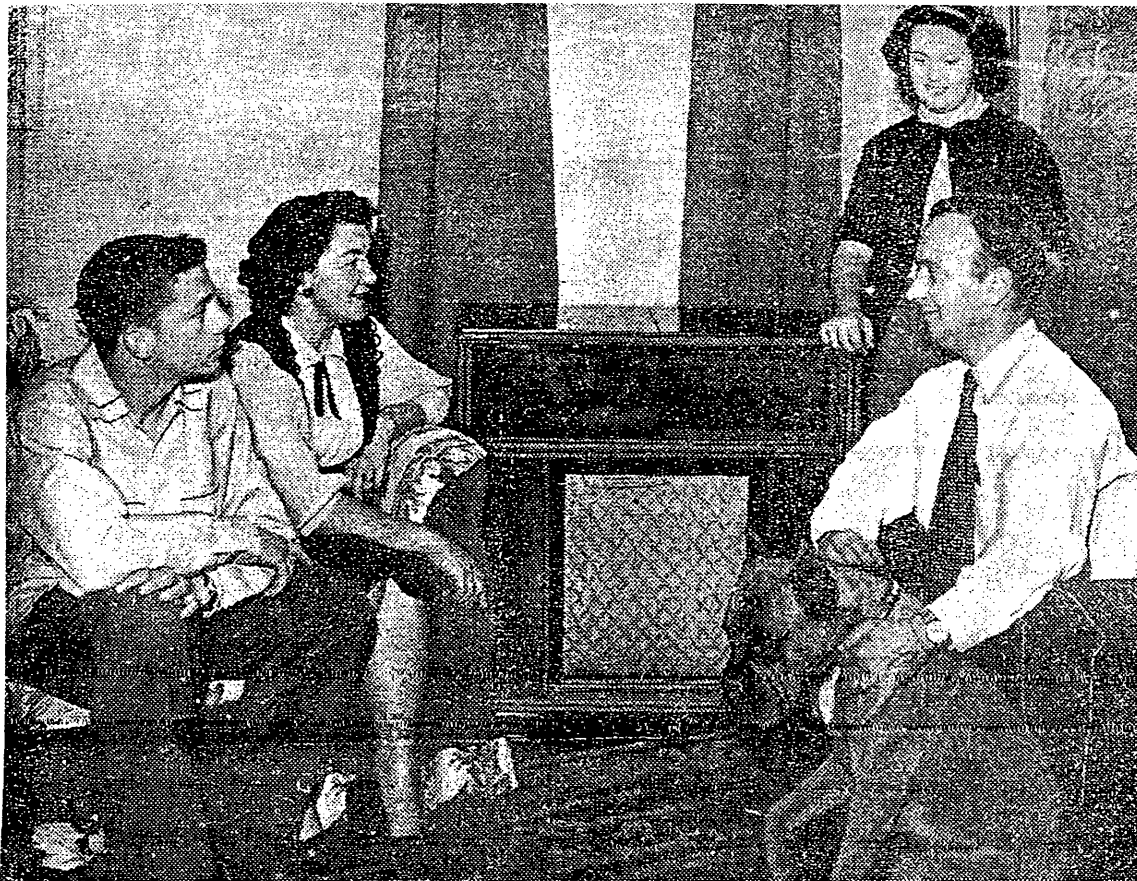
Outgoing Governor Val Peterson had left the legislature with his proposed budget for 1953-55 of a record \$173,580,066. Crosby soon replaced it with his own budget proposal of \$166,379,614. This reduced budget, based on the current assessed property valuations, was estimated to require a state tax levy of only 4.75 mills, compared to the previous 5.88 mills.¹⁴⁵

Crosby's intention to reorganize the state government had relatively good support from state senators of the Fifty-sixth Legislative Session. The new Speaker of the House, Senator Charles Tvrdik of Omaha, long regarded as a conservative, seemed well-disposed toward the new Governor's call for restraint. However, State Senator Terry Carpenter of Scottsbluff expressed reservations about the Governor's plan of reorganization and later positioned himself as one of the primary critics of Crosby's "restraint" policy. Letters and personal telephone calls to the governor's office were overwhelmingly in support of Crosby's efforts for reduced state government.¹⁴⁶

Crosby, his wife Betty, and children Robert M. and Susan, along with their dog Prince, moved again from North Platte back to Lincoln. The family made their new home in the Governor's Mansion located at 1445 H Street. Initially, young Robert remained in North Platte, staying with his Crosby grandparents to finish his junior year in high school, and then joined his family in the summer. Both Susan and Robert attended Cathedral High School in Lincoln.

The Crosbys worked hard to see that their children led normal lives and tried to attend as many of their school

activities as they could. Daughter Susan remembers the stay in Lincoln as being a "fun" experience.¹⁴⁷



Nebraska's new first family, Bob Jr., Muffs, Susan and the Governor and the Boxer. Being in the Governor's office is not going to make Bob Crosby desert his fireside.

FIGURE 7

Source:

Omaha World-Herald Magazine, January 4, 1953, p.4-G

On many occasions classmates came to the mansion for dances after school. Crosby insisted that his children receive no special treatment and remain "common school kids." Church attendance was mandatory for the entire family every Sunday. Crosby did not discuss politics when home with his

family and always tried to give the children his undivided attention.¹⁴⁸



Crosby family on front porch of Governor's mansion.
From left: Cora Mae (Crosby's mother), son Robert,
Betty, Governor Crosby, Susan, and Delbert Housman
(groundkeeper on work release from the state penitentiary).

FIGURE 8

Source: Crosby Family Album

Betty graciously fulfilled her duty as the First Lady of Nebraska and supported Crosby in his many political and social obligations. In January of 1954, Mrs. Crosby headed the statewide Mothers' March on Polio, sponsored by the March of Dimes, in the fight against infantile paralysis.¹⁴⁹ For the most part, however, she dedicated herself to maintaining the family home and provided for the children's

needs during the times that Crosby's responsibilities kept him away from home.¹⁵⁰

Crosby began his term as Governor in 1953 with strong popular support. Nebraska was enjoying a growing postwar economy even though the state's population of 1,325,000 had grown only slightly from the 1940 census. Although the number of farms and rural population in the state continued to decline, job opportunities in new manufacturing industries and businesses began to develop in the more urban areas of the state. Omaha and Lincoln led this expansion with growing new suburbs that pushed city limits further into the countryside.¹⁵¹

Federal conservation projects initiated by the U.S. Army Corps of Engineers had helped expand irrigation, flood control, power generation, and navigation throughout the Missouri River Basin. The Harlan County Dam had recently been completed on the Republican River, greatly expanding power generation and irrigation potential in southwestern Nebraska. By the time Crosby became governor, irrigated acres in Nebraska had almost doubled from the 873,960 acres in 1945.¹⁵² The state's agriculture was enjoying relative prosperity, with irrigation and favorable rainfall helping

increase grain and livestock production to near record levels.

Oil and gas fields in the panhandle and southern part of Nebraska also began to add to the expanding economy of the state. Offutt Airbase in Bellevue had become headquarters for the Strategic Air Command, the United States Air Force's long-range bombing and missile strike force, and was supported by several thousand military and civilian employees.¹⁵³ The state was experiencing a period of unprecedented prosperity, boding well for the young new Governor.

Crosby began the selection of people to serve the new administration by naming 38-year-old Max A. Denney, a fellow lawyer from Fairbury, Nebraska as his administrative assistant. Active in the state Republican Party, Denney had been Crosby's campaign manager in the gubernatorial race.¹⁵⁴ Although Crosby filled most of the top statehouse positions with his own appointments, he did retain some of the former officeholders he thought would be helpful to his new administration. Among those retained was State Engineer Harold L. Aitken, who became important in supporting Crosby's efforts to upgrade and increase funding for the State Roads Department. Crosby believed that

Nebraskans would accept reductions in some state agencies in order to fulfill his campaign promise to improve Nebraska highways. Insisting that there would be no "political" roads built, Crosby early on called for a bipartisan highway commission to help formulate general road policies for the state.

With a well-planned agenda and a talented administrative staff, Crosby was ready to move the state forward. His ill-fated administration was only one day old, however, when it was confronted with its first major political challenge. On January 9, 1953, the Nebraska State Supreme Court, in a unanimous decision, handed down a ruling requiring the equalization of all property tax assessments within the state. Gross inequities had arisen over the years between Nebraska counties and between farm and city property assessments. For example, farmland in Pawnee County was assessed at 56% of market value, while similar land in Lincoln County was assessed at 29% of market value. City property in Saline County was assessed at 37% of actual value, while city property in Lincoln County was assessed at 14% of actual value. Obviously, the variation in tax rates allowed some taxpayers to pay less than others in county and state property taxes.¹⁵⁵

The issue was eventually brought before the State Supreme Court in 1953 in *Laflin v. State Board of Equalization and Assessment*, when a landowner named Lewis E. Laflin noticed that his farmland in Johnson County was assessed at a higher rate than similar land in surrounding counties. Laflin had already appeared before the State Board of Equalization in July of 1952 and asked for relief for all Johnson County landowners. The State Board, made up of the Governor as Chairman and four constitutional officers, refused to grant him relief, and so he appealed to the State Supreme Court, who upheld his argument. The Court's opinion stated that: (1) the state constitution required all tangible property to be taxed uniformly, and (2) the laws of Nebraska required all tangible property to be assessed at its actual value.¹⁵⁶ Again, the State Board did not respond, and so Laflin returned to the State Supreme Court to ask that the State Board be cited for contempt of court. The High Court concurred and issued a citation to each member of the Equalization Board to show cause for their refusal to comply. Only then did the State Board of Equalization reduce the assessed value of Johnson County land to the state average.¹⁵⁷ The statewide average for farm real estate at the time was estimated by the

Nebraska Tax Commissioner to be about 35% of actual value, town real estate about 22%, cattle about 75%, automobiles about 75%, business merchandise about 29%, and household goods and equipment about 17%.¹⁵⁸

The high court ruling set in motion two years of intense political discourse among Crosby, the Legislature, and the state's taxpayers. Complying with the court's mandate and correcting the inequities in the tax system became a lengthy and formidable challenge. The political fallout that followed was immediate and vicious, as it meant that almost every real estate owner in the state was hit with an increase in taxes. Although the Nebraska Supreme Court had forced the state to address the tax issue, most of the public ire would eventually be directed at one man, Governor Robert Crosby.¹⁵⁹

Initially convinced that the existing assessment laws were adequate, Crosby believed there needed to be only a "determined execution" of the laws.¹⁶⁰ However, as the tax issue began unfolding and taking center stage in the Nebraska Legislature, Crosby soon realized the complex nature of the inequities and sought to resolve the state's tax dilemma.

Throughout the early weeks of the legislative session, Senator Terry Carpenter had become one of the chief critics of Crosby's budget restraints. Attacking the "cheapness of Nebraska government" reflected in Crosby's reduced budget, Carpenter publicly referred to the people of Nebraska as "stupid" because "they don't approach the problem in the terms of state need."¹⁶¹ He called the governor's defense of the proposed budget "wordy, ineffective platitudes" and accused Crosby of giving Nebraskans "nursery rhymes everyone wants to believe are true."¹⁶² Five weeks into the new session, Carpenter sarcastically offered a resolution stating that, "because of Crosby's determined effort to take personal responsibility for an austere budget that the great majority of the people seem to support, the legislature should therefore adopt the governor's appropriation bills and adjourn *sine die*". The derisive resolution ended in defeat, with only five of Carpenter's colleagues supporting his effort.¹⁶³

The outspoken Carpenter took particular exception to Crosby's budget which reduced state highway funding from the previous state budget by 12 million dollars. Crosby's response, which avoided any personal and open confrontation, calmly cited Nebraska as having the nation's

highest property taxes and questioned whether taxpayers could pay more. He pointed out that the highway funds, which relied on a state gasoline tax, had been reduced by a 1950 referendum that lowered the gasoline tax by a penny and eliminated certain license fees. Crosby believed it unwise to make up the shortfall with property tax revenues until the legislature could address the fuel tax again.¹⁶⁴ Although the political clashes between Carpenter and the Governor over the state budget continued throughout his governorship, Crosby refrained from ever publicly making an issue of their differences.

In early February, Crosby appeared before the legislature to request legislation aimed at complying with the Supreme Court mandate. A proposed legislative bill had already been introduced to set the state valuation of all property at 50 percent of its actual value. Crosby asked the legislature for quick action before the March 10th deadline when county assessors were required to make their property tax assessment for the coming year. Specifically, Crosby supported three bills that would give the state board of equalization some direction in policy. LB 272 provided that all property be assessed at only 50 percent of actual value; LB 302 provided for an annual valuation of

all property rather than every two years; and LB 89 would limit collection by taxing bodies to not more than 5 percent above what was collected the previous year. Crosby believed that it would be confusing and impractical to raise valuations up to 100 percent for the current year in the absence of legislative action, and then have to reduce them to some lower level again in 1954.¹⁶⁵

The issue of tax assessments soon developed into an extremely complicated dilemma for both the governor and the legislature. Because of the wide range in valuations and assessments, which had been neither at full value nor uniform among the counties, whatever corrective legislation the senators chose to implement would result in some taxpayers paying more and some taxpayers paying less in taxes.

After weeks of debate and Senator Carpenter's various attempts to kill the bills, LB 272 and LB 302 were passed by the legislature on March 5, 1953. The next day, however, LB 272, the 50 percent assessment measure, was brought up for reconsideration and debated again after several key senators began having second thoughts. Senator Dwight Burney of Hartington called it "the most disastrous piece of legislation that could pass in this

Legislature."¹⁶⁶ Nevertheless, after one and a half hours of debate the bill was passed and sent to the governor for his signature. There had been much debate and confusion over the effects of LB 272 and LB 302. The hoped-for solutions to the state's tax problems were to remain elusive, however, as no one could be sure how this legislation would actually play out in the reassessment process. There were many senators who agreed with State Senator C.C. Lillibridge when he said, "If we had confusion before, we've got chaos now."¹⁶⁷

After numerous meetings with the State Assessors Association, county assessors, and the state tax commissioner, Crosby himself began to have second thoughts about the legislation, and came to believe that it may have created more problems than it solved, and would require massive revisions of state statutes. On March 31, 1953, in a highly unusual move, Crosby reversed his support of the new tax legislation and called on the legislature to repeal LB 272 and LB 302. Citing several instances where the new laws would create unwarranted increases in certain classification of property such as livestock, farm equipment, and automobiles, the Governor became convinced that the recently passed laws were not going to accomplish

their intended purpose. Many county assessors around the state argued that they could not possibly make fair assessments in such a short time.¹⁶⁸ Critics of Crosby's surprise turn-around concluded that it was Omaha and Lincoln business interests that had persuaded the governor to ask for a repeal of the new legislation.¹⁶⁹

Crosby did admit that he had conferred with Douglas and Lancaster County tax officials who told him they could not possibly comply with the new laws in time, but it was not the direct cause of his "change of heart."¹⁷⁰ He insisted that the decision had not been sudden, but rather had resulted from "a growing uneasiness" about implementing the new legislation. State Tax Commissioner Norris Anderson had determined that the state would have to double its field staff to insure compliance if the laws were retained. Crosby reasoned that the primary burden of collecting taxes still rested with local county officials and not the State Board of Equalization, and that tax assessments could still be administered satisfactorily under the existing law.¹⁷¹ In the end, however, after exhaustive charges and counter-charges regarding the consequences of the two bills, the legislature refused

Crosby's recommendation to repeal the new tax assessment laws.

The debate over what the governor and the legislature should do to help counties comply with the Court mandate became a no-win situation. Many senators, who may have had doubts as to the effectiveness of LB 272 and LB 302, were reluctant to repeal the laws for fear of making the legislature look foolish for its indecision. Senator Carpenter, who had opposed the laws all along, summed up the state's dilemma when he said, "We are faced with a problem there is no answer to. We can't pass a law which will do what we desire."¹⁷²

Crosby believed his change of mind had been correct. Several studies had revealed the likelihood of real estate tax increases for most Nebraskans if the laws were permitted to stand. He said he had received letters and telephone calls from worried citizens from all over the state with real concerns over increased property taxes.¹⁷³ Although it was a short-term embarrassment to reverse his stand and appear indecisive, Crosby no doubt understood that he could also benefit politically by opposing the new tax laws, thereby deflecting any of the blame for raising taxes.

Throughout the legislative session, Crosby felt that his relationship with the senators remained "excellent." Despite the fact that the lawmakers had rejected some of his requests and all of his reorganization bills, he did not consider their opposition as a rebuff.¹⁷⁴ Although taxes took center stage during most of the legislative session in 1953, the Crosby administration did initiate several new significant programs.

Fulfilling his campaign promise, Crosby appointed a seven-member State Advisory Highway Commission to help review studies and establish policies to update the state highway system. Even that effort became politically complicated as several members of the Highway Commission became involved with road relocation and engineering issues.¹⁷⁵ Crosby insisted that the "sufficiency rating system" developed by the Department of Roads be followed to remove the political pressures from a sound road policy. This rating procedure established a priority for construction projects based upon the physical condition, safety, and the economic contributions a section of road provided to the state highway system.¹⁷⁶ It was a policy made difficult to follow, as road delegations from the various parts of the state continued to call upon the

governor for favors. Crosby's determination to build no "political highways" often created tensions among many of his supporters, particularly those from his native North Platte. A major controversy occurred over the proposed relocation and hard surfacing of Highway 83 west of North Platte. Federal funds for the project had been delayed for one year because of the omission of some proper legal wording in a newly revised state statute. North Platte and other nearby communities felt they had been neglected long enough, and that Crosby had the power to solve their problem by transferring funds away from other highway projects toward their own.¹⁷⁷ Crosby refused to do so because it would violate the sufficiency rating process that he had worked so hard to implement. A critical editorial in the *North Platte Telegraph-Bulletin* described his refusal to compromise as stubborn and unfair, and asked if their native son was "penalizing his hometown."¹⁷⁸

Early in Crosby's administration, State Highway Department Director Harold Aiken resigned to take a position with the Federal Civil Defense Administration in Washington, D.C. Aiken had helped develop the sufficiency rating concept for the Department of Roads that Crosby so

actively supported. L. N. Ress, Aiken's chief deputy, was soon chosen by the governor to fill the vacancy.¹⁷⁹

As the demand for improved highways in Nebraska continued to develop, the 1953 Legislature established a State Turnpike Board to begin studying the possibility of building a turnpike across the state. Many eastern states, along with Oklahoma and Kansas, had already become involved in toll road construction. Crosby appointed a three-member board, chaired by Raymond McGrath of Omaha, to begin studying the feasibility of such a proposal.¹⁸⁰ Lacking any state appropriations, there was little the Turnpike Board could accomplish. Its function soon ended when it became apparent that Congress was beginning to develop the proposed interstate highway system. Passage of the Federal Aid Highway Act of 1956 provided federal aid to states for 90 percent of the cost of interstate road construction. Nebraska opened the first stretch of the new Interstate 80 highway between Omaha and Lincoln on August 11, 1961, and eventually extended it to 478 miles across the length of the state.¹⁸¹

In 1953 Crosby signed a bill to raise the state's gasoline tax from 5 cents a gallon to 6 cents. The much-needed infusion of funds exceeded the governor's initial

budget request and allowed the state to accelerate road construction work. Crosby had indicated earlier that if the size of the state budget was boosted by increased highway taxes, he would not be disturbed.¹⁸² Federal funds were becoming more available to supplement maintenance of many of the state's highways. As the Nebraska road program began to expand, so did the political pressure on Crosby and the legislature. During the 1953 Legislative Session, a controversial trucking bill, LB 114, was passed to allow greater overweight tolerances on state highways. Believing that it would increase construction and maintenance costs, Crosby vetoed the bill. Of the eight bills that the Governor vetoed during the Session, it was the only veto over-ridden by the lawmakers.¹⁸³ A successful over-ride required a three-fifths majority, or 26 votes, of the 43-member legislature.

When the record 113-day legislative session ended on June 12, 1953, senators had passed a record-setting budget of \$194,776,039 for the two years starting July 1. It was a 12 percent increase over the previous budget in 1952. A record 595 legislative bills were introduced in the unicameral, with a record setting 369 laws enacted.¹⁸⁴ For all of Crosby's talk and efforts to restrain government

spending, the legislature had the final say. The enormous budget bill, having been passed by unanimous vote, was beyond the reach of any possible veto.

Although the budget far exceeded the one proposed by the governor, Crosby remained supportive of the lawmakers when he told them it had been "one of the most constructive legislative sessions in my recollection."¹⁸⁵ He noted that the senators had faced many controversial issues that previous sessions had ducked. Crosby cited a new half-mill tax to place the teacher retirement system on a sound financial footing and the quarter-mill tax for building construction at the University Nebraska Medical College.¹⁸⁶

The record-high state budget, accepted by a governor who only five months earlier had insisted on "restraint" in government spending, presents an intriguing study in Crosby's political flexibility and pragmatism. Although there seems to be a contradiction in his positions on state spending, one must acknowledge the increased power and authority that the Nebraska non-partisan legislature had in setting the budget. There were, in fact, 43 independent senators, with no political party discipline, making the decisions. The familiar adage, "the governor may propose, but the legislature will dispose," is a political reality.

As a former legislator, Crosby understood this, and resigned himself to the fact that a governor's influence on the budget is limited. His efforts to reorganize state agencies to reduce cost were rejected by the legislature. Crosby's proposal to transfer some state financial responsibilities to the counties and close the Home for Unwed Mothers and the Trade School at Milford met with strong opposition. Of the nine measures Crosby proposed, none were accepted.¹⁸⁷

From the very beginning of the legislative session the strong personality of Senator Terry Carpenter helped thwart many of Crosby's lower budget recommendations. The unanimous support given to the record state appropriations indicated that Carpenter was not alone in his reluctance to cut state services during the time of an expanding state economy.

Crosby's nature had always been one of a "peacemaker." Acknowledging that he differed with Carpenter on many issues, he believed that he still had maintained "pleasant relations" with the Senator.¹⁸⁸ Throughout his political career Crosby remained non-confrontational, but always secure in his own understanding of what was right and wrong. The ability to get along with people made him

effective in seeking compromise and getting things done. However, it is obvious that Crosby could not persuade the Nebraska Legislature that it was "a time of restraint" in state government. Crosby accepted the state budget without criticizing it, an indication that his staunch conservatism may have begun to evolve toward accepting a more moderate role for state government. It was not in Crosby's character to veto a bill that would likely be overridden just to make "political hay" and prove a point.

For Crosby the highway bills enacted during the legislative session were major accomplishments. Nebraska had a record year for highway construction in 1954. More than \$16 million in contracts were awarded, compared to \$8.8 million in 1953. Higher gasoline taxes and license fees, along with increased federal dollars, provided this expanded funding.¹⁸⁹ A new Highway Advisory Commission, set up by the 1953 legislature and appointed by Crosby, was designed to help solve some of the State Highway Department's political problems. However, some members of the commission continued to criticize the governor for refusing to alter his support for the sufficiency rating system, which they called "undemocratic."¹⁹⁰

As was the case with most other Americans, Nebraskans' dependence on their automobiles continued to grow during Crosby's years in office. As traffic increased on the state's highways, death and bodily injury began to increase at an alarming rate. Crosby urged increased funding for the State Patrol and relief for the Patrol from the duties of operating the newly-authorized weigh scales in the state and issuing drivers licenses. Traffic fatalities increased dramatically in 1953, rising to 343 compared to 306 in 1950.¹⁹¹ Concerned over this distressing trend, Crosby chaired the Governor's First Annual Safety Conference in May of 1954 to help draw attention to the mounting highway accidents and deaths.¹⁹²

Another of Crosby's goals during the session was to advance a school redistricting bill. Although his efforts failed, he continued to raise the issue throughout his term as governor. Speaking before the Governor's Lay Conference on Education in January of 1954, Crosby stated that redistricting would not only make better schools but lower the cost to the taxpayer. Citing the fact that Nebraska had 6041 school districts, the most of any state in the nation, he continued to push for some initial steps towards consolidation. Crosby often pointed out that one of the

obstacles in the school redistricting effort included the lack of adequate highways in the state.¹⁹³

The decade of the 1950s brought ever-increasing social changes that required a greater need for public services. Public assistance for the elderly became a growing concern for county and state government. State funds budgeted for old-age assistance and child welfare were \$22,827,752 for the 1943-44 biennium compared to \$42,478,620 in 1951-52. With returning military servicemen taking advantage of the G.I. Bill, the enrollment of the University of Nebraska and the state colleges grew from a total of 18,420 in 1944 to 29,341 in 1950.¹⁹⁴ The biennium budget for the University and state teachers colleges grew from \$9,745,869 in 1943-44 to \$33,036,030 in 1951-52. Total state biennial appropriations for 1943-44 were \$63,507,557 compared to \$165,597,990 in 1951-52.¹⁹⁵

As television became a reality in more Nebraska homes, the University of Nebraska petitioned the Federal Communications Commission in 1951 to reserve a UHF channel for noncommercial use. Crosby supported the development of a statewide Nebraska educational television system by creating a State Educational Television Committee in July of 1953. Early recommendations made by the committee led

to the University of Nebraska's development and operation of Channel 12, which began in November of 1954 as an educational television station and later became Nebraska Public Television.¹⁹⁶

On September 27, 1953, Crosby helped dedicate the new Nebraska State Historical Society building at 1500 R Street, near the University campus in Lincoln. Built by private donations and excess revenue from a state school levy fund, the new air-conditioned repository cost nearly \$600,000, and was presented to the Governor for the people of the State of Nebraska.¹⁹⁷ The Historical Society, under the direction of Dr. James C. Olson, had finally fulfilled a dream since the organization's founding in 1878, to build a new headquarters and center for the state's archives.¹⁹⁸ It was another example of the state accepting and funding public services in non-traditional areas.

CHAPTER 5

OPERATION HONESTY

"What manner of leadership is this for our sons and daughters?"

In the early stages of the property tax debate, initial efforts were centered on equalizing real estate tax assessments. As the governor and the legislature grappled with this issue, it soon became obvious that real estate taxes would increase significantly for many landowners. State and county tax collections for 1953 proved to substantiate this concern. Fearing this shift in taxes, Crosby urged citizens and assessors to make "a full return of personal property so real estate owners won't be taxed unjustly."¹⁹⁹ Following the legislative session, Crosby began focusing on the administration of the new tax laws during the summer. He had assured the lawmakers that, as chairman of the State Equalization Board, he would do all in his power to see that property assessments were equalized between counties. Crosby said he would personally "rap officials in some counties for deliberately disobeying the new 50 percent law."²⁰⁰ Referring specifically to Douglas and Lancaster counties, the governor indicated that if the new law was not followed the

State Equalization Board would demand that corrections be made.²⁰¹ Crosby stated his determination to conduct a summer campaign to focus public attention on what he called "radical and unbelievable property inequalities within Nebraska."²⁰² Citizens must be informed of this issue, he said, "because men in state office have not wanted to talk about it."²⁰³

As chairman of the Board of Equalization, Crosby claimed full responsibility for complying with the Constitution of the state and its laws. He insisted that "at no time have I nor will I try to pass the buck to someone else, such as the other members of the board or the Legislature."²⁰⁴ For Crosby, it was a matter of justice, and he began preparing for a political fight that would come to define his administration.

With the legislature out of regular session until 1955, Crosby embarked on a plan to help better balance the tax burden between real estate and personal property. Because real estate was assessed by county officials and personal property was self-assessed by the owner, real estate picked up a disproportionate share of the load. In an effort to "carry out the full spirit of the law" Crosby initiated "Operation Honesty," a program to encourage

Nebraskans to be honest in reporting their personal property holdings and valuations. On November 20, 1953, Crosby announced his plan to begin a statewide campaign to address major taxpayer inequities before the next assessment date on March 10, 1954. In a stirring appeal to the people of Nebraska, the governor asked that all citizens uphold the integrity of the Constitution by using honor and honesty in making their tax returns.²⁰⁵

If Nebraskans had winked at the real estate tax assessments through the years, they had guffawed at the personal property tax. Few people reported all of their personal property as required by law. In Omaha, a violinist in the symphony orchestra reported no violin, a furrier no furs, a camera dealer no camera, a jeweler no jewelry, the manager of a television station no TV set.²⁰⁶ Little could be done about it because of the difficulty of enforcing the law. Farmers in two western counties reported 61,853 head of livestock, but no hay or grain. Crosby believed that if all personal property was reported honestly, real estate taxes could be reduced by 25 percent.²⁰⁷

Crosby also argued that most of the tax increases throughout the state were due to increased spending by

local governments. He pointed out that two-thirds of Omaha's tax increase for example, came from higher budgets from the City of Omaha and the local school district. He said that the state could do nothing about that, as it was a local problem. The other one-third of the increase, he continued, resulted from the "fantastically" low assessment of personal property, both household and business. Crosby said that "as Governor, I am humiliated at the amazing examples in inadequate personal property returns that can be recited."²⁰⁸ In some counties the average assessment schedule for household furnishings and equipment above the \$200 exemption was as high as \$127.50. In other counties it was as low as \$11.68. The State Tax Commissioner estimated only about half of the business merchandise and equipment in the state was assessed in 1953. Crosby argued that Nebraska did not need new tax laws, but only officials and taxpayers working together to carry out the current laws of the state. The governor frankly asked, "What manner of leadership is this for our sons and daughters?"²⁰⁹

Prepared to devote whatever time and effort it required, Crosby began a campaign to take "Operation Honesty" to nearly every county in the state. If necessary, he warned, he would "seek the application of

full penalties against taxpayers who file false returns next year"—penalties, he reminded his listeners, that could be as high as a \$2000 fine and 14 years in jail.²¹⁰

The program immediately began to draw criticism from almost every part of the state. State Senator Terry Carpenter, chief among the critics of "Operation Honesty," bluntly said, "It stinks."²¹¹ Lancaster County Attorney Frederick Wagener said he thought Crosby's methods constituted "a piece of flamboyant political publicity...maintained to divert the public's attention from the real nature of the tax problem and the lack of an adequate tax program."²¹² Others called it a "first-class fairy tale." Most critics of the governor's program did not condemn Crosby for his efforts to promote honesty, but thought that the campaign was naïve and, even if successful, would fall short of remedying the underlying tax problem of the state. For years, many state senators and agricultural interests had unsuccessfully attempted to introduce a sales tax in the state to reduce the property tax on farmland and livestock. Feeling an undue burden, Nebraska farmers routinely emptied their feed yards and grain bins at year-end, in an effort to avoid paying taxes on their inventory.²¹³

In spite of the criticism, however, the vast majority of letters sent to Crosby's office during "Operation Honesty" were supportive of his program. A personal letter from a Hastings accountant shared with Crosby the dilemma of his profession. The accountant said that although he tried to serve his clients as best he could, he had to tell them now that he could no longer fill out their tax schedules except as prescribed by law. He reported that every one of his clients followed their own conscience and were now telling him to report only correct figures to the assessors. The letter ended with compliments to Crosby for doing a great job under difficult circumstances.²¹⁴

Almost everywhere Crosby went, he was greeted with an initial hostility that slowly turned to warmth. Nearly everyone admitted that he meant well. Nowhere was there more embarrassing criticism than in Crosby's hometown of North Platte, where real estate tax assessments increased more than 207 percent. The increase also affected Crosby, as the taxes on his home in North Platte more than doubled.²¹⁵ Nevertheless, the governor continued to maintain that honest tax assessments were the only right solution to the tax problem and he worked hard to explain the importance of equalization. In a series of open

letters to his lifelong friends and neighbors, published in the *North Platte Telegraph-Bulletin* from October 12 through October 21, 1953, Crosby presented his arguments and provided examples of how the equalization of tax assessments were critical requirements for a fair tax system. Facing the issue head-on, he appeared before 1500 "hometown folks" on October 21, 1953, to confront his critics and explain the intent of "Operation Honesty." The meeting ended in appreciative applause, with a reporter noting that "North Platte knows deep down that Governor Crosby is right; it's just a hard pill to swallow."²¹⁶

Sutton, Nebraska newspaperman Howard C. Sutton called Crosby's program a "pound of flesh" idea that takes the citizen's last penny of value for ever-increasing taxes. Sutton had examined the governor's 1953 personal property tax return of \$613 and suggested that Crosby had not fully reported the full value of his own assets. In response, Crosby, describing his financial circumstances as "moderate," presented an item-by-item listing of what he owned to the state's newspapers.²¹⁷ Both the *North Platte Telegraph-Bulletin* and the *Lincoln Evening Journal* reviewed Crosby's tax return and determined that it was accurate.

Following an address to the Nebraska Society of Public Accountants in Lincoln in December 1953, Crosby was applauded and presented an electric lantern with a sign reading, "A modern Diogenes in search of an honest man."²¹⁸ Diogenes was an ancient Greek philosopher who went around with a lighted lantern at midday searching for an honest man. Interestingly, it may not have been Crosby who found an honest man, but the citizens of Nebraska who found one.

On January 15, 1954, Robert Crosby formally launched his "Operation Honesty" in a speech in the Senate Chamber of the Capitol to a mass meeting of state employees. (see Appendix, p. 131) The overflow crowd heard the governor explain the need for honest personal property returns so that real estate taxes could be reduced. He requested that all state employees sign pledges to "make a full report of all my personal property for tax purposes," and wear a badge with the words "Operation Honesty" on it. Crosby's taped speech was sent to radio stations throughout the state. The entire Nebraska congressional delegation responded with letters of support and encouragement.²¹⁹

By the middle of March 1954, Crosby had traveled 9000 miles, made 79 hour-long speeches, and distributed some 30,000 buttons and pledge cards. Every piece of mail that

left the State Capitol carried the bold label of "Operation Honesty."²²⁰ A state airplane, draped with a large "Operation Honesty" sign, took Crosby and his message across the entire state. The governor insisted that the purpose of the campaign was to "give citizens a chance to make complete honest returns before we start prosecutions." Although the campaign became a grueling effort fraught with criticism, Crosby maintained his enthusiasm for what he believed to be a just and righteous cause.



Edwin Sides—Omaha World-Herald

NEBRASKA'S GOVERNOR CROSBY
Buttons in his pockets, a lantern in his hand.

FIGURE 9

Source: *Time Magazine*, March 15, 1954, p. 23.

The importance of honesty seemed to be deeply imbedded in Crosby's character. He expected honesty from his family

and from all with whom he worked. Crosby's son, Robert M., tells of an incident when the family lived in an apartment east of the Capitol during his father's first term in the legislature in 1941. On occasion, when five-year-old Robert walked by a fruit stand on his way to school, he would help himself to an apple or a plum. One day his father called him from his office and asked that they meet at the fruit stand. Confronted with the evidence of his taking the fruit without paying for it, young Robert broke down and cried. Crosby and the proprietor began discussing whether there was an alternative to reform school. Young Robert quickly agreed to pay for the stolen fruit from his allowance. It took only four weeks for the debt to be settled, but the lesson lasted a lifetime.²²¹

Crosby took seriously the charge in the Nebraska Constitution requiring the governor to "take care that the laws be faithfully executed and the affairs of the state be efficiently and economically administered." The challenge of upholding the state constitution, he believed, demanded honesty, decency, and fair play with one's fellow citizens. Crosby considered himself a sort of watchdog, selected by the people of Nebraska to protect their rights and liberties and to enforce the laws by which the people

govern themselves.²²² Not only was the integrity of the constitution important to Crosby, but also the oath of office to which he committed himself.

After wrestling with the issue throughout his first full year as Governor, Crosby believed that if real estate were to be fully assessed as the constitution mandated, then it was glaringly wrong to neglect personal property. He concluded that much of the dilemma in resolving the tax assessment issues in the state related to the provisions in the state constitution. The 1953 Legislature had referred the question of changing the state constitution to a Tax Study Committee of the Legislative Council. Crosby had been reluctant to call a Special Session until after the Tax Study Committee had done its work. After nearly eight months of committee study and consultation with the governor, Crosby called a Special Legislative Session on April 20, 1954, to address the need for submitting constitutional proposals on which Nebraska citizens could vote in the November election. The call came none too soon for Crosby's chief critic, Senator Terry Carpenter, who urged Crosby to "stop playing Snow White" and let the more "mature minds take over and correct his [Crosby's] self-saving blunders."²²³

In his opening address to the Special Legislative Session, Crosby stated that he "had not wavered from a course that followed the spirit and the intent of our Constitution. The passage of time will certify the substantial rightness of what has been done. To be faithful to one's duty has a reward that transcends immediate political expediency."²²⁴

Crosby had never publicly expressed any criticism of the legislature in connection with the state's tax problems, even though some political advisors had urged him to do so. He had come to the conclusion that solving the tax assessment problem would now require changes in the state's constitution.²²⁵

Five proposed constitutional amendments were jointly prepared by the governor and the Tax Study Committee and presented to the legislature for their consideration.²²⁶ The first proposed amendment would permit the legislature to exempt household furnishings and personal effects to the extent that it deemed desirable. The second provision allowed the legislature to determine the best means of equalizing tax assessments among the counties. A third proposed amendment permitted the legislature to determine how county assessors and boards of equalization would be

chosen. The fourth proposal would permit assessment officials to adopt special methods for some types of property, and the fifth proposed amendment would protect taxpayers against extravagant use of any supplemental taxes that might be enacted. A final proposal crafted by both the Tax Committee and Governor Crosby asked that the Special Session consider a reasonable and limited homestead exemption. Crosby believed that the family home had a special status in society and represented a special security for mothers and children. Because home ownership is encouraged, he believed that this social attitude should be recognized in the state constitution through a partial reduction in property taxes for owner-occupied homes.²²⁷

Three proposals, identified as Legislative Bills 2, 3, and 4, were passed by the Special Session on May 7, 1954, submitted as proposed Constitutional Amendments for the 1954 November election, and approved by the voters. All of the other proposals, including the homestead exemption, were defeated.²²⁸ Anything that might require an additional source of revenue, such as a state sales or income tax, was still opposed by most state legislators. Not until 1969 did Nebraska finally adopt a homestead exemption, and only after it had approved a state sales and income tax.

Despite the tremendous amount of time and effort given to "Operation Honesty" and the state's tax problem, the Crosby administration involved itself in numerous other initiatives. By executive order in October of 1953, Crosby appointed a Governor's Committee on Human Relations to determine the need for improved civil rights for Nebraska's minorities. The governor wanted to know the extent to which discrimination existed in state and local government, and what it would take to remove these obstacles. He wanted the committee to study the difficulties that Negroes, Mexicans, and Native Americans experienced in the areas of employment, education, health, housing, and status.²²⁹ The governor hoped that the recommendations made by the committee could be used to support appropriate state legislation in the future.

In July of 1954 Crosby appointed several citizen committees to study various social problems in the state. The first was a State Mental Health Committee to review the mental health program in Nebraska. Crosby had visited every one of the state institutions during his term and found many of them unable to provide proper treatment because of a lack of trained staff. Salaries were so low that it was difficult to attract competent help.²³⁰ The

governor also appointed a four-member committee to study the state penal institutions. To Crosby's surprise, this study resulted in a blistering report concerning the brutal treatment of prisoners. The report called for the dismissal of both the warden and his top aide.²³¹

On July 22, 1954, Crosby called together in the Statehouse a group of citizens to organize a Nebraska Committee for Youth to discuss education and the problems of juvenile delinquency. The 15-member board met to prepare a list of possible recommendations for the 1955 Legislature to consider including a multi-million dollar state-aid program to local school districts.²³² In each case, reports and recommendations from these citizen committees were issued late in Crosby's Administration and, necessarily, held over for action by a new governor and the next legislative session.

One of the difficult tasks Crosby had as governor was to reply to the many personal letters from people seeking greater old-age assistance. State records indicated that 15.1 percent of Nebraskans over the age of 65 were receiving old-age assistance from the state in 1953.²³³ Crosby noted that with the growing number of recipients, the state needed to streamline its assistance program, but

"it should not be so generous that it ignores the family's obligation to care for their parents."²³⁴ Crosby appeared to be sympathetic to the many requests, but also remained reluctant to expand the assistance program and raise state expenditures.

As governor, Crosby also headed the State Parole Board, which required him to rule on requests from families seeking parole or pardon for their loved ones who were incarcerated.²³⁵ He did grant pardons to nine individuals.²³⁶ He also received many requests from families asking for help to defer young men from the draft during the Korean War, but he never interfered with the decision of a local draft board.²³⁷ His responses for all such requests were kind and respectful. Crosby personally replied to the many letters from school children who asked questions about his life and political career. The governor seemed to enjoy every opportunity to discuss the importance of education and good citizenship with young people.²³⁸

In the spring of 1954, Crosby appointed a special State House Committee to study the possibility of establishing for the first time a hospitalization and surgical insurance group plan for state employees. Through

a bidding process among eight companies, Mutual of Omaha won the contract which became effective in the fall of 1954 and offered low-cost group premiums to state employees. At the time, however, employees still had to pay their entire individual premium through a payroll deduction, as Nebraska did not have the authority to pay for even a portion of these premiums until years later.²³⁹ This initiative acknowledged the need to improve the benefits and retention of state employees.

In contrast to this, Crosby had earlier vetoed legislation that would have shortened the work week for state workers to 40 hours, contending that it would be too costly for the state. The governor believed that if the shorter work week was granted to every employee, and salaries remained the same, the effect would be an hourly pay increase of 9 percent.²⁴⁰

Always looking for ways to improve the efficiency of state government, Crosby established a Suggestion Committee early in his administration, and personally funded a \$25 employee award for each of the four best ideas deemed most valuable to overall state governmental operations.²⁴¹

Crosby understood the importance of public communication and utilized radio whenever he could to keep

Nebraska citizens informed of the current issues of his governorship. His January 1953 inaugural address was carried by radio station KODY of North Platte followed by a personal word to his hometown listeners.²⁴² Early in his administration Crosby initiated a weekly radio program, "Governor Crosby Reports," that aired on radio stations throughout the state. The three-minute taped programs provided informative highlights of the activities of the governor's office.²⁴³

The governor's speech to state employees that initiated his "Operation Honesty" campaign was also taped and sent to Nebraska radio stations.²⁴⁴ When the time came for his bid for the United States Senate, Crosby actively used radio and television to advance his campaign.

CHAPTER 6

FEELING THE RESENTMENT

"I may be coming back sooner than I want to live among you."

Near the end of Crosby's first year as governor, many Nebraska politicians began speculating about whether he would seek re-election in 1954. Observers believed that because of the amount of effort that Crosby had put into the "Operation Honesty" campaign, he would choose to remain in office to see it through to the end. Others were not so sure, believing that the tax issues would be an insurmountable impediment to a second term. Crosby remained uncommitted, saying he would not make a decision until the spring or summer of 1954.²⁴⁵ On one occasion he responded to the question about a second term by quoting Shakespeare. He had not, he quipped, decided "whether the slings and arrows of outrageous political fortune are equal to the dubious personal rewards of the office."²⁴⁶

Crosby, increasingly, seemed to sense the prospect of not being re-elected. He told a Norfolk audience in September of 1953 that he knew he was unpopular in areas of the state where tax assessments had been raised. Crosby noted that he moved in and out of his hometown of North

Platte quickly because of the political heat, "even though the same yardstick of assessment was used over the entire state."²⁴⁷ Real estate valuations in North Platte had been raised 207 percent by the State Board of Equalization, the highest increase in the state. Crosby noted that even though most people in his hometown had remained friendly and civil to him, "I feel a certain subtraction of the warmth I used to feel."²⁴⁸ He admitted frankly that "I may be coming back sooner than I want to live among you," but insisted that "I've never done anything more honest in my life."²⁴⁹

An *Omaha World-Herald* editorial aptly described Crosby's handling of the tax issues when it wrote, "Here was an official who hasn't whined of being misquoted, or tried to blame somebody else, or promised to call a special session of the Legislature to fix everything up. Whether they agree with him or not, whether they will vote for him or not, we think most people will deeply admire Bob Crosby for that."²⁵⁰

Although Crosby maintained an exhaustive schedule of speaking engagements inherent to the office, he retained his energy and enthusiasm throughout his term. Crosby regretted that he "fell short" of his goal in the

reorganization of state government, but he was gratified with the job done by the various committees he set up to study specific state problems. "I never found myself in such a large area of opportunity for public service as existed in the governor's office," he declared.²⁵¹

From the time that Nebraska first became a state on March 1, 1867, governors and other state officials have always been elected to two-year terms. It was not until 1964 that Nebraska voters changed the state constitution to extend the term for state officeholders from two to four years, effective in 1967. Two-year terms, in effect, allowed little time for a governor to implement change without the risk of being ousted from office if an administration fell out of favor with the voters. This dilemma probably contributed to the fact that many governors became mere housekeepers. Issues such as tax assessments and property taxes could provoke instant retaliation from voters who thought they were being over-taxed or treated unfairly. That was precisely the circumstance in which Crosby found himself as he tried to resolve Nebraska's tax assessment equalization in only two years. It was a no-win situation. Had Crosby the benefit of a four-year term, and the cooperation of more than one

legislative session, his leadership and the additional time may well have overcome some of the tax assessment issues. While governor, Crosby and most legislators continued to oppose any effort to expand the state's tax base with a sales or income tax. It was not until 1967 that Norbert Tiemann, as the state's first four-year-term governor, resolved to reform the Nebraska tax system through a combination sales and income tax so as to enable the state to expand its tax base.²⁵²

Between 1951 and 1954 three of Nebraska's United States Senators died in office, placing the state's governors in the center of a considerable amount of political maneuvering and intrigue. The first death that occurred was that of Senator Kenneth Wherry in November of 1951. Then-Governor Val Peterson subsequently appointed newspaper publisher Fred Seaton of Hastings to fill the vacancy until the next general election in November of 1952. Seaton chose not to be a candidate for the November election, allowing former Republican Governor Dwight Griswold to enter the race and win the election to fill the last two years of Wherry's term. However, on April 12, 1954, after serving only 17 months, Senator Griswold died nine months before completing his term.²⁵³ The untimely

death of Griswold set in motion a chain of events that soon gave Governor Crosby a long-awaited opportunity to bid for the Senate seat.

Having not yet committed himself to running for governor for a second term, and refusing to appoint himself to fill the Senate vacancy, Crosby decided to finish his term as governor and run in the upcoming November election for the full-term Senate seat formerly held by Kenneth Wherry and Dwight Griswold. In a press release issued on April 15, 1954, Crosby announced his Senate candidacy, and said he expected to soon appoint a qualified person to replace Senator Griswold until the November election. The Governor pledged that he would continue to "give a full measure of attention to the problems of state government...and carry toward completion the many programs that have been started during my term as governor."²⁵⁴

The Senate had always held a special appeal for Crosby and had been his long-term political goal. Although he enjoyed his governorship, the legislative process of the Senate was more appealing to him than dealing with the exhaustive tax problems and administrative duties of his present office.²⁵⁵ Crosby joined three other strong Republican contenders for the office: Terry Carpenter of

Scottsbluff, Congressman Dave Martin from Kearney, and Congressman Carl Curtis of Minden.

The day after announcing his Senate bid, Crosby made the first of his three historic appointments to the United States Senate by appointing Mrs. Eva Bowring, a rancher from Merriman, Nebraska, to serve until the November 7, 1954 election. Mrs. Bowring agreed to fill the vacancy until the November election and chose not to be a candidate for the office to complete the short term, from November to January of 1955.²⁵⁶

In yet another untimely death on July 1, 1954, Republican U.S. Senator Hugh Butler died two years into his third term. Governor Crosby again had to fill a Senate vacancy, this time appointing Samuel W. Reynolds, an Omaha businessman, to fill the traditional Omaha Senate seat. Reynolds also chose to serve only until the 1954 November election, at which time Republican Roman L. Hruska of Omaha sought and won election to the full unexpired Senate term of Senator Butler.²⁵⁷

Crosby's first major hurdle in his Senate race was the upcoming August 10th state primary. His three strongest Republican primary opponents were all well-known state political figures who had their own long-standing and

active constituency. Crosby's bid for the Senate seat also created a sudden scramble within both political parties to field candidates for governor. The sudden deaths of the state's two U.S. Senators had caused a free-for-all in the upcoming primary, resulting in an "every man for himself" type of race.²⁵⁸ Along with Crosby, seven other Republican candidates ran for the full-term Senate position, and fifteen candidates ran for the Senate short-term Republican position that Mrs. Bowring vacated. The Democrats fielded three candidates for each of the Senate positions.²⁵⁹ Not surprisingly, both the state and national spotlight began to focus on the Nebraska Senate primary race.

In an effort to help bolster his candidacy for the Senate, Crosby immediately went to work to demonstrate his support for President Eisenhower. Attempting to campaign as a "conservative, non-interventionist Republican who likes Ike," Crosby worked to address the national and international issues of the day that he believed would decide the Senate race.²⁶⁰ He said the biggest issue facing the nation was to establish an enduring world peace. Crosby insisted that his non-interventionist views should not be interpreted as isolationism, but that the country must avoid "anything like the Korean involvement and any

such tragedy as would be involved in French Indochina."²⁶¹ Although still supportive of maintaining a strong Air Force and Navy, Crosby said that "we should work toward the end of the peace-time draft in the immediate future."²⁶² Crosby called for the reduction of foreign aid, both military and economic, and then only to those allies and friends who support the United States.²⁶³

Always espousing fiscal conservative principals, Crosby said that the federal budget should be cut enough to balance the budget, reduce the national debt and allow a "moderate reduction in taxes."²⁶⁴ He supported a farm price support program that had enough flexibility to allow supply and demand forces to work. Crosby believed that the present rigid price support program created large surpluses and high consumer prices that worked against the interests of the farmer.²⁶⁵

Crosby understood that his chief Republican rival, Carl Curtis, had the advantage of sixteen years in Congress. The real challenge for Crosby was to persuade Nebraska voters to focus more on the national and international issues of the campaign rather than the recent troublesome tax issues in the state.

In July the White House invited Crosby to meet with the President and other high Administration and Republican leaders. The Washington trip was to include meetings with federal officials regarding the President's new federal-state highway funding program and Missouri River Basin Compact legislation. Crosby reported that his visit with Eisenhower had been "very pleasant," but he had not discussed his Senate campaign with the President.²⁶⁶ He apparently felt that the meeting alone was sufficient to reflect a positive image to the public. Crosby no doubt understood the respected standing that Carl Curtis enjoyed in Congress and chose not to upstage him. While in Washington, the Governor also met with his two recent Senate appointees, Senators Sam Reynolds and Eva Bowring.²⁶⁷

During his Senate race, Crosby became the first major Nebraska political figure to use a question-and-answer format, utilizing television for campaigning. In a show "What's Your Question?" aired by television and radio stations in Omaha and Lincoln, Crosby answered questions telephoned in by listeners.²⁶⁸ Although he was comfortable using television and radio for his political campaigning, Crosby's real gift was his ability to speak before any group of people and put them at ease. An exhaustive

campaign schedule kept Crosby before audiences throughout the entire state for much of the summer.²⁶⁹ Crosby had hoped for a Presidential visit that would strengthen his Senate bid, but the brief visit by President Eisenhower in early September would come too late to help him.



PLEDGE OF ALLEGIANCE—President Eisenhower and Gov. Crosby stand at attention during taking of oath of allegiance to the flag at McCook ceremony. (Staff Photo by Bill Ray via UP Facsimile.) 1954

FIGURE 10

Source: *Lincoln Evening Journal*, September 4, 1954

By late July, Crosby reported that his campaign had collected \$10,658.60 in contributions. Crosby made the announcement even though the law did not require a senatorial candidate to file campaign expenditures with the Secretary of State. That exception in the campaign reporting law went back to the days when United States

Senators were elected by the state legislatures, and there was no requirement for Senate campaign expense reports.²⁷⁰ The only other report made to the Secretary of State at that time was made by the Curtis campaign committee who reported \$9,550 in contributions.²⁷¹ When the primary election was over, only David Martin and Carl Curtis filed a spending report with the Secretary of State. Martin reported campaign expenditures of \$18,964.51 compared to \$16,322.90 for Curtis. Neither Crosby nor Carpenter made any final report.²⁷²

The August primary election came quickly, allowing Crosby and other contenders only four months to campaign for the Senate seat. In that primary, voters, apparently frustrated over the tax mess, handed Crosby his first-ever political defeat. Veteran Congressman Carl T. Curtis of Minden won the election by more than 20,000 votes. Crosby came in second, receiving 27 percent of the total state-wide votes, with 12,000 more votes than the next contender, Terry Carpenter. Curtis carried 65 of the state's counties while Crosby won in 14 counties, including his hometown of North Platte and Lincoln County.²⁷³

Victor Anderson of Lincoln won the Republican gubernatorial primary race and went on to defeat Democrat

William Ritchie of Omaha in the November election. Former Governor Keith Neville of North Platte won the Democratic nomination for the full-term Senate seat.²⁷⁴

The day after his primary defeat in the Republican primary, Crosby met with news reporters in his Governor's office. With "a heart-warming smile" he told them he was actually relieved that it was over.²⁷⁵ The Governor said he had no regrets, and intended to work for passage of the proposed constitutional amendments that were to be presented to voters in November.²⁷⁶ Crosby told his disappointed supporters to "forget it," as his Senate campaigning was finished. He said that he and his family were going to take their first vacation since he became Governor and he planned to "fish and meditate."²⁷⁷

The election held on November 2, 1954, added yet another new face to the Senate delegation from Nebraska. As a result of Mrs. Bowring's decision not to seek election, Republican Hazel Abel of Lincoln sought and won the November election to replace Bowring for the last eight weeks of the original Wherry Senate term. Carl Curtis had won election to Wherry's full-term Senate seat and would take office in January of 1955. Four of the five proposed constitutional amendments relating to revenue and taxation,

and submitted by the Legislature for a vote at the November election were passed.²⁷⁸

In yet another odd turn of events, Senator Abel, being a staunch Republican, resigned her Senate office on December 31, 1954, before the end of her term. This allowed Governor Crosby to then appoint Senator-elect Carl Curtis on January 1, 1955, giving Curtis several days of seniority over his Senate peers who took office on January 3, 1955. Crosby's appointment of Curtis reflected his political acumen and his characteristic refusal to hold a grudge over his Senate election defeat. The Governor and Curtis maintained a cordial friendship throughout their lifetimes. Through all of these complicated twists and turns of political events, Republicans maintained their hold on Nebraska politics by winning all state and national offices in the 1954 general election.²⁷⁹

EPILOGUE

"I am looking forward to a long period of years of enjoying life as a private citizen."

In January of 1955, Crosby stepped down from the office of Governor after only one two-year term. Determined not to seek public office again, Crosby decided to remain in Lincoln and allow his children to finish their schooling. Although he had seriously considered several offers for federal employment, he said the inducements were not enough for him to leave Nebraska.²⁸⁰

After the November election Crosby stated, "I am looking forward to a long period of years of enjoying life as a private citizen. I hope to do a lot of things I never had time to do before, time to go hunting with my son and time to teach my daughter to play tennis. I also plan to renew my skills at putting up storm windows and mowing the lawn."²⁸¹ In the ensuing years, Crosby often had to dispel rumors of his re-entering the political arena. With the ending of his political career, Crosby took the opportunity to renew his lifelong interest in playing tennis.

After leaving the Governorship, Robert Crosby joined the law firm of Crosby, Guenzel, and Pansing as a senior

partner with offices located in the Federal Securities Building in downtown Lincoln. Attorney Robert Guenzel, a close friend of Crosby's, had practiced law in Lincoln and served part time on the faculty at the University of Nebraska. Attorney Thomas Pansing, law partner to Guenzel, had been the State Director of Insurance under Governor Crosby. Ardis Hunt, Crosby's longtime executive secretary, who had served the Governor since his days in North Platte, moved with him to the new law firm.²⁸² With the former Governor and his politically active partners, Crosby, Guenzel, and Pansing became the premier "Republican" law firm in the state.²⁸³ The law practice emphasized insurance, cooperatives, natural resource conservation issues and public utilities. Crosby continued his interest in water resources and became actively involved in the newly formed Nebraska Natural Resource Districts in the state. He played a major role in the flood control projects and recreational lakes developed around the city of Lincoln in what is now part of the Lower Platte South Natural Resource District. Crosby successfully appeared before the Nebraska Supreme Court in 1980 to argue for the reversal of a previous Court ruling that had prevented the trans-basin diversion of water within the state.²⁸⁴

During his years as a Lincoln attorney, Crosby also served as a defense attorney in several high-profile criminal prosecutions. In 1965 he defended Duane Pope who was accused of killing three employees in a bank robbery in Big Springs, Nebraska. The case brought intense notoriety and a good deal of criticism for Crosby's efforts to avoid the death penalty for Pope by reason of insanity. After Pope was found guilty and sentenced to death, the case was appealed to higher courts.²⁸⁵ Pope was eventually sentenced to life in prison. In 1970 Crosby successfully defended Captain Eugene Kotouc of Humbolt, Nebraska, in a Military Court Martial resulting from the My Lai massacre incident during the Vietnam War.

By 1955 Crosby had become one of the busiest and most influential lobbyists in the state. A Lincoln newspaper declared that Crosby was now far more influential as a lobbyist than he had been as a governor.²⁸⁶ A list of his major clients included the Salt Valley Watershed District, City of Lincoln, Nebraska Rural Power Association, and the Better Nebraska Association (an organization of highway construction companies).²⁸⁷ His success and political influence as a lobbyist continued for more than forty years.

Crosby never gave up his interest in politics and continued his active involvement in the Nebraska Republican Party. He served as a delegate to five Republican National Conventions from 1956 to 1976. During the 1956 Republican National Convention in San Francisco, he served on the platform committee that developed the agriculture and water resource plank. In 1960 Crosby served on the Labor and Commerce Committee at the GOP National Convention. His most notable experience occurred at the 1964 Republican National Convention in San Francisco, when he addressed the Convention over nationwide television to speak in favor of adopting the GOP Civil Rights platform.²⁸⁸

On January 6, 1971, Crosby's wife of more than thirty-six years, Betty, died in Lincoln, Nebraska at the age of sixty-one. Crosby later married LaVon Stuart who had been widowed and was formerly of Hastings, Nebraska. With that marriage came four stepchildren, ages 8 to 16. LaVon had served on Senator Roman Hruska's staff and shared an interest in politics with Crosby.²⁸⁹ LaVon Crosby also became active in Nebraska politics and served three terms in the Nebraska Legislature representing District Twenty-nine in Lincoln, and distinguished herself much as Robert Crosby had done years earlier.

Throughout his political career Robert Crosby practiced and articulated a certain moral conviction that guided him in every endeavor. He believed politics to be a worthy and rewarding career and one that could be practiced with honesty, integrity, and dedication. Crosby had a knack for writing letters and throughout his career became quite prolific as he kept in touch with his family and many friends.²⁹⁰ The series of open letters written to his hometown of North Platte during "Operation Honesty" reflected a simple, forthright manner that was so much a part of how he related to people. Along with his ready smile and his ability to listen, Crosby's greatest asset was his ability to express himself.²⁹¹ Crosby liked people and understood the art of politics. In turn, people liked and respected Bob Crosby.²⁹²

For any governor, taxes often are the most persistent and confounding of issues. Crosby's leadership in "Operation Honesty," although derided by his critics at the time, helped convince many Nebraskans that the state's tax structure needed to be changed. His sincere and exhaustive efforts, however, could not solve the inherent defect in a tax system that required people to voluntarily report the nebulous value of their personal property. The continual

debate over the fairness of tax assessments on the various classifications of property remained a constant problem. The State Legislature had for years struggled with the need to find additional funds to meet the mounting cost of state government. An attempt in 1965, however, to enact legislation for a state income tax was soundly defeated in a referendum by Nebraska voters.²⁹³

It was not until 1968, under Governor Norbert Tiemann, that Nebraska finally enacted a combination sales and income tax to replace the state property tax. Although Nebraskans came to accept the need for a broadened state tax base, they still did not like it, and showed their displeasure by denying Tiemann a second term as governor.²⁹⁴ With the unexpected opportunity to run for the United States Senate, Crosby chose not to run for re-election as governor, knowing full well that many voters were provoked at him for his "Operation Honesty" campaign. The sizable loss that Crosby sustained in the Senate race, however, suggests that Nebraska voters still harbored resentment over anyone perceived to have raised taxes.

Nebraska followed the rest of the nation in a postwar economic expansion that redefined the expectations of most Americans. Government assistance and planning were now an

accepted reality. As governor, Crosby's efforts to reduce the size and cost of state government became politically unlikely. Crosby had started his political career in Nebraska as a strong Republican conservative who, in time, came to understand and accept the need for expanded state services. His political philosophy became much more aligned with the more moderate Republicanism of President Eisenhower. Crosby's efforts to reorganize state government and improve the state's school system were less successful than his efforts to expand and improve the state's highway system. As a one-term governor, he was unable to complete many of the initiatives in state government that he had begun.

Crosby offered his leadership and service to many community and state-wide organizations. He served as state Heart Fund chairman, headed the Lincoln United Way, and helped raise funds for the Lincoln Senior Center, Emergency Food Pantries System, and Catholic Social Services.²⁹⁵ Crosby's lifelong commitment to his church and his community demonstrated his concern and compassion for the well-being of people.

Robert B. Crosby died January 7, 2000 in Lincoln, Nebraska. In an editorial written in the *North Platte*

Telegraph following his death, Crosby was described as "a true gentleman...who brought civility to politics. He was a tough competitor who never was unfair, a skilled debater who never was unkind, a leader who was never pretentious. He was the model of what politics ought to be but seldom is."²⁹⁶ Crosby, whose political career started in North Platte and ended as a single-term governor, served Nebraska with grace, wit, and enthusiasm.²⁹⁷

APPENDIX

Robert Crosby's Letter to the Editor of the
North Platte Telegraph-Bulletin
April 2, 1951

"The Tradition of Other City Administrations"

Dear Sir: Not especially do I like getting into this election fight. It would be better "policy" to stay out of it. In the long run, though, I'll feel better if I stand up and get counted.

By the way, neither was my name on the roster of the Citizens' Committee. That is nothing against the Committee.

Like some others in your columns, I was born in North Platte (40 years ago last week, if you must know).

Both candidates for mayor are well known to me. I like them both—count them as friends. Of course, Sid won't like this letter, but he has known for a long time now how I feel about the issue in this campaign.

The issue is what kind of law enforcement?

Please understand that those of us who have lived here all our lives find this issue distasteful. We regard it a privilege to be natives of North Platte. I wouldn't trade hometowns with anyone.

However, for several years I have been obliged to admit that our law enforcement has not kept pace with our progress in other ways. State and federal agents have told me so. Statistics on diseases, associated with unsuppressed vice, show it. Our several unsolved murders, connected with the gambling rackets, still mock us.

No longer can we point at Grand Island or Cheyenne or even Omaha. They have tidied up. We haven't. Of course, they aren't rid of racketeers or vice, but they are making a consistent effort.

We never shall be rid of gambling rackets or women of ill reputes. Joe Adonis or Lucky Luciano represents a persistent type. But we ought not to give up opposing and pursuing them. Theft and murder are ancient practices, too.

Another aspect of this situation disturbs me. The proprietors of our gambling tables are well known. The names of our disorderly rooming house are easily listed and have long established locations (although explosions and fires have been a hazard recently). So long have they been with us that they have earned a kind of perverse respectability.

I have heard fears expressed, groundless I am sure, that the men and madams with irregular occupations might not be above paying for protection. It has been argued that their long and successful careers can only thus be explained. I am sure they would not be so unscrupulous.

Very seriously, I am convinced that no city officer of my acquaintance would stoop to taking protection money. I respect the present mayor's integrity. It would not happen with his knowledge.

But you must agree with me that the situation could be a temptation to some officer who is weak. If the practice of paying protection money should ever arise in our city, it would be a direct blow at everything we hold dear. To my way of thinking, the shadowy figure who corrupts a public official has done more harm to American institutions than has a confessed communist spy.

Fortunately this has not happened in North Platte. Perhaps it could not happen here.

The present mayor, of course, does not approve of the gambling and vice. But during this term and his past terms his attitude toward these things has been an easy-going one. There has been a kind of truce between his police officers and the underworld that has earned this perverse

respectability. There have been no raids, no arrests, no active opposition.

In defense of the present mayor, it must be said that he has only carried on the tradition of other city administrations. He believes it is what we want—he believes the election will show this.

Significantly, the present mayor has not said he will try to do better—he has not admitted any shortcoming.

On the contrary, Kirk Mendenhall and others on his slate have flatly promised effective law enforcement. Kirk and his colleagues are unquestionably able and qualified. I am convinced that Kirk is independent and sincere, and is obligated to no one.

It seems reasonable that we should try a change in North Platte. This need not mean disrespect to the present mayor and his fourteen years in office. It would give us a new and younger mayor, unhampered by past association with city politics, who believes that a better job can be done for us.

"OPERATION HONESTY"

Governor Robert B. Crosby's
Speech to State House Employees
January 15, 1954

This is the beginning of the campaign called
"Operation Honesty."

Each of you has received a form of pledge reading as follows: "I pledge my full support and cooperation to OPERATION HONESTY and promise to make a full report of all my personal property for tax purposes."

Each of you has received a lapel badge bearing the words "Operation Honesty."

Today in the various state institutions and offices throughout Nebraska, hundreds of other state employees are receiving these same pledge forms and badges.

At this very time in most of the court houses throughout the state, the county employees are holding meetings and are receiving these same pledge forms and badges.

Why should "Operation Honesty" be launched first among public employees? These are several reasons.

To begin with, you and I are paid from taxes. Before all others you and I should assume the leadership and set

the proper example for our fellow citizens in bringing about the equalization of taxes, so that no one carries more or less than his fair share of the tax burden.

Further, not only are you and I paid from taxes—each of us pays taxes, too. I know some of you have wondered whether citizens remember that public employees are also taxpayers. Well, I can tell you that some of my skeptical friends have lately been remembering just that. They wisecrack about as follows: "Governor, if you can get all of the state employees to make out honest personal property schedules, it will certainly be a big help!" My answer is that I am convinced that no group of Nebraskans does a better job of returning personal property than do state employees—and, granting that many of us have fallen short in the past years, the public can be assured that this year, we state employees will show the way by doing a 100% complete job of listing our personal property for taxation. Thus, we will lead the way for "Operation Honesty."

Before you sign these pledges and begin to wear the badges, I want each of you to clearly understand the reason for "Operation Honesty."

This program is a necessary step in solving what is currently one of the most difficult tasks in state administration: The equalization of tax assessments.

This problem of equalizing tax assessments has an importance far beyond the raising of revenue for government. It involves the integrity of our state Constitution. It involves the enforcement of our state laws. It involves not only my oath of office but that of all public officials. Honesty and decent regard for the rights of our fellowman are bound up in this problem.

Nebraska's Constitution provides, "taxes shall be levied by valuation uniformly and proportionately upon all tangible property."

This provision of the Constitution had been knowingly and deliberately violated by all of us for many years.

At the beginning of last year, the Supreme Court commanded the State Board of Equalization to enforce this provision of the Constitution.

Last year the State Board earnestly enforced the constitutional requirement of uniformity in taxation, particularly in regard to real property.

While we are now much closer to the standards set by the Constitution than we were at the beginning of last

year, yet the present situation is only a beginning. In fact, we are only about one-third done with the task of equalization.

The greatest present injustice is that borne by home owners in many towns and cities. The agricultural community, farmers and ranchers alike, will gradually realize that its overall property taxes are generally less than last year, although its situation needs much repair.

The plight of the town home owner stems from three causes.

In many towns and cities the greatest cause is a purely local one, beyond the legal reach of myself or any other state official.

That cause is simply the greater spending of tax money by local units of government. Assessments do not determine the amount of taxes—taxes are determined by the amount of money spent by men in public office. Remember, State Government is spending 10% less of property taxes this year than last year.

The second cause of the home owner's tax misery in many towns is the lack of equalization among individual owners of real estate. Frequently, homes of equal value are assessed on drastically different levels.

This inequality between individual owners is beyond the jurisdiction of State Government because we are restricted by law to equalizing among counties and classes of property on the basis of average assessments. We cannot equalize among individual property owners; that is the job of local officials.

Now to the third cause of the town home owners' tax misery—the one that gives rise to "Operation Honesty." You must understand what has happened to the relationship between real estate and tangible personal property to appreciate this third cause.

In 1952 real estate, especially town property, was assessed far below the legal level. Personal property was also assessed below the level required by law; especially, personal property used in business, household goods, and personal belongings were all assessed absurdly low.

On the average, all real estate is now at the assessment level required by law. But much personal property is still scandalously low in assessed value. In short, personal property is not carrying its rightful share of the tax burden.

If we could get a full return of personal property at a reasonable value during this coming assessment period,

the tax burden of real estate would be lessened by about 25%!!! This is the real hope of the real estate owner, especially the town home owner: a possible tax reduction of one-fourth on his home! It is our duty as public servants to see that Nebraskans realize fulfillment of this hope.

As Governor of our state, I am humiliated at the amazing examples of inadequate personal property returns that can be recited. In news accounts you have noticed many examples that I have mentioned during the past two months. There is no need to repeat them now. During coming weeks I shall publicly mention many more examples. I want the public to fully understand the low estate to which we had fallen in the neglected area of law enforcement. I want everyone to see the extreme injustice suffered by honest taxpayers—there were many of them in Nebraska—because we were ignoring the others who were evading personal property taxes.

What is to be done about this inequity, this failure of law enforcement? Is there some easy way around the problem so that we can be excused from solving it?

For the present, we must assume that existing Nebraska tax laws express the will of the people of Nebraska because

the Legislature was in session in this very Chamber until June, 1953, and did not see fit to make any appreciable change in those laws. But, what of the future?

Can we get rid of property taxes by persuading the Legislature to adopt a sales tax? Most people realize that it is ridiculous even to ask the question. A 2% sales tax would reduce property taxes in towns and cities only a small amount—not more than 10 or 15%. And the reduction would apply to personal property as much as real estate. Homes would continue to carry an undue amount of the property tax burden. And, if nothing less were done, the slight reduction from a sales tax would benefit the property tax evader just as much as the honest taxpayer.

If you want proof from the experience of other states, then look at Iowa or Kansas. Each of them has both sales and income taxes. Yet the per capita property taxes in both those states are almost as much as ours—not even 10% less.

Please understand, I am not arguing for or against broadening the tax base by other revenue such as sales or income taxes. I am simply stressing the obvious point that such supplemental taxes do not even touch the problem of

equalizing property taxes. Furthermore, remember that the Legislature refused to enact a sales tax in 1953.

Could you and I, as state employees, sidestep this problem by persuading the Legislature to substitute some other tax for the money that state government gets from property taxes? If state government were taken out of the property tax field and that source of revenue left solely to school districts, towns and counties—could we then forget the problems of equalization? Again the answer is “No.” Other states have tried this, and today they are as vexed by the problem of equalizing property taxes as we are. Hundreds of school districts lie in two or more counties, and there must always be equalization among those counties. In any event, we cannot escape the constitutional requirement of seeing that substantial justice is done to our citizens by insuring a uniform and proportionate sharing of the tax burden.

The only practical way to solve this problem is to face up to it squarely. We must behave as good citizens should and obey the property tax laws. This is “Operation Honesty.”

We are now beginning “Operation Honesty” so that all of us will voluntarily comply with the personal property

tax laws. I confess that for many of us it means the abandonment of a custom of neglect and evasions. However, I have no doubt of the success of "Operation Honesty," because Nebraskans are fundamentally honest. We all want to do the right thing. In part we can find some excuse for past violations because many elected officials have been too timid to enforce the personal property tax laws. I have committed myself to enforce the law against those taxpayers who refuse to cooperate with "Operation Honesty," and those officials who refuse to enforce the law. I think such taxpayers and officials will not be many.

As Governor, I am charged by the Constitution to "take care that the laws be faithfully executed." You, as members of the executive branch of state government under my direction, share that constitutional obligation with me. For that reason I do not hesitate to request that you do as I am going to do.

Now, in your presence, as the chief executive of Nebraska, I sign the same pledge that each of you has. I fasten on the badge exhibiting the words "Operation Honesty." I shall wear that badge during working hours from now until April 20th. I request and strongly urge that each of you do the same.

Together, as public servants, we shall lead a demonstration by Nebraskans that a free people can succeed in self-government. This is "Operation Honesty."

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