

BACK STORY

PARTISAN ELECTIONS TO SELECT JUDGES

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Since statehood, Nevadans have elected their judges. Beginning in 1864, until 1914, would-be judges ran for office on a political party ticket. During that time, four justices resigned and one died while in office; so five lawyers were appointed to the bench. Twelve men (they were all men in those days), were elected on the Republican ticket, four on the Democrat ticket, and five were elected and one appointed on the Silver (sometimes referred to as the Silver-Democrat) ticket.

The Silver Party favored the coinage of silver that Congress had abolished. This decision was a major blow to Nevada's mining industry, so, in 1894 and 1898, this party won most of the elected statewide offices, including the judgeships.

In 1910, instead of having the parties nominate their candidates at their conventions, the state held its first primary election for party nominations to all offices. When the judges ran on a partisan ticket, only the Democratic Party held two primary elections to select its nominees to the Supreme Court. Pat McCarran and Benjamin Coleman won their primaries and the subsequent general elections, in 1912 and 1914, respectively. Only two justices ran unopposed, Charles Belnap (D) in 1892, and Frank Norcross (R) in 1910.

Some of the more interesting justices during the partisan era include the following. Belnap served the longest, remaining a justice for more than 26 years. Originally, he was appointed to fill a term in 1872; he was elected and reelected three times as a Democrat and once as a member of the Silver Party. He retired in 1905. William Massey, one of the four justices who resigned, left the bench when he was selected to succeed U.S. Senator George Nixon, who died in 1912. Silver-Democrat Thomas Van Camp Julien succeeded Massey on the bench. He served the shortest term of any justice: just three months. Henry and William Beatty were the only father and son to serve on the Nevada Supreme Court bench.

The most famous justice from the partisan era is U.S. Senator Patrick McCarran. A Democrat, the voters elected him to the bench in 1912. He lost his reelection attempt in the first nonpartisan election for judges in 1918. However, he made a political comeback and was elected to the U.S. Senate in 1932.

In 1915, as part of the Progressive Movement, the legislature changed the law and, beginning in 1918, the judicial races became nonpartisan. See also the August, 2010 issue of *Nevada Lawyer*, on the first Nevada Supreme Court. ■

JUSTICES OF THE NEVADA SUPREME COURT TERMS OF OFFICE, 1864 – 1915

Lewis, James (R)	1864-1867; 1867-1873
Beatty, Henry (R)	1864-1868, resigned November 1868
Brosnan, Cornelius (R)	1864-1867, died April 1867
Johnson, John Neely (R)	1867-1869, appointed to Brosnan's term, elected 1869-1871
Whitman, Bernard (R)	1868-1869, appointed to Beatty's term, elected 1869-1875
Gaber, John (D)	1871-1872, resigned November 1872
Belnap, Charles (D)	1872-1875, appointed to Gaber's term, elected 1881-1887, 1887-1893, 1893-1899 and (S-D) 1899-1905
Hawley, Thomas (R)	1873-1879, 1879-1885, 1885-1890, resigned September 1890
Earll, Warner (R)	1875-1877, filed Gaber's term
Beatty, William (R)	1875-1881 (Henry Beatty's son)
Leonard, Orville (R)	1877-1883, 1883-1889
Murphy, Michael (R)	1889-1895
Bigelow, Rennselaer (R)	1890, appointed to Hawley's term, elected 1890-1897
Bonnifield, McKaskia (S)	1895-1901
Massey, William (S-D)	1897-1902, resigned September 1912, appointed to U. S. Senate
Fitzgerald, Adolphus (S-D)	1901-1907
Julien, Thomas (S-D)	1902-1903 appointed to Massey's term
Talbot, George (S-D)	1903-1909, (D) 1909-1915
Norcross, Frank (R)	1905-1911, 1911-1917
Sweeney, James (D-S)	1907-1913
McCarran, Patrick (D)	1913-1919
Coleman, Benjamin (D)	1915-1921

AUTHOR'S BIOGRAPHY can be found on page 5.