

**Fighting for the Speakership:
The House and the Rise of Party Government**

Jeffery A. Jenkins
Department of Politics
University of Virginia

Charles Stewart III
Department of Political Science
Massachusetts Institute of Technology

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Chapter 1

Introduction

The U.S. House of Representatives is organized by whichever political party holds a majority of its seats. This fact has consequences. Controlling the organization of the House means that the majority party decides who will preside over its deliberations, who will set the policy agenda, and who will dominate the workhorses of the chamber, the standing committees. Organizing the House does not mean the majority party will win all battles, but it does give the party a leg-up in virtually any question that gets considered by that body.

There is nothing in the Constitution that rests the organization of the House in the hands of the majority party. The practice has evolved over the past two centuries, to the point that party organization of the House has become routinized. Ahead of each election, the two parties announce that they will meet in caucus on a date certain, just after the election, to choose not just their own leaders, but also their nominees for the leadership positions of the *chamber*, notably the Speaker as well as other officers like the Clerk. The party caucuses also select the committee slates, including the chairs. When the new House finally convenes, the decisions determined in caucus are presented to the full House by the caucus leaders, where they are ratified either by party-line votes (as in the case of the speakership election) or by unanimous consent (as in the case of committee slates, including the chairs).

It was not always this way. For the first half century after the founding of the Nation, it would be a stretch to say that parties controlled the organization of the House at all; it would be a lie to say that the organization of the House was routine. The first several Congresses chose Speakers and other officers who were known by contemporaries to be dedicated Federalists and Republicans, but they were not nominated by Federalist or Republican caucuses. When caucuses

arrived on the scene in the 1840s, their record was spotty. They sometimes settled on a nominee, sometimes not — and even when they did, the nomination often exhibited little weight on the final outcome. For example, anyone not physically present at the caucus meeting was under no obligation to support the nominee. Thus, party caucuses *might* settle organizational matters, but quite frequently they were just the first round of a fight that would resume on the House floor.

Before the Civil War, struggle, contention, and deadlock over the organization of the House was common. Nearly one-third of all speakership contests from the founding of the Republic until the outbreak of the Civil War (13 of 41) took more than one ballot to resolve. At least twice, the “minority party” actually saw one of their own elected Speaker. Even the selection of subordinate offices could be contentious. During the same antebellum period, the House required multiple ballots to select its Clerk nine times and its Printer four times.

If the majority party did not routinely control the top officers of the House, why would we expect them to control the committees? Even though party caucuses and leaders had a role in determining committee lists, the composition of important congressional committees well into the nineteenth century frequently favored the minority party (Canon and Stewart 1995, 2001; Canon, Nelson, and Stewart 2002).

The first Speaker, Frederick Muhlenberg, was selected through an informal process that lacked any trappings of formal party politics, and he initially lacked the authority to appoint committees. Modern Speakers, such as Newt Gingrich, Dennis Hastert, and John Boehner, are recognized primarily as agents of their parties who are expected (normatively and empirically) to use the formal levers of power in the House to further their parties’ legislative goals. The standing committees are constructed by party-based “committees on committees” that have

increasingly used the lens of party goals to focus attention on whom to give plum assignments and to allow to chair the committees (Dodd and Oppenheimer 2001; Aldrich and Rohde 2005; Sinclair 2005, 2006).

How did we move from the world of Muhlenberg to the world of Boehner? What difference did this evolution make for internal House politics, policymaking, and the course of American political development?

These are the questions that animate this book. At the core is our account of how the chief House officers, but especially the Speaker, came to be presumptively owned by the majority party, meaning operationally, the majority party caucus. Party caucuses first arose in the mid-1790s, in an attempt to bind party members in the critical organizational votes that are the first order of business when a new Congress convenes (Harlow 1917; Risjord 1992).¹ Yet, they were only sporadically employed in the earliest years of the Republic and largely fell into disuse in the early years of the nineteenth century.

The role of the majority party caucus in the formal organization of the House reentered regular practice later in the nineteenth century. The grip of the majority party caucus on organizational matters tightened twice, at moments when the political stakes were high and party leaders saw control of the Speaker and other senior House officers as central to achieving their political goals. The first instance was during the early years of the Second Party System, when Martin Van Buren and his followers recognized that the formal leadership of the House possessed valuable resources for the creation of effective mass political parties in the United

¹ At the same time, congressional caucuses (made up of party members of *both* the House and Senate) were major players in determining presidential nominations. These congressional nominating caucuses were a staple of the First Party System, and lasted through 1824.

States. The second instance was during the Civil War, when efforts to effect a cross-party organization in the prior Congress nearly backfired for the majority Republicans.

These were two critical moments in the history of the House's organization that resulted in the majority party caucus claiming an enhanced role in determining who would sit in the chair and who would dominate the committees. However, the influence of party on the House's organization did not grow monotonically. Rather, from the 1830s to the 1860s, the House often fought bitterly over who the Speaker and other officers would be, with the party caucus playing a highly variable role in determining the final outcome. The primary reason why the majority party failed to guarantee its predominance in organizing the House after the 1830s is that Van Buren and his followers also unwittingly created a highly visible platform on which anti- and pro-slavery forces could test their strength in national politics. This platform was constructed by a House rules change in 1838 that for the first time made the ballot for Speaker public.

(Previously, the balloting for all House officers, including Speaker, had been secret.) The rules change was instituted to give party leaders reliable information about who had supported the party nominee for Speaker and other offices. Before long, it was transformed into a mechanism for the *ultras* on both sides of the slavery debate to observe who was voting for nominees considered to be on the "right" side of the issue — not at all what the Van Burenites had in mind.

The modern Republican party, starting with the second Civil War Congress, established the party caucus, once-and-for-all, as the only legitimate venue for the resolution of intra-party divisions about who would be Speaker. The utility of settling internecine disputes in caucus and then presenting a united front on the floor was quickly recognized by the minority Democrats, who followed suit by settling on their Speaker nominee in caucus, too. As a result, the opening

session of the 39th Congress (1865) was the first in which *each* party officially placed a single individual's name into nomination for Speaker and then proceeded to vote for these nominees strictly by party.

The Civil War Congresses were unique in American history, owing to the exclusion of the South from the body. The majority Republicans were a purely regional party by construction and highly cohesive, viewed historically. The minority Democrats were also northern, but not by construction. When the South returned to the House at the end of Reconstruction, the result was to make the two parties more evenly matched numerically. They also became more ideologically diverse. These two factors — narrow party margins and ideologically divided parties — had been the primary ingredients that fueled the intense battles over the speakership before the Civil War. And yet, unlike the antebellum era, the parties after the Civil War managed to keep their fights to themselves and their ideological divisions from spilling out onto the House floor. As a consequence, when Thomas Brackett Reed (R-Me.) became Speaker in 1889, the common understanding in the House, bolstered by two decades of experience, was that the party caucuses were cohesive on organizational matters. The imposition of the “Reed Rules” in 1890 supported the development of tools to help the majority party control the legislative agenda and guide the course of policymaking in the House. The regime set in place by the Reed Rules — which transformed the majority party into a *procedural* cartel and established the “modern structure of agenda power in the House” (Cox and McCubbins 2005, p. 50) — was nearly a century in the making.

The centrality of the party caucus for the organization of the House was demonstrated in the two most important challenges to majority party authority in the twentieth century. The first

was the revolt against Speaker Joseph Cannon (R-Ill.) in 1909. In that case, the insurgent faction in the majority party refused the offer by Cannon to knock him out of the Speaker's chair, which was an important recognition that when it came to matters of personnel, the caucus was still king. The second was the revolt by progressive Republicans at the opening of the 68th Congress (1923), when twenty progressives refused to vote for Frederick Gillett (R-Mass.) for Speaker, in a dispute over the rules. In the ensuing three-day standoff, there was never any doubt about whether the insurgents might join with the Democrats to organize the chamber — all the negotiating was internal to the Republican party, centered on the majority leader, Nicholas Longworth (Ohio).

Finally, it is significant that in the middle part of the twentieth century, at the height of power of the most dominant inter-party *policy* coalition ever to walk the halls of Capitol Hill — the Conservative Coalition — disputes about who would be Speaker were always settled within the confines of the two party caucuses.

Thus, the modern Speaker sits at the top of two powerful institutions — the House of Representatives *and* the legislative party of which she is the leader. The former flows directly from the latter. The core narrative of this book explains how this happened and explores why the role of Speaker-as-party-leader is an institution that took as long to build as a small cathedral.

The Wider Implications of Speaker-as-Party Leader

The first contribution to scholarship this book makes is providing a comprehensive accounting of how Speakers have been elected in the United States House of Representatives from 1789 to the present. In our view, the fights over how the House would be organized, especially the fights before the Civil War, are among the most consequential turning points in American political history. They should be better-known by students of Congress, parties, American history, and American political development. Therefore, telling the history of these conflicts fills in a serious hole in our understanding of how Congress evolved into the institution it is today. We hope that by laying out these conflicts and suggesting how they fit into the larger politics of the age, we will spur others to pick up where we have left off.

Yet the history we recount in this book does more than plug an important empirical gap in our understanding of how Congress evolved. Studying how organizational politics developed in the House allows us to encounter more general themes about Congress and its role in the American political system. Here, we mention two that particularly stand out: (1) the construction of mass political parties in the early 19th century and (2) the role that political parties play in guiding the agenda of Congress today.

The House and the building of mass political parties

In its early years, the American polity was an elite game by design. In time, mass politics came to dominate American politics at the national level. The circumvention of the original elite polity owes its initial success to Martin Van Buren, who was the brains behind the rise of Andrew Jackson and his transformation of American political life. It is an oft-told tale of how Jackson, denied the presidency in 1824 even though he won the most popular votes, connected

with the Little Magician, who masterminded a plan that altered the American electoral landscape. This occurred when a network of pro-Jackson forces gained control of a critical set of state legislatures, which in turn changed the laws that governed how presidential electors were selected. Electors were now to be chosen directly, through the popular vote of a state's electorate, rather than indirectly, through the vote of the state legislatures. This reform shifted the electoral terrain to ground that Jackson's followers were more adept at holding. This, in turn, led to a rapid democratization of American politics, as voters gladly took to the polls when they knew their votes would have a direct impact on choosing the next president.²

An important part of this story of early party-building is often overlooked. The biggest obstacle that Van Buren faced in establishing a new interregional party was not the political elites who dominated the choice of presidential electors in the states, but the threat posed by the introduction of slavery into national politics, highlighted by the proposal to admit Missouri to the Union in 1820 (Silbey 2002, pp. 41–42).³ Dealing with the threat represented by virulent regionalism was *the* major project of the party builders during the Jacksonian era, even bigger than electing Jackson to the White House. This was a threat that just would not go away, as anti-slavery advocates had a knack for introducing slavery into national politics at the popular level, even as mainstream political elites were trying to mold institutions, especially parties, into trans-regional alliances.

² On Van Buren's role in salvaging the political career of Andrew Jackson by masterminding the effort to revitalize the flagging organizational strength of what became the Democratic party, see Remini (1959), Hofstadter (1969), and Aldrich (1995).

³ For a general overview of the congressional politicking over Missouri, see Moore (1953) and Richards (2000, pp. 52–82).

Consequently, the Jacksonians faced two great organizational obstacles. The first was to create a robust political network, truly national in scope, that could deliver the votes on a regular basis. The second was to do this in a way that suppressed regional sentiments, especially those excited by slavery.

How these two organizational problems were addressed already constitutes two well-trodden paths of American political history. The national partisan network was established by Van Buren and other Jacksonian leaders by a democratization and professionalization of the political process.⁴ Parties became organizations that were open to all, and were not driven by individual personalities or cliques. Success in the form of “spoils” of office — patronage-based positions emanating from control of the Executive and Legislature — would be shared, distributed based on loyalty to the party (often to those who mobilized voters on election day) rather than on some form of elite-based social status. Moreover, the party would permeate the everyday life of citizens, building allegiances not only by direct spoils but also by the creation of various social institutions like clubs, festivals, parades, and barbeques.

To suppress slavery and other regional animosities, Van Buren and other party builders developed a set of complementary political institutions that would serve as circuit breakers, to prevent problems from arising that might threaten the interregional arrangement.⁵ A constant voicing of “party over its men” would be undergirded by sops to the South, in the forms of a tacit “balance rule” for the joint admission of free and slave states (thereby providing the South with an effective veto in the Senate), a regional balancing of candidates on the Presidential/Vice-

⁴ See Hofstadter (1969) and Silbey (1992) for a more extensive overview.

⁵ See Aldrich (1995, pp. 127–35) for a more extensive overview.

Presidential tickets, and a two-thirds rule for nominations in the newly created Democratic National Convention.⁶

Thus, the Jacksonian party system contained and channeled, but did not destroy, the material basis that created the deep regional animosities in the first place. The North and South developed in parallel, as different (though linked) economic and political nations (Sellers 1991). The North developed into a vibrant, diversified economy, increasingly integrated with Europe and Asia through a healthy international shipping trade. The South developed into a less vibrant, less diversified economy, dependent on the North (and Europe, to some degree) for capital and markets for its agricultural commodities. While there was certainly trade and economic interdependence between the two regions, net wealth tended to flow North; when waves of immigrants voluntarily came to the United States, they almost always settled in the more promising cities of the North, even if they eventually set out on paths further west — to the *northwest*.

And, of course, there was slavery, which introduced a host of economic, social, and political tensions between citizens of the two regions. There were always individuals in both regions who had pangs of conscience over chattel slavery, but it took a long time for these pangs to become sufficient to ignite large-scale, mass political movements. At the level of popular sentiments, it was probably the economic advantage held by the South in menial labor that most

⁶ This two-thirds rule would come back to haunt Van Buren. In 1844, he sought the Democratic nomination for president, but could only muster a bare majority in the convention. His opposition to an aggressive Texas annexation policy drew the ire of Southern Democrats, and eventually, after an extensive battle, James K. Polk (Tenn.), a fervent supporter of Texas annexation and former Speaker of the House, was nominated. See Silbey (2002, 2005).

rankled voters in the North.⁷ As more economically-rooted tensions grew and conscience-based opposition to slavery found its voice in the North, attempts to suppress the rights of northern whites on issues related to slavery raised the temperature considerably (Freehling 1990, pp. 287-352; Miller 1996; Jenkins and Stewart 2003). To top things off politically, attentive citizens could not help but notice that the 3/5ths apportionment clause in the Constitution required the (white) population of the North to grow significantly faster than that of the South, just for it to maintain its political influence in the House and in the Electoral College.⁸

The mounting and tangled regional tensions that slavery exacerbated eventually made the interregional bargains that underlay the two major national parties untenable. The bigger melt-down occurred within the Whig Party, which split into distinct regional blocs over the issue of slavery extension in the Territories and, as a result, disintegrated nationally by the mid-1850s. This provided an opening for a wholly northern party, the Republicans, to emerge, ushering in the Third Party System.⁹ The Republicans would increase their electoral showings throughout the late-1850s, eventually winning the presidency in 1860 amid a delayed regional melt-down in the Democratic Party. These events will be described in detail later in the book.

Missing from most accounts of antebellum party building is a serious understanding of the role played by Congress, particularly the House of Representatives, in the fate of the party

⁷ This argument is made most forcefully by Foner (1970).

⁸ See Freehling (1990) and Richards (2000) for a discussion and analysis of the distorting effects of the 3/5ths clause.

⁹ The history of the mid-1850s was more complicated than this simplified story. For example, nativism became a significant issue and took the political system by storm, competing with slavery for the attention of both voters and political leaders. As a result, the nativist American Party emerged during this time to compete with the Republicans for the right to succeed the Whigs as the nation's second major party. See Chapters 6 and 7 for a detailed discussion.

system. During the Jacksonian era, the congressional activities that have caught the eye of historians have largely involved the senators who were the most vocal on regional issues, whether they were for slavery or preservation of the Union.¹⁰ In the series of events charting the transition from the Second to the Third Party Systems, the focus has been on conflicts in the West (“Bleeding Kansas”, etc.), physical violence in the halls of Congress (the caning of Charles Sumner, etc.), the ineptitude of President James Buchanan, the *Dred Scott* case, the election of Lincoln, and the secession crisis. Scholars have not entirely left Congress out of the story (see, e.g., Potter 1976; Morrison 1997), but by-and-large the Jacksonian party-building story and its eclipse by the Republican system has been one firmly within the “presidential synthesis” of American political history, leaving Congress with at most a supporting role.

Antebellum party-building cannot be fully understood without a close examination of House organization. Party development during the Second and Third Party Systems required two things: (1) achieving policy outputs and (2) securing patronage. In the Van Burenite conception of party government, key positions in the House’s governing structure — chiefly the Speaker, but also the Clerk and Printer — played major roles in both regards. The Speaker staffed the standing committees and ruled on points of order in the chamber, actions that played a major role in determining the House’s policy agenda. The Clerk and Printer controlled significant financial resources, which could be used to underwrite important national partisan

¹⁰ Mayhew (2000) provides a thorough accounting of noticeable congressional actions throughout its history. The observations made here are based on an independent analysis of the database that forms the basis of much of Mayhew’s book.

activities, such as the creation of partisan business and information networks.¹¹ Antebellum party leaders understood the value of controlling the House organization, and a number of bitter fights over the various officer positions were waged. These battles, and the sense of what was at stake, form the bulk of this book. A thorough examination of these battles provides a new and interesting lens through which to view the dynamics of antebellum party building.

The Jackson/Van Buren party model was only moderately successful in the House. The Democratic membership was often poorly disciplined, due to sectional distrust rooted in the slavery issue. These regional tensions invariably surfaced at the biennial organization of Congress and, as a result, the important subordinate patronage-based offices (Clerk and Printer) occasionally fell into the hands of the opposition.

The unwillingness of the House rank-and-file to act consistently according to script was a critical sign — the canary in the coal mine — for those looking for signs of whether the clashing northern and southern factions could in fact coexist. The first major rift in the Van Buren/Jackson project occurred in the 34th Congress (1855–57), during the organization of the House, when northern anti-slavery Representatives eventually banded together to elect Nathaniel Banks Speaker — an act that was arguably the first formal success of the Republican Party and the beginning of the Third Party System.

The Civil War dramatically changed the hold that party caucuses had on the organization of the House, bringing to fruition Martin Van Buren's view that the influence of political parties in legislatures should have an institutional grounding, rather than being based on loyalty to

¹¹ The Clerk was also the *de facto* chamber leader at the opening of each new Congress (prior to the election of the Speaker). This will be an important factor in our subsequent analysis.

individuals or sections. Certainly by 1865, the transition was complete. Since then, even though party factions have tested the boundaries of the majority party caucus's ability to dictate how the House will be organized, victories by insurgents have been rare.

Stated another way, a strong party caucus, capable of unifying its members around the organization of the chamber as the first step in controlling policy, was a central element of Martin Van Buren's system of strong party government. An important question that emerges is why this aspect of Van Buren's system was so difficult to install. Related to this question is the observation that the modern parties in Congress seem to be the full embodiment of what Van Buren had in mind as institutional embodiments of strong national parties as applied to Congress. If they are, then does the world led by Speakers Gingrich, Hastert, and Boehner represent the apotheosis of legislative party organization in the United States?

Party strength in Congress

A major theme in American political development is the ambivalent view American citizens have of political parties. Textbooks are full of ritual references to the Founders' worries about the "mischief of faction" (Federalist # 10) and "the baneful effects of the spirit of party" (Washington's Farewell Address). In the modern day, parties do not fare much better. In the 2008 American National Election Study, for example, respondents were asked to rate thirty politically relevant groups (working class people, big business, etc.) and institutions (Congress, the military, etc.) plus the two political parties using an instrument called a "feeling thermometer." (Like it sounds, a "feeling thermometer" asks respondents to report how much they like particular groups on a 0–100 scale, with 0 being the most "cold" and 100 being the most "warm.") The average of the rating for the two parties on this 100-point scale (52.5) was

below that of twenty-four of the groups and institutions and above only six. The parties were more warmly regarded than Congress (52.1), Muslims (50.3), gay men and lesbians (49.4), the federal government in Washington (48.7), atheists (41.0), and illegal immigrants (39.4).¹² And yet the political party remains the single most important cue in guiding how citizens vote, evaluate new policies, and interpret the political world (see, e.g., Green, Palmquist, and Schickler 2002).

The prominence of political parties in the life of Congress has spawned the most contentious line of research within legislative studies over the two past decades. Party resurgence has been the talk of congressional scholars since the mid-1980s (see, e.g., Schlesinger 1985; Rohde 1989, 1991; Cox and McCubbins 1993; Aldrich 1995).¹³ To these scholars, the clearest sign of partisan resurgence has been a steady rise in various objective measures of intra-party agreement and inter-party disagreement on roll call votes since the late-1970s. To the public at large, the signs of resurgence have been the rise of party-based campaign operations; a renewed tendency to choose as party leaders individuals with a more ideological, less conciliatory approach to politics; and a willingness to impose a party-loyalty test in choosing the

¹² The complete set of averages is as follows: working class people (82.7), the military (79.6), Christians (77.1), middle class people (76.4), whites (73.1), poor people (72.1), southerners (69.8), blacks (68.8), Catholics (67.4), Hispanics (65.3), Asian-Americans (65.1), Jews (65.0), environmentalists (64.7), Israel (61.2), the U.S. Supreme Court (60.5) conservatives (60.3), rich people (57.3), feminists (56.6), Christian fundamentalists (56.3), labor unions (55.7), Hindus (55.3), liberals (54.7), people on welfare (54.4), big business (53.3), Congress (52.1), Muslims (50.3), gay men and lesbians (49.4), federal government in Washington (48.7), atheists (41.0), and illegal immigrants (39.4)

¹³ An entire literature on “party decline” emerged in the 1970s and 1980s, with a subsequent literature on the aforementioned “party resurgence” developing in the mid-1980s. For a short overview and analysis of these literatures, see Aldrich (1995, pp. 14–18).

leaders of its committees (Dodd and Oppenheimer 2001; Aldrich and Rohde 2005; Sinclair 2005, 2006).

Explaining *why* parties seem so active has caused most of the current scholarly contention. Are parties more cohesive nowadays and “powerful” because their leaders are more likely to exercise the party whip? Or are leaders and party-based organs more prominent because party members are more likely to come from similar circumstances than in the past, and thus more willing to be cohesive without a party whip?¹⁴

Two complementary literatures have dominated how contemporary scholars think about formal party influence in Congress. The first, the “cartel” view of parties, has been articulated most fully by Gary Cox and Mathew McCubbins (1993, 2005). This theory starts with the premise that members of the legislative party recognize that the success of the party’s legislative record is an important contributor to their reelection prospects. Legislative success is, in turn, a team effort. Members of the party delegate to party leaders, and other agents like committee chairs, the responsibility for charting a legislative agenda that results in policy outcomes that bear the particular stamp of whichever party holds a majority of seats. Party leaders achieve these policy results not by “bossing” the rank-and-file in a brute way, but by controlling and using the mechanisms of agenda control to produce party-favored outcomes in a majority-rule institution.

Relevant to our argument, Cox and McCubbins discuss the operation of the party-based legislative cartel this way:

¹⁴ These questions have sparked a flood of research over the last decade. See Krehbiel (1993) for the first direct explication of the competing perspectives. See Cox and McCubbins (2005) and Smith (2007) for a review of the relevant literature.

In the United States, the cartel ensures a near-monopoly on agenda-setting offices to the extent that it can control the relevant votes on the floor (on election of the speaker and the appointment of committees). To aid in controlling these floor votes, the cartel establishes an intracartel procedure to decide on the nominee for speaker on a slate of committee appointments (2005, p. 24, fn 9).

That “intracartel procedure” that allows the majority to secure the House organization, which Cox and McCubbins (1994) discuss at length elsewhere, is the party caucus.¹⁵

A second theory, termed the “conditional party government” (CPG) approach, was coined by David Rohde (1989, 1991). The idea behind CPG is that party power is *conditional* – party caucuses will delegate to leaders greater latitude to achieve caucus goals only if party members’ preferences are cohesive and polarized from those of the other party. Thus, at times like the present or the late 19th century, when the parties have relatively few internal divisions, are ideologically distinct, and are closely balanced numerically, party leaders will be given more authority by the rank-and-file. When the parties are divided – as they were in the mid-twentieth century (especially the Democrats) – the rank-and-file will withhold autonomous authority from leaders, resulting in policymaking in which the distinctive flavor of the majority party is less obvious.

Cox and McCubbins stress the relatively constant operation of party mechanisms across time, while Rohde stresses the variable latitude given to the formal components of partisan power. But each takes as given the importance of putting formal party organizations at the center of explaining congressional behavior (especially in the House), which is in contrast to

¹⁵ Notably, Cox and McCubbins (1994, p. 218) say “[t]o the extent that membership in the majority party’s caucus is valuable, it constitutes a bond, the posting of which stabilizes key features of the structure of the House and hence key features of the policy decisions made in the House.”

rival approaches that start with a deep skepticism about whether parties as formal institutions can have an independent influence on policymaking (Krehbiel 1991, 1993, 1998). Both the CPG and cartel approaches take for granted the post-Reed Rules reality of the House of Representatives, in which the Rules Committee plays a potent role in structuring legislative outcomes and the caucuses operate as permanent institutions whose members ultimately decide how much agenda-setting authority is given to the current set of party leaders.

By focusing most of our attention in this book on how the House chose to elect its leaders before the Reed Rules, we are able to draw greater attention to the prior conditions that are necessary for institutionally-based theories of party power to make sense in the United States Congress. Coordination among partisans does not just happen. The institutions of cooperation must be built, and party members must be comfortable that they know how the mechanisms will operate before they delegate significant authority to those agenda-setting mechanisms and to party leaders.

A Chronological Roadmap

The remainder of the book presents a chronological account of organizational politics in the House from 1789 to the present. In this section we provide a brief overview of that account, highlighting the important signposts that appear along the way.

It is convenient to divide the history we cover into five eras which, empirically, correspond with periods when organizational politics presented a common set of themes. Those periods are (roughly) 1789–1811, 1811–1839, 1839–1865, 1865–1891, and 1891–the present.

The first period, 1789–1811, represents the least institutionalized period of organizational politics. Although some historical accounts remark on the appearance of partisan

caucuses in the 1790s and comment on the partisan flavor injected into the two speakerships that corresponded with the Adams administration (Jonathan Dayton [F-N.J.] and Theodore Sedgwick [F-Mass.]), Speakers gave relatively little weight to party (however construed) in overseeing the House, and the basic authority given to the Speaker to control debate and appoint committees was rarely used to programmatic ends. Consequently, the speakership was regarded as a somewhat minor prize among the rank-and-file and those who might rise to the office. Four Speaker elections during the first eleven Congresses were multi-ballot affairs, not because the House was riven with deep partisan divisions, but because politicking for the post was haphazard and personal factions and nascent party organizations were not strong enough to winnow down the field prior to the actual convening of the House. The lack of intense and lasting animosities over the choice of Speaker is evident in that none of the multi-ballot affairs went beyond three ballots. Thus, the repercussions of organizational jockeying tended to be minor.

We mark the beginning of the second period, 1811–1839, with the appearance of Henry Clay (R-Ky.) in the House and his transformation of the speakership into an important national office that was worth fighting over. Clay's dominance of House politics is well known. He served as Speaker over three non-consecutive terms — 1811–1814, 1815–1820, and 1823–1825 — and is credited with using the formal tools of the speakership, such as the right of recognition and the appointment of committees, to turn the House into a more effective legislative body.¹⁶ What is less well-known is that Clay ushered in a period in which organizational politics was

¹⁶ Much has been written about Clay and his role in the institutionalization of the House, both by augmenting the Speaker's role in guiding debate and in developing the standing committee system. See particularly Gamm and Shepsle (1989), Jenkins (1998), Stewart (2006), Strahan et al (2000), and Strahan (2007).

ratcheted-up to a new level. First, during the 1811–1837 period, when Clay was *not* Speaker, the fights were intense and often protracted. When Clay resigned in the middle of the 16th Congress (1820) to attend to business back home, his successor, John W. Taylor (R-N.Y.) was chosen in a four-day, 22-ballot affair. At the convening of the following the Congress (17th) in 1821, Philip Barbour's (R-Va.) election took twelve ballots to resolve. When Taylor was elected at the start of the 19th Congress (1825), again replacing Clay, it took two ballots. Toward the end of this period John Bell (Jack.-Tenn.) was elected in a ten-ballot contest.

Second, not only were Speaker battles messy, but elections for Clerk and Printer also became nasty. The increased competition over all the chamber offices was due to party leaders — and sometimes factional leaders within parties — realizing the value of these offices for larger political goals. Why the Speaker was important is obvious. Why the Printer and Clerk were important is less obvious to modern readers, until we understand the roles that these subordinate offices played in the nineteenth century House. Deferring a detailed discussion of these offices to the next chapter, suffice it to say at this point that party and factional leaders attempted to control these offices to their advantage, one consequence being that contention for these positions became volatile and often unpredictable.

Third, as a consequence, this period ends in 1839 with the House changing the rules governing how House offices were elected, replacing a secret ballot with a public roll call termed *viva voce* voting. *Viva voce* was first used to fill the vacant Clerk's position in the middle of the 25th Congress (1838), being made a permanent part of the rules in time to govern the convening of the 26th Congress (1839). The switch to *viva voce* voting was favored by the leaders of the majority Democrats as a tool to enforce party regularity in the election of House officers,

assuming that if House members could be observed voting for officers, they would be less likely to enter into cross-party coalitions in these elections.

The introduction of *viva voce* voting ushered in the third era of organizational politics, lasting from 1839 to 1865. The *viva voce* mechanism worked as predicted for a few Congresses, but in the end became one of the best examples of the Law of Unintended Consequences in the history of the House. If party leaders could now observe how the rank-and-file voted, so, too, could constituents and activists who cared more about the most pressing social issue of the day, slavery, than the smooth functioning of a spoils-based party system.

This is the period of the greatest internal political strife in American history, and much of it ended up being played out on the floor of the House as Speakers were elected. Four pitched battles occurred over the election of the Speaker — in 1839 (26th Congress), 1849 (31st Congress), 1855-56 (34th Congress), and 1859-60 (36th Congress), with a smaller skirmish in 1847 (30th Congress). Two times, in 1849 and 1855–56, divisions ran so deep that it proved impossible to form a majority to organize the House, leading the membership to adopt a plurality rule to elect the Speaker. At one point, the House seriously considered just adjourning the Congress to wait for new elections to break the deadlock.

We find this 1839–1865 period interesting because it illustrates how, in the presence of a powerful social issue competing head-to-head with the material economic basis around which leaders typically try to organize parties, parties can lose the ability to negotiate the division of power within the family. What made this period especially vexing is that the most valuable resource that leaders could mete out were either economic (e.g., pork) or institutional (e.g., plum committee assignments), while social activists could determine reelection. Without reelection,

the leaders' inducements were worthless; without material gains from serving in office, the office might not be worth election. No wonder members found it so difficult to reach agreement during this period.¹⁷

From the perspective of the organizational politics of the House, the Civil War was a bit of a *deus ex machina*, in two senses. First, the War itself placed a premium on national unity, and thus dampened divisions over organizing the House right as the conflict began. Second, the War resulted in the exclusion of much of the Democratic party's geographic base from the House for about a decade, which gave the Republican Party the opportunity to explore ways of organizing the House without worrying so much about losing control to the Democrats on a floor vote.

The transition to this fourth period, 1865–1891, was bumpier than the previous paragraph suggests, as it included an episode in which the Clerk, who had southern sympathies, attempted to manipulate the Call of the House at the start of the 38th Congress (1863) to exclude the majority Republicans from claiming the speakership. However, that quasi-coup was put down, and in the ensuing years the caucus became established as the sole legitimate venue for settling intra-party conflicts over chamber leadership. The opening of the 39th Congress (1865) represented the first time that both parties presented formal nominees for Speaker at the convening of the new Congress, a practice that continues (virtually) unbroken to this day. More importantly, during the quarter century covered by this period, both parties actively worked to keep conflict over the organization of the House confined solely to the caucuses, even in

¹⁷ It is probably because of this incompatible tug of party and constituency that attempts to seek reelection declined during the decades immediately preceding the Civil War, following a steady rise of careerism in the House throughout the beginning part of the nineteenth century.

circumstances that prior to the Civil War would have resulted in chaos and gridlock. The caucus became such a predictable venue for settling leadership fights that some even tried to push its influence even further, by binding members on policy votes as well. That innovation did not take hold. However, by the time that Thomas Brackett Reed (R-Me.) became Speaker in 1889 (51st Congress), he could count on the support of his party's caucus in organizational matters. Resting on the binding organizational caucus that had been built and perfected for a quarter century (with the help of explicitly sanctioning the occasional disloyalist), Reed's parliamentary innovations made it possible for modern political scientists to speak in terms of "conditional party government" and "party cartels."

The final period runs from the rise of the Reed Rules to the present. This period has seen authority in the House ebb and flow between party leaders (especially the Speaker) and the rank-and-file, but rarely has the organization of the House been anything other than a *party* affair. The only two serious challenges to this regime, in 1909 and 1923, involved Progressive-Conservative rifts within the Republican party that drifted out to the floor. These episodes revealed that the reach of the caucus in the organization of the House did not yet extend to the passage of the House rules, but it also reinforced the observation that the caucus now owned the most important personnel decisions made at the start of the Congress. Owning these decisions, members of the majority party can count on receiving a positive handicap when virtually any important question of policy reaches the House.

A Note About Data and Methods

Empirical research into parliamentary fights over the organization of the antebellum House has been spotty and anecdotal. The purpose of the following chapters is to comprehensively explore

this history, using a two-pronged approach, which builds a series of narrative accounts alongside more systematic, quantitative analysis.¹⁸

In exploring this history, it is important to understand the paucity of hard data on which to rest an account of struggles over organizing the antebellum House. Two important data problems loom large. First, the House elected the Speaker via secret ballot for the first half-century of its history. Until the onset of *viva voce* balloting for Speaker (and other House officers, such as Clerk and Printer) in 1839, the House left no direct evidence about who supported whom at any step in the process. What is more, until the 26th Congress, the House *Journal* did not regularly record even the aggregate vote returns for the various speakership candidates, requiring us to rely on occasionally conflicting and incomplete newspaper accounts in order to analyze the aggregate results. Second, even after the inception of public balloting for Speaker, the standard electronic versions of House roll call votes omit the balloting for House officers. (See ICPSR study 0004.) Even when speakership ballots are included in the electronic files, only the votes received by the leading candidates are typically recorded, seriously limiting our ability to analyze razor-thin elections in which the ballots of pivotal voters are often recorded in the catch-all category of “scattering.”

To overcome this lack of basic data concerning the election of House officers, Appendix 1 summarizes the balloting for Speaker, Clerk, and Printer, from the 1st through 112th

¹⁸ Lientz’s (1978) essay is the most extensive research devoted specifically to the topic of this book. Jenkins and Nokken’s (1997, 2000) research on the speakership contest of 1855–1856 is the first analysis of multi-ballot speakership contests to use modern social scientific theories and measurement techniques. Other notable original research and secondary accounts can be found in Follett (1896), Fuller (1909), House (1965), Young (1966), Peters (1997), Strahan et al (2000), Strahan, Gunning, and Vining (2006), and Strahan (2007).

Congresses, using the best data sources available, usually the House *Journal*, but occasionally newspapers from the earliest years.

With these data — aggregate results for virtually all elections and individual-level ballots beginning in the late 1830s — we can provide two summary measures of the rise of party as an influence in the organization of the House. The first measure uses the aggregate results and constructs a simple ratio: the number of votes received by the top vote-getter from the majority (or plurality) party on the first ballot for Speaker divided by the number of seats held by the majority (or plurality) party in each Congress. We can do the same for the main minority party, too. Those ratios are plotted in Figure 1-1. The second measure starts in 1839, and represents the degree of party loyalty on the first ballot for Speaker in each Congress. This measure is constructed by recording the percentage of major-party House members who voted for their party's top candidate for Speaker at the beginning of a Congress. After 1865, this "top candidate" is, by definition, the candidate nominated by the caucus; before 1865, this "top candidate" is identified as the individual who received the most votes by members of the party. This time series is plotted in Figure 1-2.

[Figures 1-1 and 1-2 about here]

Looking first at Figure 1-1, prior to 1861 the number of votes received by the principal candidates of the two major parties was rarely equal to size of the party delegations. With only a couple of exceptions, the ratio was considerably less than 1.0, suggesting a significant amount of party defection. (The few times when the ratio was greater than 1.0 suggests a few cases of cross-party voting.) The ratio began approaching 1.0 in the 1860s, and has continued there — dipping slightly below on occasion — ever since.

The deficiency of Figure 1-1 is that it does not examine individual-level roll call votes, which is what Figure 1-2 does, once we have the roll call data starting in 1839.¹⁹ Here, too, we see that prior to 1860, the degree of party loyalty in the individual roll call record was highly variable in the election of Speakers. In some years, such as between 1839 and 1845, both major parties were very unified in voting for Speaker — nearly as unified as in recent Congresses. However, starting in 1845 and running until 1861, at least one of the parties had loyalty levels below 80%, and in some, such as 1847 and 1851, at least one of the parties was near or below 50%. In the 1860s the loyalty levels began to rise. Since 1871, party loyalty levels in the election of Speaker have fallen below 95% only three times for the majority party (Republicans in 1909 and 1923, Democrats in 1945) and six times for the minority (1873 and 1953 for the Democrats, 1911, 1913, 1945, and 1949 for the Republicans).

To examine these voting patterns in more detail, we will use traditional historical accounts, combining primary and secondary sources, along with various quantitative analyses, including statistical techniques (like regression analysis) as well as applied formal models (primarily spatial voting models). A quantitative measure that will play a major role in our various analyses is the NOMINATE score, developed by Poole and Rosenthal (1991, 1997, 2001, 2005), which has become ubiquitous in the literature on Congress over the last two

¹⁹ One other difference between Figures 1-1 and 1-2 bears mentioning. In Figure 1-1, the ratio is calculated using the size of the party contingents as reported by Martis (1989) as the denominator. Figure 1-2, on the other hand, is based only on House members present and voting. Thus, there is no distinction made in Figure 1-1 between abstaining (although present) and being absent from the House when the roll was called. Because the number of abstainers and absentee members was relatively small, this difference does not affect the overall point these two figures make together, which is that the degree of party regularity in structuring balloting for Speaker increased markedly in the decade of the 1860s.

decades. As such, we will only broadly describe the measure here and encourage readers unfamiliar with NOMINATE to examine the Poole-Rosenthal citations above.

As a general class of estimates, NOMINATE scores represent a way to compare the behaviors of different members of Congress. More specifically, they represent the output of a multidimensional unfolding technique (derived from the psychometrics literature) applied to a set of roll call votes. The NOMINATE procedure generates “scores” for members of Congress, based on how they vote on the set of roll calls in a given Congress. NOMINATE scores range generally from -1 (most liberal) to 1 (most conservative), and members who vote more alike will have scores that are more similar.²⁰ The scores themselves are often ascribed different meanings. Some scholars refer to them as measures of “spatial ideology,” others measures of “revealed preferences.” More generally, they can be viewed as members’ “central tendencies” on the underlying issue dimension(s) of consequence.

Poole and Rosenthal find that much of what occurs in Congress (in terms of roll call voting) across American history can be explained quite well by a single NOMINATE dimension, which typically is interpreted as a left-right dimension that separates members of the two major parties on economic issues.²¹ At times, a second NOMINATE dimension, which takes on different substantive interpretations depending on the context, is also important in explaining individual-level vote choice. For the period we examine in this book, the most common second

²⁰ See Poole and Rosenthal (1997) and Poole (2005) for a more technical description of this multidimensional unfolding technique.

²¹ For a brief period, from the early 1850s through the Reconstruction era, the content of the first NOMINATE dimension shifted, from economic issues to slavery/racial issues. See Poole and Rosenthal (1997, pp. 5, 41, 95-100).

dimension dealt with issues related to slavery. Thus, members' second-dimension NOMINATE scores will, in fact, be critical to a number of our analyses.

Several variants of NOMINATE scores exist. For example, some are dynamic (i.e., DW-NOMINATE scores), in that they are estimated across a set of Congresses and allow explicit intra-chamber comparisons over time, while others are more static (i.e., W-NOMINATE), in that they are estimated on a Congress-by-Congress basis and thus are limited to intra-chamber comparisons at a single point in time. While all of the NOMINATE variants are highly correlated, we will take care to discuss which set of NOMINATE scores we are using at various points.

Outline of the Book

Before delving into the cases of extended speakership (and general House officer) battles in the antebellum period, we first detail in Chapter 2 what the stakes actually were, by discussing each of the major House officer positions — mainly the Speaker, but also the Clerk and Printer — and what sorts of powers and resources these positions had at their disposal. We trace out how the Speaker, Clerk, and Printer positions could bestow significant policy and patronage to the parties that controlled them. At a time when the mass party system was still developing, these House positions could be pivotal in giving one party a significant edge in building partisan attachments and electoral advantages throughout the nation.

In Chapter 3, we provide a brief accounting of organizational politics in the earliest years of the Republic. This is a period characterized by a mix of factors surrounding the selection of House officers, beginning with region and personality, but quickly becoming partisan. These fights were thinly documented in the press and in the proceedings of Congress, hence the ability

to do systematic analysis of speakership battles before 1837 (when the chapter ends) is limited. However, the contrast with subsequent cases is striking, suggesting that later efforts to institutionalize leadership selection — especially by making it part of the roll call record — heightened partisan factors in the selection of House officers.

In Chapter 4, we examine an institutional change that raised the stakes in speakership elections (and all officer elections, more generally) — the decision to make voting public (or *viva voce*). Prior to 1838, such elections were conducted by secret ballot, which provided a suitable context for politicians to select strong leaders while sidestepping potentially divisive issues that might affect coalition building. It also provided a context for majority-party dissidents to bolt the party's chosen speakership candidate and enter into intrigues with members of the minority party. The move to *viva voce* voting was intended to bring these dissidents “out in the open,” and thus stymie the development of cross-party coalitions. However, it also allowed *constituents* to see how their representatives voted in speakership elections, just as slavery was once again becoming a major political issue. This would prove to be a critical blunder. Deals that could have been cut within the major party in the secret ballot days no longer worked in the *viva voce* voting days, as members were afraid of losing their constituents' trust by voting for a candidate from the other region. This would greatly destabilize the House organization in the latter part of the antebellum period, leading on several occasions to lengthy multi-ballot speakership contests.

In Chapter 5, we focus on the first two extended speakership battles after the passage of *viva voce* voting rule. These were the speakership elections of 1839 (to the 26th Congress) and 1847 (to the 30th Congress). Each would highlight the conflicting impulses of party and region

at a time when national party leaders were striving for greater organization over House affairs. In 1839, the dangers of sectionalism emerged in full force, as southerners Democrats close to John C. Calhoun bucked the caucus bond and elected a Whig — who was more in keeping with their ideological tastes — to the speakership after an 11 ballot affair. In 1847, sectionalism was a critical factor again, but a disaster was avoided, as two northern anti-slavery Whigs delayed — but did not prevent — the election of a pro-slavery (“cotton”) Whig to the speakership after a three ballot contest. Party stalwarts hoped the 1847 outcome was a positive sign, as it represented the third consecutive speakership election that ratified the nomination made by the majority-party caucus. Under the surface, however, sectionalism continued to build in intensity, preparing to burst forth in short order.

In Chapter 6, we examine the two lengthiest speakership battles in American history: the 1849 speakership election (31st Congress) that covered 3 weeks and 61 ballots, and the 1855-56 speakership election (34th Congress) that extended over 2 months and 133 ballots. In both cases, third parties emerged — the Free Soilers in the late 1840s, and the Americans in the mid 1850s — to threaten the “two-party equilibrium” that had developed in speakership elections to that point. In 1849, this resulted in a multi-dimensional speakership contest, while in 1855–56, this led to a three-party battle along a single dimension. In addition, divisions within the major parties on the issue of slavery made preventing defections difficult; as a result, major party leaders found it that much harder to negotiate with the minor parties. In both elections, no majority winner ever emerged, as a *plurality rule* was eventually adopted to choose a Speaker. These two speakership elections signaled the intensifying rift within the Nation on the issue of slavery, and foreshadowed the growing separation that would eventually end in Civil War.

Chapter 7 picks up where Chapter 6 leaves off: the nascent Republicans had just captured the speakership in the 34th Congress, but could they now successfully organize the House? We discover that they achieved some success, winning the clerkship and organizing the committees around anti-slavery tenets, but they were unable to win the printership. The latter defeat was especially vexing, as the House Printer could have been put to use advertising and promoting the new party. The Republicans lost control of the chamber to the Democrats in the 35th Congress, but reemerged as the plurality party in the 36th Congress. This time, the party was more internally organized, holding firm and weathering another extended speakership race (44 ballots) in 1859-60, before winning all major House officer positions. In effect, the Republican party was built as an *institutional party*, making initial strides in the 34th Congress before wholly emerging in the 36th Congress, and the House officer positions were used as devices (and signals) for the construction of the *electoral* component of the party.

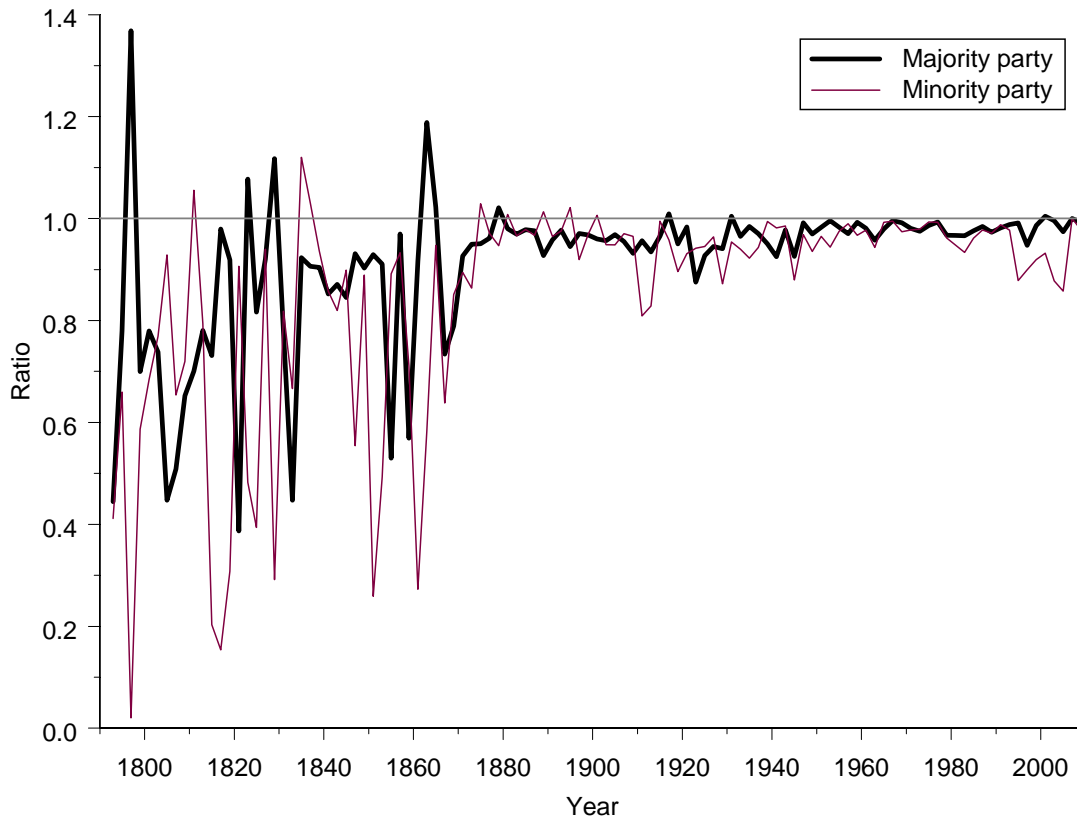
In Chapter 8, we examine why the tumultuous period of extended speakership balloting suddenly (and nearly completely) came to an end. Our argument centers on the congressional party caucus, and its emergence as an institutional solution to the instability on the House floor. Beginning in the Civil War, decisions were made in caucus on officer nominees, and members were bound to support the caucus decisions on the floor. To cement the deal, party members who “lost” in caucus were rewarded with committee assignments by the Speaker, to soften the blow. Thus, a system was established whereby power was explicitly shared within the party, and thus “out” factions would be compensated in exchange for their continued loyalty and support of the majority’s decisions. This caucus-Speaker-committees arrangement — in effect, the culmination of Van Buren’s master plan developed decades earlier — institutionalized in very

short order, as both parties adopted the setup. It also provided the necessary condition for the imposition of the Reed Rules in 1890, which ends the chapter.

Chapter 9 discusses leadership selection after the Reed Rules, focusing particularly on the only episode in the twentieth century where the party monopoly over House organization was challenged — in 1923, owing to a rift between progressive and conservative elements in the Republican party. That episode is the exception that has most recently proved the rule. Although divisions within the GOP were deep, and progressive Republicans could have readily walked over and voted with the Democrats to organize the House, they chose to keep the dispute a family affair, finally settling it within the caucus.

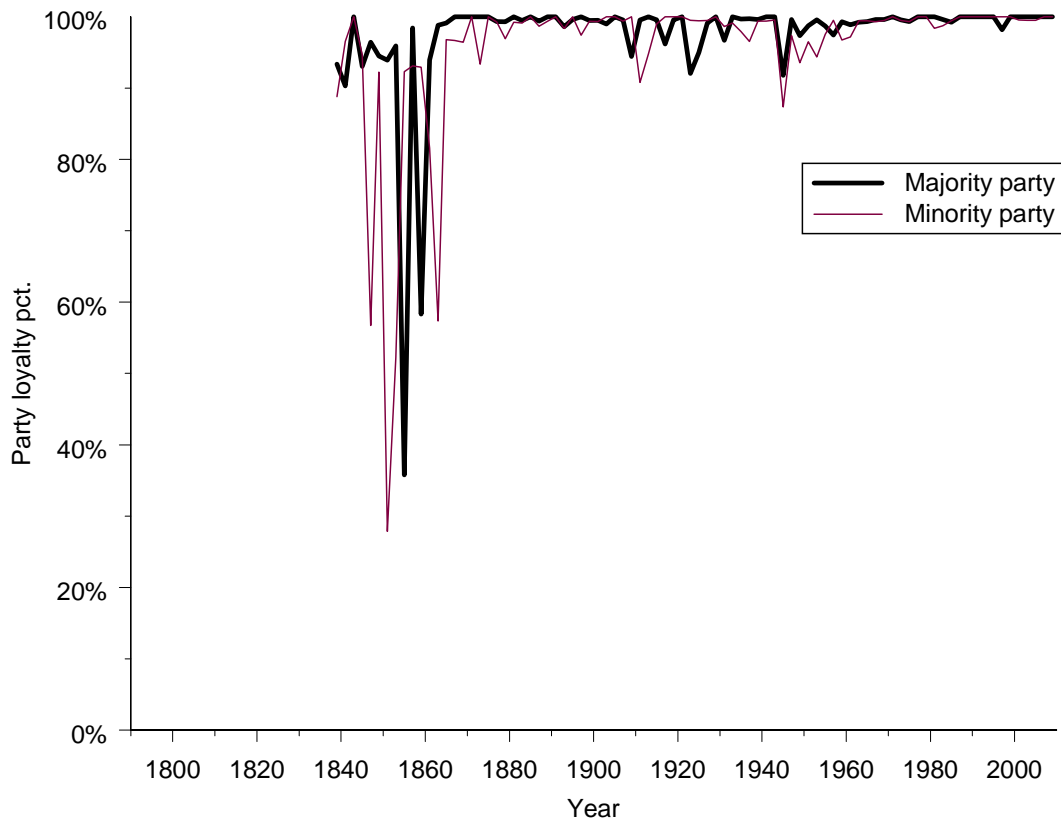
We conclude in Chapter 10, by considering the larger questions of party building and party strength that the events chronicled in this book inform. The events that unfold in the following pages show that party leaders in the 19th century viewed controlling the levers of power in the U.S. House of Representatives as a key element in the building of a comprehensive party organization in the United States. One topic we address is what difference it makes for our understanding of American political development if we raise the prominence of congressional politics to that of presidential elections as a venue for the development of political parties in America. Another topic we consider is how our interpretation of party-based “cartel government” changes when we take into consideration the long struggle to imbue the congressional caucus with the type of authority necessary to give some real meaning to the phrase “party government” in America.

Figure 1-1. Ratio of the number of votes for principal recipient of votes for Speaker to the size of the party contingent, 1789–2011.



Sources: House *Journals* and newspapers described in Appendix 2; Martis (1989).

Figure 1-2. Party loyalty of majority and minority House members in first-ballot voting for Speaker, 1839–2011.



Source: *House Journal*, various years.

Chapter 2

The Evolving Roles and Responsibilities of House Officers in the Antebellum Era

Why would antebellum House members fight over who would wield the gavel? While to us the answer seems trivial, that is only because we have lived at a time and place where the House has endowed the speakership with significant authority. Other legislative presiding officers, by comparison, lack such authority. For example, the U.S. Senate's presiding officer in the absence of the Vice President, the president *pro tempore*, is purely honorary and bestowed as a function of seniority. The Speaker of the British House of Commons, too, is endowed with little authority; little of consequence rests on who holds the position.

One answer to this question starts by examining the resources controlled by the Speaker and how they have been used. From the start, the Speaker recognized members in debate and ruled on points of order. Within a short time after the first convening of the House, the Speaker also received the authority to appoint committees.

And yet an inductive examination of the aforementioned resources and authority quickly reveals that the Speaker's role has varied over time, and that the speakership was not the only House office worthy of intense conflict. This was particularly true before the Civil War, when the Clerk and Printer were often equally contested. The Clerk presided over a sizeable patronage empire and gavelled the House to order at the opening of each new Congress. The Printer controlled the dominant party's propaganda machine and possessed considerable patronage capacities as well. In a world where it was better to have more power than less, it was better to be in the coalition that controlled the House's legislative apparatus than to be outside it.

By taking as our subject the organization of the House from 1789 to the present, we see that the portfolio of valuable positions has changed across time. In the present day, power is

concentrated in the speakership and other party offices (like majority leader and whip), along with important committee chairs. These are the positions that members jockey for and expend considerable energy trying to attain. In the antebellum period, the Printer and Clerk were politically valuable positions, too, and important national leaders, along with members of the House, worked hard for their candidate. And of course, before the Civil War, there *were* no formal party positions to fight over.

We assume that a reader of this book is familiar with the array of important positions in the contemporary House, why those positions are considered important, and how they are contested. We also assume that most will not be familiar with how these positions acquired their importance, and we particularly assume that few will be familiar with the role that the Clerk and Printer played in the early House. Therefore, in this chapter we take a step back to try to understand, at a higher level of historical and theoretical abstraction, just what antebellum House members were fighting for when they struggled over electing their officers. This general understanding rests on a discussion of the evolving roles and responsibilities of these officers. We will detail in specific terms how the Speaker, Clerk, and Printer were valuable power nodes that could be used for the benefit of whichever party controlled the chamber.

The Speakership before the Civil War

Article I, Section 2 of the Constitution provides that the presiding officer of the House will be a Speaker of its own choosing. Like so much of the Constitution, this is just a starting point. After all, the Constitution also designates the Vice President as the Senate's presiding officer — a designation so meaningless in practice that Woodrow Wilson was prompted to issue the biggest putdown in the history of legislative studies: “The chief embarrassment in discussing [the vice

president as president of the Senate] is, that in explaining how little there is to be said about it, one has evidently said all there is to say” (Wilson 1973 [1885], p. 162). The rise of the House Speaker as both the formal and *de facto* leader of the House therefore needs to be explained, or at least described.

To appreciate the evolution of the Speaker as the effective head of the House, one need only consider the speakerships of two individuals who currently serve as bookends: Frederick Muhlenberg (F-Pa.), the first Speaker, and John Boehner (R-Ohio), the current Speaker as these pages are being written.

Frederick Muhlenberg was elected Speaker on April 1, 1789, the first day the new House achieved a quorum. He had arrived in New York City, the seat of the new government, on March 3, and joined in a caucus of the Pennsylvania delegation over the choice of House leaders. That meeting eventually pledged to push for his election as Speaker (Peters 1997, pp. 24–28).

Why Muhlenberg? Most likely because he had already served three terms as Speaker of the Pennsylvania House of Representatives, had held many other positions in Pennsylvania, had been a member of the Confederation Congress, and was a devoted champion of the new Constitution. Why Pennsylvania? In the earliest days of the Republic, political leaders were keenly aware of the regional distribution of power, and by the time Congress assembled in New York City, all of the other large states had a lock on leadership in the different branches of government — the presidency and vice presidency were held by citizens of Virginia and Massachusetts and the chief justiceship was about to go to a New Yorker. The House speakership was the only leadership position left.

Once elected, Muhlenberg exercised his formal duties with a light hand, appointing committees, maintaining decorum, and representing the House in ceremonial occasions, in all his physically imposing glory. Muhlenberg's only obvious policy intervention was when he broke a tie that allowed Germantown, Pennsylvania to remain in the running for the new capital (*HJ*, 1-1, 9/28/1789, p. 127; *Annals*, 1-1, 9/28/1789, p. 962). He was replaced by Jonathan Trumbull (F-Conn.) as Speaker in the 2nd Congress. Historians agree that the replacement of Muhlenberg by Trumbull represented an early triumph of the principle of rotation in office, rather than a partisan judgement about Muhlenberg's continued suitability in the chair (Hildreth 1856, p. 290; Fuller 1909, p. 25). Yet as political parties began to congeal in the 2nd Congress, rotation gave way to more partisan concerns, which resulted in Muhlenberg's return to the speakership in the 3rd Congress. His re-ascendance to the chair represented a concerted effort among Jeffersonians to oust Trumbull, who had become aligned with the Federalist forces (Lientz 1974, 1978). Still, even in his second, more partisan incarnation as House Speaker, Muhlenberg continued to turn to Federalists to populate important committees, to lead debate, and often to prevail in policy matters. Muhlenberg became a partisan politician, but his partisan actions were largely confined to his activities "out of doors." When in doors, he was the institution's man.

This contrasts considerably with the John Boehner story. Boehner was elected Speaker at the start of the 112th Congress (2011–12), when the Republicans ousted the Democrats as the majority party, following a landslide midterm election. Boehner, who represents the most conservative district in rural west Ohio, is an exception to the maxim that one does not get a second chance in American politics. He was first elected to the House in 1990 and quickly rose in prominence among Republican Party councils. He became a lieutenant of Newt Gingrich (R-

Ga.) and helped draft the *Contract with America*, which set the agenda for the Republican takeover of the House in the 1994 midterm election. Boehner was elected chair of the Republican Conference in 1994, but was deposed in 1998 when it was rumored he was part of a cabal to unseat Speaker Gingrich. He then turned his attention to committee work, serving as chair of the Education Committee, where he was regarded as a serious legislator. He returned to the leadership in February 2006, when Tom Delay (R-Tex.) stepped down as Majority Leader, due to a corruption scandal. Boehner's upset election surprised even him, and was viewed as a sign that the Republican caucus was looking for a relatively fresh face, unassociated with the tainted incumbent House leadership (Wesiman 2006). He served as Minority Leader when the Republican Party was cast into the role of minority following the 2006 midterms, being elevated to Speaker following the 2010 elections.

Boehner took the reins of a House that had become highly partisan through a line of speakers running back to Nancy Pelosi (D-Calif.), Dennis Hastert (R-Ill.), and Gingrich. Pelosi presided over a highly partisan House, just as her predecessor, Dennis Hastert (R-Ill.) did before her. As Speaker, Hastert was heir to the partisan organizing principles of Gingrich, who was elected Speaker in 1995, when the Republicans gained control of the House for the first time in a generation. Under Gingrich's leadership, the new Republican majority ended the practice of relying solely on seniority as the informal rule in choosing committee chairs, which opened up the committee chairmanship selection process to a new set of partisan criteria (Aldrich and Rohde 2005). Under Hastert's speakership, these criteria reached full flower, so that committee chairs became chosen based on their fealty to party leaders, orthodoxy in ideological matters, and success in raising funds for party candidates (Sinclair 2005, 2006).

House Democrats chafed bitterly at the partisan yoke imposed on them by the Republican majority, but when the Democrats regained control of the House in 2007, with Pelosi in the Speaker's chair, the House continued to be led in a partisan style, a pattern likely to continue under Boehner.

Muhlenberg and Boehner were Speakers in different eras, and their differences reflect how the office of Speaker has changed. In the earliest Congresses, House members had emergent partisan affiliations and strong opinions, but party was only one factor among many influencing the organization of the House. Importantly, in the earliest years of the Republic, there were no permanent party organizations in Congress, so that the path to the speakership could not be trod along a series of partisan stepping stones. The Boehner story illustrates how the speakership has become the apex of a pyramid of increasingly important party offices. Leaders generally (though not always) acquire higher party office in the House by performing well in lower party offices. In the days of Muhlenberg, the speakership was not *fundamentally* a partisan office. In the contemporary Congress, the organization of the chamber is *fundamentally* partisan, and the Speaker is chosen precisely because of her or his relationship to the party organization.¹

¹ This is not to say that this relationship is always simple, nor that the Speaker is always a type of political boss. Hastert, for instance, was a protégé of former minority leader Robert Michel (Ill.), and had been appointed Chief Deputy Whip — the top appointed party position for House Republicans — by Michel. Many accounts record that Tom Delay (Tex.), who was the Majority Whip during the fiasco that attended the replacement of Newt Gingrich as Speaker between the 106th and 107th Congresses, was the natural next candidate for the speakership when Robert Livingston (La.) withdrew. However, Delay himself withdrew from consideration, believing that he was too polarizing a figure to be an effective Speaker. In the eyes of some, Hastert began his speakership as the “kinder and gentler” face of Delay. Regardless, what is significant is the fact that the list of possible Speakers in 1999, when Hastert was chosen, was limited to a small set of individuals who were known quantities within the House Republican caucus.

If Muhlenberg was not fundamentally a partisan Speaker yet Boehner is, and if Muhlenberg's and Boehner's behaviors are different because the nature of the House's organization and the role of the Speaker have changed, when did that change occur? As we will see in the chapters that follow, concerted efforts were made in the 1820s to transform the House's organization into something far more partisan, but the biggest shift from non-partisan to partisan organization occurred later in the antebellum period (beginning in the late-1830s), before being fully consummated in the Civil War and Reconstruction Congresses. Since that time, party leaders have been more or less "strong," but no serious challenge has ever been mounted against the notion that the majority party, as a party, organizes the House.²

In the period that is the focus of this book, the fundamental nature of the organization of the House was buffeted between two poles, partisan and majoritarian,³ and the fundamental nature of the Speaker's role was likewise buffeted between two poles, party leader and chamber leader. The major forces that beset the chamber as it struggled to organize for business were

² The one possible exception was the progressive challenge to the election of a Republican Speaker at the start of the 68th Congress. However, as we discuss in Chapter 9, the purpose of the progressive revolt was to force certain changes *within the Republican caucus*, not challenge the principle that the majority party would eventually unite around a single candidate for Speaker.

³ In the jargon of contemporary legislative studies, a "majoritarian" organization is one that is controlled by the median member of the chamber, whereas a "partisan" organization is one that is controlled by the median member of the majority party. If parties are arrayed ideologically (i.e., in one substantive dimension) and all members of one party are "to the left" of all members of the other party, the median member of the chamber will be a member of the majority party. Thus, in operational terms we can think of these competing views of chamber organization as disputing over which member of the majority party is most consequential in the organization of the House — one who is often sympathetic to the minority party (e.g., a conservative Democrat or a liberal Republican) or one who is typical of the majority party (e.g., a liberal Democrat or a conservative Republican).

two. The first were the designs of party builders, like Martin Van Buren, who struggled mightily to build party structures that transcended personalities. The second were regional pressures, notably the desire of the southern planters to protect and extend slavery and the contrasting visions of economic development held by northerners and southerners more generally.

Speakers for most of the antebellum period were both political and parliamentary leaders of the House, but their degree of domination over events was far from steady. The political leadership provided by Speakers before the Civil War was *ad hoc*; Speakers themselves had few levers with which to exercise independent political controls (Follett 1896, pp. 96–97; Young 1966, pp. 131–34; Peters 1997, p. 50). In thinking about the “strength” of Speakers, we can take a cue from scholars of the American presidency, who note a break with Woodrow Wilson in delineating periods of strong and weak presidents. The break in the House came half a century before Wilson’s presidency, with the Civil War and the speakerships of Galusha Grow (R-Pa., 1861–63) and Schuyler Colfax (R-Ind., 1863–69).⁴ Before then, only a few Speakers (Banks, Clay, Cobb, Polk, and Winthrop) combined sufficient political and personal strength to be considered substantial political leaders. After that, Speakers were normally strong leaders who put their own stamps on the House’s proceedings. The exceptions, such as J. Warren Keifer (R-Ohio, Speaker 1881–83), are easier to list because they were so atypical.

⁴ At the risk of wading into historical psychoanalysis, it is perhaps not surprising that many of the characteristics that bothered Wilson in his classic book *Congressional Government* took off during these Civil War speakerships. According to Lippmann, Radical Reconstruction had a profound influence on Wilson’s worldview, being a native of Virginia (Lippmann 1973). One does not have to buy the psychoanalytical approach to understanding Wilson’s presidency, which was so popular during the 1970s, to recognize that one reads *Congressional Government* in a different way when one knows about Wilson’s formative years.

If we use modern language, the antebellum Speaker often possessed partisan ambitions, but was still highly constrained by the majoritarian politics of the chamber. Thus, even when party leaders successfully orchestrated the election of a Speaker, it would be stretching things to claim that this represented the operation of a partisan *cartel* of the sort described by Cox and McCubbins (1993, 2005).

In attempting to structure proceedings to the advantage of those who elected him, a Speaker had two primary formal levers at his disposal, committees and floor debate. It is to these features of the House's formal organization that we now turn our attention.

Committees in the Antebellum House

When the House of Representatives first met in 1789, it adopted a set of rules that delineated a simple set of expectations for the Speaker to follow in exercising his duties and for the full body to follow in deliberating on legislation (*HJ*, 1-1, 4/7/1789, pp. 8–11).⁵ Very little was written in the original House rules about committees, except that Speakers would appoint small ones (with three or fewer members) and the whole body would ballot to appoint larger ones. No standing committees were mentioned. An additional set of rules was appended less than a week later. The first of these allowed “any member [to] excuse himself from serving on any committee, at the time of his appointment, if he is then a member of two other committees” (*HJ*, 1-1, 4/13/1789, p. 13). Another provided for a standing committee on elections, whose duty it was to judge the credentials of newly-elected members. Shortly after the second session of the 1st

⁵ Much of the following subsection is taken from Jenkins and Stewart (2002).

Congress convened, the provision for appointing large committees by ballot was rescinded, with the duty of appointing these committees given over to the Speaker (*HJ*, 1-2, 1/13/1790, p. 140).

Rather than rely on standing committees, which eventually came to dominate the congressional landscape, the House routinely appointed *ad hoc* committees to consider every piece of legislation that came before the body. This led to the appointment of 220 select committees in the 1st Congress (Canon and Stewart 1995, Table 1).⁶ These 220 select committees contained 209 unique combinations of members, so these truly were *ad hoc* in name and in fact.

Fast-forwarding to the eve of the Civil War, we see that the prominence of committees within the House rules was quite different. By the 35th Congress (1857–59), six pages of the Standing Rules and Order were devoted to committees, most of which dealt with the chamber's thirty-four standing committees (*HJ*, 35-1, pp. 1157–62). Virtually every House member was appointed to several standing committees; it was exceedingly rare for an individual to be appointed to none, unless he was infirm or arrived on the scene close to adjournment. Select committees were now used infrequently. The House appointed select committees only 23 times in the 35th Congress, almost all of which were investigatory.

Between the 1st Congress and the Civil War, the transformation from a committee system dominated by *ad hoc* committees to one dominated by standing committees was steady (Canon and Stewart 2001). A significant acceleration occurred in the 1810s, beginning around the 12th Congress (1811–13), when the House started regularly appointing a series of select committees,

⁶ For committee membership data throughout this book, we rely on the work of Canon, Nelson, and Stewart (2002).

charging them with taking under consideration broad subjects contained in the president's annual message. These committees "on the president's message" came to be reappointed at the beginning of each session. Starting with the 14th Congress, they were authorized to report by bill (*Annals*, 14-1, 12/6/1815, pp. 376-77; Cooper 1988 [1962], p. 58). In the 17th Congress (1821–23), these committees were officially made standing (Jenkins and Stewart 2002), and in short order the vast majority of the House's business was handled by standing committees (Gamm and Shepsle 1989). It was also during the decade of the 1820s that membership on standing committees became universal in the House.

How does one think about House committees, standing and select, in the antebellum period? Over the past quarter century, students of Congress have developed an approach to committee behavior that is rooted in rational choice theory. This modern approach has embedded committees in a spatial model of legislative deliberation. Within this spatial model, like any spatial model of decisionmaking, the overarching goal has been to identify why legislatures reach closure, or equilibrium, in their deliberations. As a general matter, if we rely on the preferences of legislators alone, they will not reach closure — there is no "preference-induced equilibrium" (PIE), in the argot of the approach. However, a set of institutional constraints that look a lot like a committee system can induce stability in legislative decisionmaking, which rational choice scholars term a "structure-induced equilibrium" (SIE) (Shepsle 1979; Shepsle and Weingast 1981).

The SIE model rests on top of a simple spatial model of legislative voting. In its most direct manifestation, we can think of a complicated, multidimensional world in which each policy dimension is associated with a different committee and each member is assigned to a

committee that has certain special authority with respect to its own dimension. Usually, we think of the committees as being composed of members who are “high demanders” with respect to policies that the committee oversees — farmers predominate on agriculture committees, members from money-center cities predominate on banking and urban affairs committees, and so on (Weingast and Marshall 1988; cf. Krehbiel 1991). Finally, we also assume that committees possess at least “negative agenda control,” and sometimes “positive agenda control.” (Negative agenda control, or gatekeeping authority, means that once a matter is referred to a committee, the committee can decide whether to return the bill to the floor for further consideration — “opening the gates” or not to policy change. Positive agenda control means that the committee has the right to decide what new proposals look like on the policy dimension for which they are responsible — thus, the committee’s bill is protected against amendment on the floor.)

In a world in which the jurisdictional allocations are clear and respected, in which committee members and the non-members of a particular committee are strategic in their thinking, and in which committees have special rights at protecting their proposals, we should observe committee recommendations generally passing unscathed on the floor (Shepsle and Weingast 1987). In other words, committees should rarely “get rolled” on the floor.

There are plenty of examples of committees getting rolled on the floor of the antebellum House of Representatives, even though it is also clear that members of Congress and the attentive public intuited a rudimentary SIE model of committee politics in those days. Few were indifferent about the composition of the committees, and committee make-up was frequently a subject of speculation during extended speakership contests. As we will see later in the book,

the the 31st Congress (1849–51) was tied into knots over the issue of how the committees would be composed.

As congressional scholars have only begun applying modern tools of legislative analysis to the study of congressional politics during the antebellum period, whether committees actually enjoyed the authority ascribed to them by contemporary observers or modern SIE political scientists is still very much an open question. We do know that although select and standing committees were typically obliged to report back legislation for ultimate disposition by the chamber, they in fact usually just sat on legislation that was referred to them, allowing bills to die by inaction. Antebellum committees exercised negative agenda control, though precisely how often and with what effects is still subject to speculation (Canon and Stewart 2001).

Southerners generally dominated the standing committee system for virtually the entire antebellum period (Canon and Stewart 2001). We can illustrate this by showing the percentage of seats on the more desirable committees that were held by slave-state members and compare that to the overall share of seats that slave states had in the House. To do this we must first identify the “desirable committees” in the House during the antebellum period, which we have done for the period from the 17th Congress (1821–23) to the 38th Congress (1863–65) using the “Grosewart” method (Groseclose and Stewart 1998; Stewart and Groseclose 1999) of estimating the value of service on House committees. This method, which relies on members’ committee transfer patterns to establish a committee hierarchy, identified ten House committees during this period that were the most highly desirable — Claims, Commerce, Foreign Affairs, Indian Affairs, Judiciary, Military Affairs, Naval Affairs, Public Lands, Territories, and Ways and Means.

Throughout this period, as illustrated in Figure 2-1, the fraction of House seats held by slave-state members steadily declined, from 43% in the 1820 to 37% in the 1850s. By contrast, slave states held considerably more seats on the desirable House committees, claiming roughly half of the seats, with only a couple of exceptions. The pattern broke with the speakership of Nathaniel Banks in the 34th Congress. The two exceptions prior to Banks were the 29th and 30th Congresses (1845–1849), during the speakerships of John W. Davis (D-Ind.) and Robert Winthrop (W-Mass.). Both Davis and Winthrop faced deep-seated southern animosities, and their distribution of committee assignments illustrates why.

[Figure 2-1 about here]

A similar pattern is evident if we look at regional membership patterns on two House committees that often drew much attention because of their key roles in slavery controversies — Territories and the District of Columbia. Figure 2-2 graphs out these time series. The District of Columbia Committee, which had a major role in the controversy over slavery in the District, almost always had a healthy representation from the slave states. Of course, that was helped by the practice of regularly assigning members from the surrounding slave states of Maryland and Virginia to the committee; together, these two states held only 12% of the House seats, but 34% of the committee assignments during this period. Still, the two other over-represented states on the committee were the slave states located far from the District, Mississippi and Tennessee, while the most under-represented states were in the north — Illinois, Massachusetts, New York, and Pennsylvania.

[Figure 2-2 about here]

The Territories Committee in the earliest Congresses tended to closely parallel the regional composition of the whole House, with the exception of the 22nd Congress (1831–33), during the second speakership term of Andrew Stevenson (J-Va.). However, beginning with the speakership of John White (W-Ky.) in the 27th Congress (1841–43), regional patterns of membership on the committee became much more volatile. This was the period when the House was embroiled in the controversy over the “gag rule” and extension of slavery into the territories (Jenkins and Stewart 2003). Three speakers in a row who were from the midsection of the country — White, John W. Jones (D-Va.), and John W. Davis (D-Ind.) — appointed Territories Committees with clear slave-state majorities. They were followed by Robert Winthrop (Mass.), the “Cotton Whig” who was nonetheless distrusted by many southerners, who appointed the first Territories Committee with a disproportionate number of free-state members. From then on, the composition of the Territories Committee followed the outcome of the speakership battles, with the Democratic Speakers Cobb (Ga.), Boyd (Ky.), and Orr (S.C.) favoring southerners and the (proto-) Republican Speakers Banks (Mass.) and Pennington (N.J.) disfavoring them.

These patterns suggest that committee compositions were not randomly distributed by region and are consistent with a view that committee seats were intensely contested and determined by the outcome of speakership contests. What they do not show is whether the committees used their agenda control authority to bottle up major legislation or extract rents from the rank-and-file.

Evidence on this point is spotty and anecdotal. Henry Clay’s inability to translate his personal popularity into policy triumphs while Speaker was largely due to his failure to protect committees from getting rolled on the floor (Young 1966, pp. 131–134; Stewart 2006). Yet

beyond studying Clay's hapless attempts at stacking committees in order to push legislation in directions he desired, little systematic scholarship has studied the success of committees in molding policy outcomes after a fashion consistent with the SIE model. Without a centralized institution such as the modern Rules Committee to fashion mechanisms to protect committee bills on the House floor – thus providing the means to exercise positive agenda control – it is unsurprising that simply stacking committees would fail to deliver outcomes consistent with a legislative cartel.

Before the Civil War, committee seats were very important symbolically; they were the currency through which the various interests “kept score” in congressional politics. Yet, there were limits to what a committee could do if it was stacked against a determined House majority. For that reason, we should not simply assume that the most rabid commentators of the time were correct when they ascribed dictatorial powers to committees or to the Speakers who appointed them. Nonetheless, such views were powerful, and were capable at times of rallying intense political forces.

Another important question about committee composition concerns *party control* of committees. In the modern House, the majority party holds a majority of seats on all the standing committees, with possible rare exceptions, such as the current practice of appointing an equal number of Democrats and Republicans to the House Committee on Standards of Official Conduct (Ethics).⁷ The best illustration of the fact that committee seats are considered to be the

⁷ Other exceptions may occur when third party members are appointed to small, minor standing committees, leaving the majority party, *per se*, with only a plurality of members of a particular committee.

property of the parties is that in recent years, separate resolutions have been passed naming majority and minority committee members, respectively.

Looking at the historical endpoints, we see that Speakers had effective control over committee appointments from (virtually) the very beginning and that the parties currently have control. When did the shift in authority from the Speaker to the parties occur, and to what effect?

The shift to party control of committee assignments is typically said to coincide with the adoption of House Rule X in 1911, which specified that committees would be elected, rather than appointed. Nothing in the rule initially specified that *parties* would take the lead in shaping how these elections would proceed. However, immediately upon adoption of Rule X, the Democrats devolved practical authority over making assignments to the Democratic contingent of the Ways and Means Committee, giving the minority leader the authority to make Republican appointments (Alexander 1916, pp. 81–82). More recently, Rule X has been written to make the majority party's role in naming the chair of each committee explicit, along with the roles of the two major party caucuses in presenting the resolutions electing committees.

The *practice* of the majority party claiming the lion's share of committee assignments arose after the Civil War. This is illustrated in Figure 2-3, which shows the percentage of House standing committees in which the majority party held a majority of the seats as well as the percentage of standing committees in which a member of the majority party was the chair. Before the Civil War, the majority party typically controlled *most* committees, but often a bare majority. The practice of the majority party claiming nearly all committees and all committee

chairs dates from 1865 (39th Congress), which is also the first Congress in which both caucuses officially presented dueling nominees for the Speakership.⁸

[Figure 2-3 about here]

Thus, while party was certainly an important factor in the composition of committees before the Civil War, it was not the same looming factor as it was afterwards. This suggests that the idea that committees would be agents of the majority party, rather than *ad hoc* majorities that might form around the election of the Speaker, was late in developing. However, once the party committee-on-committees became institutionalized in the 1910s, the House had already been organized around norms that gave the advantage in forming committees to the majority party.

The Rules and Floor Proceedings in the Antebellum House

When we observe the House actually considering legislation in the antebellum period, we see that committee recommendations were frequently under savage attack and often eviscerated; the floor was a more obvious venue for real work than in the present-day Congress. Woodrow Wilson's famous aphorism, that "Congress in session is Congress on display, but Congress in committee is Congress at work," was much more characteristic of the postbellum House than the antebellum House. Indeed, the strengthened party grip on the chamber that arose during the Civil War laid the foundation for the institution that Wilson described, and which in certain fundamental respects still characterizes the House. In the period before the war, committee work

⁸ The few exceptions to uniform control of committees by the majority party since 1865 are easily explained. The non-majority committee chairs since 1865 have all been senior minor party members who tended to support the majority party. The committees in which the majority party did not have a majority of seats were all either the House ethics committees, with an even number of members from each party, or minor committees with a contingent of minor party members who voted with the majority party on organizational matters.

was much more provisional; issues that were fought out in committee were just as likely to be fought out again on the floor. In such an environment, the rules that shaped floor consideration of legislation were the most important formal element of the House. Since the Speaker's hand in presiding over the House made him the keeper of those rules, understanding their evolution in the antebellum period helps to clarify what was at stake in selecting the Speaker.

It has frequently been remarked that Article I, Section 5 of the Constitution, which gives each chamber of Congress the authority to “determine the rules of its proceedings,” was a significant tool for allowing chamber majorities to take control of the policymaking apparatus of the federal government — in stark contrast to the Congress under the Articles of Confederation, in which the legitimate latitude of Congress to impose any rules on its members was always in question (Jillson and Wilson 1994; Stewart 2005). Yet even though the Constitution gave congressional majorities the right to shape the institution to their liking, in practice the rules had little influence on House proceedings. This fact stemmed from a conception of representation, such that no set of constituents should be unduly privileged at the expense of another. Joseph Cooper (1970; c.f. Harlow 1917) identifies this belief as deriving from a set of “Jeffersonian” attitudes about the source of law and the authority of individual legislators to develop it. Because of these attitudes, rules that restricted debate or allowed committees to set legislative agendas were considered illegitimate.

These Jeffersonian attitudes had two major consequences for the development of the House rules before the Civil War. The first was a constant tension between the rush to get legislative business passed, in the limited time that Congress met, and the desire to keep the House highly participatory. This tension was evident in the earliest days of the House's history,

when it voted in its first session to choose all committees by ballot, and then voted in the second session to allow the Speaker to appoint committees; if Congress was only going to meet for a few months a year, House members wanted to spend their time actually working rather than figuring out who would do the work. Another moment in which this tension was evident occurred during the decade-long controversy over the “gag rule,” when the House changed its rules about the introduction of petitions, allowing them to be handed to the Clerk, rather than introduced from the floor by members (*HJ*, 27-2, 3/29/1842, p. 609) — this streamlining rules change was proposed by John Quincy Adams, who was a master in using the old rule to his political advantage.

A second-order consequence of the tension between expediency and participation was a constant tinkering with the rules, which caused them to grow more numerous and complex. Ironically enough, the House’s efforts to remove routine business from the floor often backfired, since these efforts also caused the rules to grow in length and complexity. This in turn led to more opportunities for the Speaker to adjudicate among contradictory provisions and precedents, and thus more opportunities to appeal from the decision of the chair.

Minority delay was a major consequence of the Jeffersonian ethos. Not only were the rules often cumbersome under the best of circumstances, but they also provided many opportunities for delay by minorities intent on obstructing the intentions of the majority.

Balancing between the ambitions of the majority and the rights of the minority thus became an important theme in the development of the House rules before the Civil War. Keep in mind that the modern practice of expediting the consideration of legislation on the House floor through the use of “rules” was a postbellum development (Alexander 1916; Cooper and Young

1989). Before then, it was common for opponents of legislation to employ delaying tactics like the filibuster, dilatory motions (e.g., endless motions to adjourn and appeals from the decision of the chair), and disappearing quorums (i.e., refusing to answer a roll call even when physically present in the chamber).

The apotheosis of delay occurred on May 11, 1854, when a resolution was brought to the House floor limiting debate in the Committee of the Whole on the Kansas-Nebraska Act. By the end of the day, the House had endured roll call votes on 110 motions, including 41 to adjourn, 16 to set the time of the next meeting of the House, 11 to order a call of the House, and 7 to excuse members from voting.⁹ Of the 110 roll calls taken that day, only 16 prevailed.

In recent years two major works by political scientists have explored the ebbing and flowing of minority rights, and the ability of House minorities to obstruct the will of a majority (Binder 1997; Dion 1997). A couple of points from this scholarship are especially relevant here.

The first reminds us that from the perspective of Anglo-American men of affairs in the late-eighteenth and early-nineteenth centuries, delay and obstruction were highly valued legislative functions — at least as important as legislating itself. Notions of “efficiency in government” gained their greatest currency in the *late*-nineteenth century, after parties secured their hold on House organization. Thus, in the antebellum era, even frustrated House majorities were often loathe to cut off the means of obstruction, and the most vociferous of obstructors typically viewed their actions as something more than mere tactics. Episodes such as John Quincy Adams’s protests against the gag rule were not *purely* for show.

⁹ ICPSR study 9822, file 33.dtl.

The second point, nonetheless, is that obstruction was tactical much of the time, and that attempts to override minority obstruction were also tactical. The correlation of institutional and substantive preferences skyrocketed with the onset of the “partisan era” in the 1830s, and with it, the willingness to use structural maneuvers, by minorities and majorities, increased.

As we focus on struggles over electing Speakers, two other points that emerge in this literature on the evolution of minority procedural rights should be highlighted. The first is that the notion of “a majority” should always be regarded as a little suspect, especially when it is operationalized as a partisan majority. The parties were often rent with factions, and those divisions were often most evident when the party margins were close. This observation was made by John Quincy Adams, in his diary, when he reported that newly-elected Speaker James K. Polk (D-Tenn.)

made a clumsy address to the House, in which he said it would be impossible for him to keep order unless supported by the House — which was true enough as an appeal to the party majority; but he promised impartiality, which if he does practise [*sic*] at all, will be only between the two sides of his own party (Adams 1876, vol. 9, 9/4/1837, p. 366).

Even at the height of the partisan era, Speakers had to manage the factionalism within their own parties.

The second is that the role of the Speaker in implementing restrictive rules cannot be underestimated. The willingness of Speakers to use the tools at their discretion, or their ability to use them, mattered significantly. The cases of two speakers, Henry Clay and James K. Polk, are illustrative here. In Clay’s case, his success in restricting the obstructive tactics of opponents of war against England in the 12th Congress (1811–1813) has led many to believe that Clay actually created the motion of the previous question to cut off debate. In fact, the previous

question provision that Clay used so effectively in his first term as Speaker had been adopted in the *prior* Congress (*Annals*, 11-3, 2/27/1811, p. 1092). What was significant was Clay's *willingness* to use any tools at his disposal, including the previous question rule, to stifle the obstreperous John Randolph (R-Va.).¹⁰

In Polk's case, he faced a vigorous campaign of parliamentary harassment while in the Speaker's chair, led by his arch-rival and speakership predecessor, John Bell (Anti-Jack.-Tenn.). To prosecute this harassment, the number of appeals to the decision of the chair increased by an order of magnitude, compared to the immediate past, and attempts to adjourn the chamber in the midst of debate doubled.¹¹

By their actions, Clay and Polk each launched eras that re-formed expectations about how much delay the Speaker, and the chamber he led, would tolerate. When Clay first claimed the Speaker's chair in 1811, the previous decade had witnessed a new level of minority obstruction, ushered in under the rise of the Jeffersonian juggernaut in the 7th Congress (1801–1803). Obstructive tactics had risen sharply under Speaker Varnum, in the 10th and 11th

¹⁰ On several occasions, Clay interpreted the previous question rule to eliminate all debate *and* amendments on the main question. Used strategically, this had the effect of privileging a committee bill and forcing an up-or-down vote on the floor — and can be interpreted as a brute-force “closed rule” of sorts. Stevenson would also use Clay's interpretation of the previous question rule on several occasions during his speakership. The House would restrict future Speakers from pursuing this strategy by altering the previous question rule in 1840, wherein a successful vote on a previous question motion would immediately require the House to vote on pending amendments. See Alexander (1916, pp. 189-90) and Binder (1997, pp. 92-93).

¹¹ Here are the comparative statistics: Andrew Stevenson faced eight challenges to his rulings in the 22nd Congress (1831–33) and Bell faced four in the 23rd Congress (1833–35). Polk faced 62 challenges in the 24th Congress (1835–37) and sixteen in the 25th Congress (1837–39). Furthermore there were 39 motions to adjourn in the 22nd Congress, 40 in the 23rd, 53 in the 24th, and 90 in the 25th.

Congresses (1807–1811). Clay put a stop to it. Clay’s influence was such that even as sectional tensions rose, the Speakers who immediately followed him — Taylor, Barbour, Stevenson, and Bell — faced relatively few challenges on the floor. Bell’s guerilla warfare against Polk in the 24th Congress (1835–1837) reintroduced the House to the power of determined minority obstruction. Polk was much less successful than Clay, to the detriment of the Nation’s peace and tranquility.

It was this latter era that witnessed so much contention over the selection of the Speaker. Obstruction by minorities was honed to a sharp point beginning in the 1830s, coming to an end with the cementing of the Reed Rules more than a half-century later.¹² In subsequent chapters we will encounter episodes when the House balloted for days, weeks, and even months, with no resolution to the problem of organizing itself for business. In visiting these episodes, it will be natural to ask whether significant numbers of House members *really* wished to grind Congress to a complete standstill, and the answer will often be “yes.” The same Congresses that endured endless balloting for Speaker (and subsidiary offices) also endured endless motions to adjourn and challenges to the Speaker’s rulings. To some, a Congress that did precisely nothing was the best Congress of all.

The Clerk in the Antebellum Era

Of all the House officers, the main political player, by far, was the Speaker. But the subsidiary House officers also played important institutional and political roles in the antebellum period —

¹² Cox and McCubbins (2005, pp. 55-56) argue that minority obstruction had gotten so bad in the 1870s and 1880s, thanks to antiquated techniques for conducting business and a plethora of minority-friendly House procedures, that both the majority and minority parties had an effective veto over the legislative agenda. They refer to this institutional context as a “dual veto system.”

certainly more so than in the modern era. Even before the Jacksonian party system had entrenched the idea that “to the victor belong the spoils,” these offices were not only political, they were partisan. Although the House Printer was the most visible of these politically-connected subsidiary officers, the Clerk was formally at the top of the heap.¹³

The first House Clerk (John Beckley) was elected immediately after the election of the first House Speaker on April 1, 1789 (*HJ*, 1-1, 4/1/1789, p. 6). The Clerk’s formal role for the first several Congresses was largely administrative. He was responsible for initiating the call of the House; reading bills and motions; attesting and affixing the seal of the House to all writs, warrants, and subpoenas issued by order of the House; certifying the passage of all bills and joint resolutions; and printing and distributing the *Journal* to the President and all state legislatures (*HJ*, 3-2, pp. 227-31). Additional administrative tasks, such as noting all questions of order (and subsequent decisions) and providing House members with copies of the *Journal*, eventually followed (*HJ*, 12-1, p. 530; 22-1, p. 899).¹⁴

A casual observer might take note of these administrative duties and believe the House Clerk to be little more than a secretary, or as John S. Millson (D-Va.) once remarked, simply a “mouthpiece” (*CG*, 36-1, 12/8/1859, p. 66). This characterization would significantly underestimate the office’s authority and prerogatives. First, the Clerk controlled a number of resources. For example, the Clerk was allowed to employ a staff in order to carry out his litany of administrative duties. Initially, such appropriations were modest. In the 2nd Congress (1791-

¹³ Much of this section is drawn from Jenkins and Stewart (2004).

¹⁴ In 1819, the House created the office of Printer to handle printing and distributing the *Journal*, among other duties.

93), the Clerk was provided with funds for three assistant clerks (*ASP*, 2-2, p. 59). By the 14th Congress (1815-17), the House Clerk supervised five assistant clerks, in addition to a messenger and a librarian (*ASP*, 14-2, p. 311). This broadening of the Clerk's sphere of influence continued steadily over time. Table 2-1 tracks the size of the Clerk's office from 1823-1870.¹⁵ The number of full-time positions grew slowly, with an explosion of part-time positions through 1835.¹⁶ Beginning in the late-1850s, appropriations for full-time positions expanded, and by the mid-to-late-1860s, the Clerk supervised approximately 50 full-time employees at combined annual wages in excess of \$80,000 (or as much as \$115 million in contemporary dollars).¹⁷

[Table 2-1 about here]

Not to be overlooked was that the House Clerk was relatively well-paid. In the 1st Congress, the Clerk's pay was set at \$1,500 per year, plus a \$2 *per diem* for every day Congress was in session. Congress set its own compensation at \$6 *per diem* (plus travel). Assuming an average of 150 days per year in session, this set the Clerk's annual pay at \$1,800 and pay of a

¹⁵ The number of employees in the Clerk's Office was reported sporadically until a joint resolution was passed in March 1823, which required the Clerk to provide an accounting on an annual basis.

¹⁶ Many of these part-time workers were pages. Their steady increase did not go unnoticed by House leaders. On March 31, 1838, the Committee on Accounts submitted a report investigating the duties of various officers of the House. The committee resolved that the Clerk should employ no more than twelve pages, and that this number should be reduced whenever possible (*House Report 750* [25-2], p. 335). The House took up the report on April 4, 1838, and the resolution was amended, with the power of page appointment taken from the Clerk and given to the Doorkeeper (*CG*, 25-2, 4/3/1838, p. 281).

¹⁷ Here we use the "relative share of GDP" as our deflator. This is the most appropriate deflator to use in this case, as it measures "how economically 'powerful' that person [in this case, the Clerk] would be" today. See Samuel H. Williamson, "Seven Ways to Compute the Relative Value of the U.S. Dollar Amount, 1774 to the Present," *Measuring Wealth*. Url: <http://measuringworth.com/uscompare/#>, accessed 12 September 2010.

rank-and-file member at \$900. By 1860, things were not quite as rosy for the Clerk, but he was still paid \$3,600, compared to \$6,000 for rank-and-file House members and \$12,000 for the Speaker. In 1802, the position of Librarian of Congress was created, and the practice emerged of appointing the House Clerk to that position. This gave the Clerk an additional \$2 *per diem*, or roughly \$300 per year, plus control over a larger empire. This practice continued until Patrick Magruder's disgrace during the War of 1812, when the Capitol was burned. Magruder left town without first securing various texts and records, which were lost forever when the Library was destroyed (see Gordon 1975). After that, the Librarian of Congress became a patronage position controlled by the president, and allocated to his political supporters.

The Clerk also controlled the House's contingent fund, which was used for the day-to-day operations of the chamber and the general upkeep of the facilities and grounds. Expenses ranged from the purchase of newspapers, *Journals*, stationary, and writing materials for member use; to the purchase of fuel, furniture, horses, Capitol police, and maps for continuing chamber operations; to the hiring of carpenters, painters, bricklayers, blacksmiths, chimney sweeps, and general laborers, as well as the purchase of materials, for general physical plant upkeep. As a result, the Clerk was responsible for entering into any number of contractual agreements, with few programmatic guidelines¹⁸ and little institutional monitoring.¹⁹ Moreover, the annual sums

¹⁸ Certain stipulations did affect the congressional printing, however, with various efforts to secure low-cost bids and establish per-page cost ceilings (Smith 1977). However, few other expenses were monitored closely. One exception was the purchase of stationary, which was typically a significant expense on a per-Congress basis. This exception had a political origin. In 1842, during the 27th Congress, the House investigated the contracts of Hugh Garland, the House Clerk in the 25th and 26th Congresses. The Committee on Public Expenditures reported that Garland purchased stationary at inflated prices, in effect paying nearly 40% more than in previous years, when lower-cost bidders had also vied for the House contract (*House Report* 880 [27-2], p. 410). Several reasons for this overpricing were suggested, all of which involved fraud.

underlying these contracts became substantial over time. As the right-most column of Table 2-1 indicates, beginning in the early-1830s, the Clerk controlled a contingent-fund purse routinely in excess of \$100,000. In some years, the Clerk would have nearly \$600,000 at his disposal (or in excess of \$2.1 billion in current dollars).²⁰ This led a correspondent for the *National Era* to remark that “[i]t is easy to see that the man who has such a fund at his disposal must be a personage of influence” (*National Era*, 11/20/1856, p. 186).

In particular, patronage-based partisanship and indirect embezzlement, via kickbacks, were strongly intimated. Garland vociferously denied the fraud charge, as well as any other wrongdoing, in a lengthy memorial complete with detailed itemizations (*House Document 275* [27-2], p. 405). Note that Garland had also been at the heart of the highly partisan battle over organizing the 26th House (see below), which infuriated the Whig Party. The Whigs controlled the House and the Committee on Public Expenditures in the 27th Congress, so partisan payback could have been the motivation for the investigation, and the potential trumped-up fraud charge. Nevertheless, the implications of the investigation led the House to require the Clerk to begin soliciting and reporting bids for stationary contracts (*Statutes at Large*, 27-2, pp. 526-27).

¹⁹ The Clerk’s control of the contingent fund was unquestioned prior to March 1, 1823, when Congress passed a joint resolution that required the House Clerk and Senate Secretary to publish an annual statement detailing the expenses from the contingent fund of their respective chambers (*Statutes at Large*, 17-2, p. 789). Yet, the guidelines for reporting the expenses were broad, and Clerks typically responded with summary totals, rather than specific itemizations. On August 26, 1842, this changed, as the Whig-controlled Congress adopted a new resolution requiring the House Clerk and Senate Secretary to provide more precise statements of their contingent-fund expenses (*Statutes at Large*, 27-2, p. 527). Specifically, the resolution required the Clerk to provide “the names of every person to whom any portion [of the contingent fund] has been paid; and if for any thing furnished, the quantity and price; and if for any services rendered, the nature of such service, and the time employed, and the particular occasion or cause, in brief, that rendered such service necessary; and the amount of all appropriations in each case on hand, either in the Treasury or in the hands of any disbursing officer or agent.” The Whigs’ adoption of this more stringent accounting system may have been partially related to the investigation of Hugh Garland, the former House Clerk (see prior footnote), but it was also part of a more general pattern of retrenchment in response to the prolonged economic depression of the early 1840s.

²⁰ The \$593,658 at the Clerk’s disposal in 1856 is worth \$2.11 billion in 2010 dollars, using the “relative share of GDP” as our deflator. See Samuel H. Williamson, “Seven Ways to Compute the Relative Value of the U.S. Dollar Amount, 1774 to the Present,” *Measuring Wealth*. Url: <http://measuringworth.com/uscompare/#>, accessed 12 September 2010.

Thus, the partisan implications of controlling the Clerk's Office were significant. The Clerk was in a position to dole out patronage, both directly, via positions of employment in the Clerk's Office, and indirectly, via supply and labor contracts with outside agents.

In addition to the financial resources and patronage powers that came with the office, the House Clerk also played a role in the internal organization of the chamber as a whole. Specifically, the Clerk of the *previous* Congress served as the interim presiding officer of each *new* Congress. This decision that the Clerk "carry over" to the start of the next Congress was made in the 1st Congress (*HJ*, 1-3, 3/1/1791, p. 396), and hearkened back to an ordinance adopted in 1785 in the Continental Congress (Alexander 1916, p. 12). As interim presiding officer, the Clerk called the roll of members-elect, thereby formally determining the House membership for organizational purposes. Once the membership was determined, a new Speaker would then be elected, after which a new Clerk would be elected.

For the first few decades of the Republic, the House Clerk prepared the roll in consultation with the Committee on Elections, which possessed the authority to validate members' credentials (*HJ*, 1-1, 4/17/1789 p. 16). By the 1830s, however, the Committee on Elections neglected its credential-validating duty, leaving the Clerk to construct the roll completely on his own (*Hinds' Precedents*, chap. 2, § 18).²¹ This afforded the Clerk a good deal of institutional power. In effect, he became the sole arbiter of the House membership when the chamber initially convened, as the lack of strict certification rules provided him with substantial

²¹ On two separate occasions during this period, on February 19, 1838 and January 28, 1839, John Quincy Adams proposed resolutions that would have required members-elect to submit election-certification credentials with the House Clerk (*CG*, 25-2, 2/19/1838, p. 190; 25-3, 1/28/1839, p. 143). Both resolutions were postponed and never subsequently acted upon.

discretion in making out the roll. Alexander (1916, p. 93), writing in the early twentieth century, noted the potential repercussions:

This opens the door to great temptation, for ... [the Clerk] may omit from the list the name of any member, the regularity of whose election he questions. In other words, he can, if so disposed, refuse to recognize a sufficient number of credentials because of technical errors or spurious contests to give his party a majority of those privileged to participate in the election of a Speaker.

Such partisanship would become an issue at the opening of the 26th Congress (1839), when the House Clerk, Hugh Garland, passed over five Whig members-elect from New Jersey in his call of the roll, because their seats were being contested by five Democrats. Garland's decision gave numerical control to the Democrats, which was the immediate cause of the first extended speakership battle of the *viva voce* era. We explore Garland's actions in more detail in Chapter 5.

In 1861, a series of cases established that the House could correct the Clerk's roll of the members-elect by either adding or striking a member (*CG*, 37-1, 7/4/1861, pp. 7-9; 7/5/1861, pp. 13-16). However, this was merely a second-order alteration, in that it did not restrict the Clerk's ability to influence the initial partisan makeup of the chamber. That is, the House could only correct the Clerk's roll *after* the membership of the chamber was first determined by the Clerk. Thus, the Clerk still maintained the ability to tilt majority control of the chamber when partisan margins were close.

On March 3, 1863, the last day of the 37th Congress, the Clerk's ability to certify the election credentials for members-elect, which had simply been a norm since the 1830s, was codified (*Statutes at Large*, 37-3, p. 804). This action was spurred by Republican leaders' concern that midterm losses could jeopardize the party's control of the House in the next

Congress. The codification tailored the law in such a way to direct the Clerk to recognize the election certificates of “loyal” members-elect from former-Confederate states, but bar those who would oppose the Republican agenda. Used strategically, the 1863 law could bias the roll in favor of the Republicans. In reality, the House Clerk, Emerson Etheridge (Tenn.), attempted to use the 1863 law *against* the Republicans, in a failed intrigue over the composition and organization of the 38th Congress (1863). While Etheridge’s attempt failed, it helped solidify in the minds of Republican leaders the need for a regular organizational party caucus prior to the convening of a new Congress. Etheridge’s replacement as Clerk, Edward McPherson (Pa.), also used his discretion to manipulate the initial House roll, but this time as a part of the Republican juggernaut, so his actions have been less subject to historical scrutiny and approbation. We cover Etheridge’s and McPherson’s actions in more detail in Chapter 8.

On February 21, 1867, the 1863 law was revised to include a provision directing the Clerk to place on his roll only those members-elect from states represented in the preceding Congress (*Statutes at Large*, 39-2, p. 397). By this time, the Radicals were firmly in control of the Republican Party and were waging a war with President Andrew Johnson over the course of Reconstruction policy. The passage of the 1867 law helped to secure a “Radical Reconstruction” of the South, by eliminating the possibility that the Clerk — should another Etheridge-type control the office — could recognize pro-Johnson governments prior to Congressional organization.

The 1867 law proved to be the last major alteration of the Clerk’s institutional position in the nineteenth century. To this day, the House Clerk has the authority to determine the membership roll, based on state election certificates (*Deschler’s Precedents*, chap. 2, § 8).

The House Printer in the Antebellum Period

Below the Clerk in the House hierarchy was the Printer, who was responsible for printing and distributing House documents, including not only the *Journals* and other official publications (like committee reports), but also politically important texts, such as member speeches and executive messages.²² The contracts to print for both chambers — which included all official publications of government — were more valuable than most executive branch printing contracts (except for the Post Office) and were also more politically freighted. Reporting the debates of Congress was another matter, handled entirely privately until the *Congressional Record* was established in the 1870s.²³

Even prior to the rise of Jackson, members of Congress and their political hangers-on had grasped the political significance of the Printer's position. The printing contract itself was one of the largest business deals transacted between the federal government and a single contractor. In an era devoid of mass communication and few diversions, word from Washington about the people's business was eagerly awaited, distributed hand-to-hand, and discussed among neighbors just like episodes of *American Idol* are today. The accuracy and attractiveness of congressional

²² Much of this section is drawn from Jenkins and Stewart (2003), with additional background information on early governmental printing coming from Cook (1998), Mott (1941), Schmeckebier (1925), Smith (1977), and White (1954).

²³ Providing for the *verbatim* reporting of debates was separate, but related to, official printing. Several of the characters who emerge as official Printers of Congress were involved at some time in private efforts to report the verbatim deliberations of Congress, which were then distributed among paid subscribers. These were Joseph Gales, Jr. and William Winston Seaton, who published the *Annals of Congress* (1789–1824) and the *Register of Debates* (1824–37), and Francis Preston Blair and John C. Rives, who published the *Congressional Globe* (1833–73). These private efforts were largely underwritten by the excess monies that these individuals received as Printers of Congress.

publications were important factors, as was the relative speed with which they could be distributed to the hinterland.

In addition, official printing contracts provided a secure financial base for publishers whose primary business was producing partisan communications. The Jacksonian democratization of electoral politics also brought with it an elevation of the politically-connected printer and the explosion of the party organ as a mode of informing and rallying the troops. When prominent state politicians were elected to a federal position, they often brought the local press to Washington, in an effort to better integrate state and local politics. It is not surprising, for instance, that three of the five members of Andrew Jackson's "kitchen cabinet" were newspaper publishers.²⁴

Table 2-2 reports the identity of the Printers of the House and Senate from 1819 to 1860, along with amounts paid to these printers under the congressional contracts. Table 2-3 reports major publishers during this period and their relationship to major political figures. A series of congressional investigations over time, along with scholarly research, has suggested that over half the amounts paid to the congressional printers in the antebellum period were pure profit. Much of these profits did not go to the Printer himself, but rather were skimmed for political purposes, notably to benefit the interests of the Printer's party (Smith 1977). The Printer used these excess monies in a variety of ways: underwriting party press organs throughout the country

²⁴ Amos Kendall (*Argus of Western America* [Kentucky]), Isaac Hill [*New Hampshire Patriot*], William B. Lewis, Andrew J. Donelson, and Duff Green [*St. Louis Enquirer; United States Telegraph*].

was typically the major goal,²⁵ but he also contributed to congressional election campaigns and distributed funds to lobbyists and congressmen.²⁶

[Tables 2-2 and 2-3 about here]

Consequently, the Printer was in a position not only to shape public opinion for his party — through his own newspaper and the various party newspapers he kept afloat — but also to affect congressional elections and policy outputs in Congress. In helping shape public opinion for the party, the Printer also served as a whip of sorts. When individual party members broke with the president or the majority of his party, the Printer would transmit this information through his columns, which would be reprinted throughout the nation. Thus, individual

²⁵ These funds, distributed by the House and Senate Printers, were the chief source of congressional patronage for party newspapers. The Executive had its own source of patronage, wherein the Secretary of State would select two newspapers in each state to publish the laws of the nation. Newspapers selected by the Secretary of State would receive a subsidy and, in many cases, the editor of the paper would receive a postmastership (which came with a generous stipend). Over time, a norm was established in which members of Congress would select the newspapers in their given states, and the Secretary of State would accommodate their requests. Nevertheless, the congressional funds provided by the Printers insured that the congressional party's perspective — when different from the president's perspective — would also receive a fair hearing in the news coverage. See Fowler (1943) and Smith (1977) for additional details.

²⁶ Many of these shady activities came to light during the Republican investigation of the Buchanan administration in 1860. Three different House committees were appointed at various points to look into a range of fraud and corruption charges leveled against Buchanan and Democratic party leaders, the chief committee being a select one chaired by John Covode (R-Penn.). Among the witnesses called before the Covode Committee was Cornelius Wendell, House Printer in the 34th Congress (1855-57). In two sets of testimony, Wendell outlined the various activities that he conducted for the Democratic party, using the excess funds that he received from the congressional printing. In addition to subsidizing various Democratic newspapers, Wendell also paid Democratic operatives in several congressional campaigns and attempted to “buy” the votes of select members of Congress on the Kansas issue. Thanks in part to Wendell's testimony, Congress eliminated the Printer positions in both chambers and established the Government Printing Office to handle subsequent congressional printing. See Bruns (1975) and Smith (1977, pp. 206-32) for more detailed accounts.

members could be “called out” by the Printer, via his ability to “go public” and communicate directly to the members’ constituents. This also served as a deterrent to party members when controversial issues arose. The Printer was thus the voice of the party and, at least at times, also the party’s chief “bag man.”

Turnover in the printership described in Table 2-2 provides a foretaste of the politics we will examine in the following chapters. Here, we comment on two general features of this turnover pattern.

First, throughout this period, both the House and the Senate went through several phases in how they chose the Printer. From 1800 to 1819, printers were chosen by the House Clerk and the Secretary of the Senate on a purely lowest-bid basis. A combination of factors, such as dissatisfaction with the quality of the printing under this system and a desire to benefit more politically-connected printers, led the House and Senate to pass a joint resolution in 1819, on the final day of the 15th Congress (1817-19), establishing a new system (*Statutes at Large*, 15-2, p. 538). Under this system, the House and Senate would set fixed amounts for printing, and then each chamber would separately elect a Printer by (secret) ballot.

Ames (1972, pp. 110-11) contends that the bill to establish elected Printer positions for both chambers of Congress was pushed through by Henry Clay. Looking ahead to the Presidential Election of 1824, Clay sought a power structure to help him vie with John Quincy Adams, John Calhoun, and William Crawford — all of whom held cabinet positions and thus possessed a patronage-based staff that could be used for electioneering — for the presidential nomination. By creating congressional printerships, he hoped to establish his own base of patronage. The Printers would be tied to press organs, which Clay hoped would produce

favorable public opinion for his candidacy. His favored editors, Gales and Seaton of the *National Intelligencer*, would go on to win the first set of Printer positions. In describing the overall scenario, Ames claims that “Clay had put together one of the richest patronage schemes the country yet had seen...” (111).

Congress continued electing Printers in this way, aside from a six-year window in which low-cost bidding was resuscitated, until the Government Printing Office was established in 1860, at which time all congressional printing became the business of the federal government itself.

The six-year hiatus occurred from 1846 to 1852. The push for reform in congressional printing began in 1842, during the unified Whig Congress. Calling for “retrenchment in government” and noting abuses in congressional printing practices, many Whigs sought to eliminate the House and Senate Printer positions and create a government-run printing operation. This attempt initially failed, but eventually succeeded, through a coalition of Whigs and Democrats, who established a system of low-cost bidding on August 3, 1846. This system turned out to be a practical failure, so that Congress changed course and readopted the prior system of elected Printers in each chamber on August 26, 1852. We discuss the onset of the low-cost bidding regime and its demise in more detail in Chapter 5.

The second feature of the turnover pattern in Table 2-2 that we note was the increased politicization of the choice of Printer, resulting from the influx of Jacksonians into Washington in the late 1820s. The first explicit example of this came in the 20th Congress (1827-29), when Jackson’s supporters wrested control of the chamber from Adams’ supporters. Martin Van Buren, Jackson’s chief lieutenant and party builder, understood the importance of a vital party press in promoting the interests of the party (Remini 1959, p. 10). In New York, Van Buren had

helped establish the *Albany Argus*, which served as the press organ of his Albany Regency. Stories and editorials in the *Argus* would be reprinted throughout the state, creating a vast information network for the party. And, like the congressional printers, the editors of the *Argus* were subsidized by government contracts to print local laws (see Silbey 2002, p. 25).

Spurred on by Van Buren, Jackson's supporters launched an attack on Gales and Seaton, the House Printers who were tied more closely to the Adams wing of the Republican Party. A committee on retrenchment, controlled by Jacksonians, began an investigation into Gales and Seaton's printing practices, based on "suspicions" that they were overinflating costs (Ames 1972, pp. 158-61). While the committee uncovered no meaningful evidence and thus brought no real charges, the die was cast — the Printer would thereafter be a hotly contested position in the partisan wars. The churning of Printers reported in Table 2-2 was a reflection of this new reality.

In general, the Printers who were elected in the years comprising the Second Party System reflected the political sentiments of the majority party. However, political intrigue sometimes entered the picture, resulting in some Printers being elected through a combination of support from the minority party and dissident majority party members. The intrigue came from two directions. First, dissident Democratic factions were sometimes willing to ally with Jackson's (and Van Buren's) opponents in selecting the Printer. (The dissidents could be either Calhounite nullifiers or pro-Bank Democrats.) Second, intrigue *within the two major parties* resulted in a flurry of behind-the-scenes activity, as prominent political operatives created new publishing ventures in an effort to win the congressional contract. The timing of the choice of Printer is an important detail in what follows.

When the federal government retired to Washington in 1800, members of Congress found themselves in a village with little publishing capacity. In response to this situation, a law was passed that allowed the *expiring* Congress to provide for the printing needs of the *next* Congress. Under this arrangement, the House Clerk and the Secretary of the Senate were allowed to advertise for bids for the printing needs of the following Congress, nine months in advance of the new Congress convening, so as to allow a Printer (or Printers) sufficient time to assemble the needed equipment and personnel.

The justification for this administrative quirk eventually disappeared, as Washington became a major publishing center, but the timing of the choice of congressional Printers did not change. The resolution of 1819 that provided for the election of Printers by the two chambers required the Printer to be elected by the *prior* Congress, during the lame-duck session.

Needless to say, this provision of the law became quite controversial as the political importance of congressional Printers increased and the Jacksonian/Democratic grip on Congress loosened. In some cases, opponents of this arrangement could simply force the issue by drawing out the end-of-Congress balloting, pushing the Printer election into the following Congress. Some members of Congress took a more direct route, however, agitating for a change in the rule about when the Printer would be elected. Finally, beginning in the 24th Congress (1835–37), the choice of House Printer for a given Congress would be made at the opening of *that* Congress.²⁷

²⁷ The Senate would not adopt such an arrangement for election of its Printer until the 27th Congress (1841–43). Here, the Whigs entered the Senate as the majority party, and rescinded the decision of the *previous* Congress (controlled by Democrats) to elect Blair and Rives as Senate Printer for the next (27th) Congress. Thomas Allen, editor of the *Madisonian*, would then be elected Senate Printer *in* the 27th Congress *for* the 27th Congress to replace Blair and Rives. See Smith (1977, pp. 159–61).

In sum, in the third decade of the nineteenth century, the House Printer (along with its Senate counterpart) emerged as a valuable player in party leaders' efforts to build and expand their mass party organizations. The Printer was the chief propaganda organ of the governing party, and possessed significant patronage abilities that could be used to spread the party gospel throughout the nation as well as to influence elections and policy decisions in Congress. As such, the Printer was an institutional actor to be reckoned with in chamber politics. Smith (1977, pp. 161–62) captures this sentiment, and the general political context, well, stating:

The publishers as printers to Congress and their papers as party or administration organs had become a functional part of the government without benefit of specific Constitutional sanction. ... The value of these publishers and their papers to the political parties or factions of the period is suggested by the incredible amount of time consumed in debates by the two houses on the choice of printer.

Conclusion

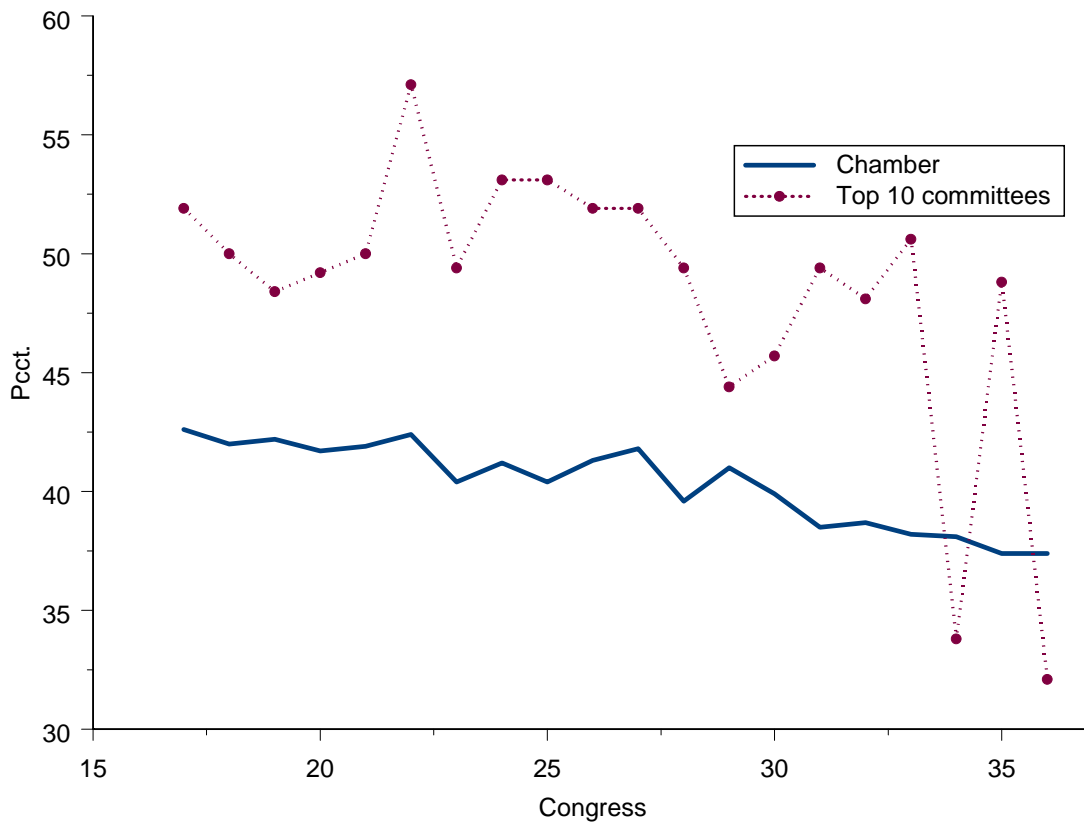
As we embark upon an exploration of the way the House of Representatives has fought over how it will be organized, the purpose of this chapter has been to (re)acquaint us with the principal elements of House organization — the top House offices, the rules of procedure, and the committee system — before the Civil War.

Most modern students of American politics are familiar with these elements for the period *following* the Civil War, especially how they have been configured since the onset of the Reed Rules in the 1890s. Three things are striking in considering these elements in the antebellum era. The first is that all were regularly viewed as political resources. The second is that political party leaders saw the potential of these resources for helping to cement the edifice of a party-centered legislative institution. The third is that party was just one claimant, and not always a dominant one at that.

Looking forward to the rest of the argument in this book, gaining control over the elements of institutional power required a mechanism through which party divisions could be negotiated and in which leaders could be chosen who would satisfy all elements of the party. This required a strong party caucus that could observe the behavior of its members and sanction them credibly if they defected from the agreed-to strategy of the caucus. The difficulties we will observe arose from the deep regional divisions that rent the country throughout most of the nineteenth century. Ironically (or, perhaps, inevitably) enough, it would be the first uni-regional party, the Republicans, that provided the proof of concept of the party caucus as the focal point of strong parties.

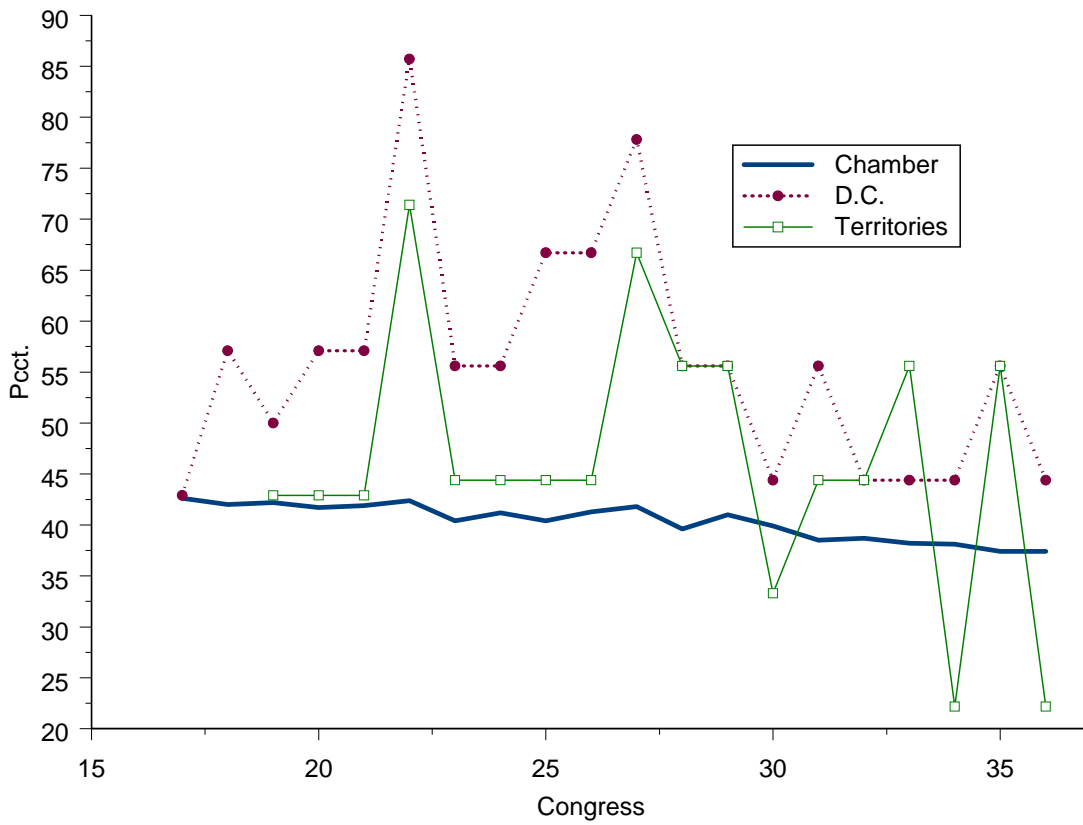
We now turn our attention to these early struggles to forge the institutional mechanisms of party government.

Figure 2-1. Percentage of seats held by slave state representatives, in the whole House and in the ten most desirable standing committees, 17th–36th Congresses.



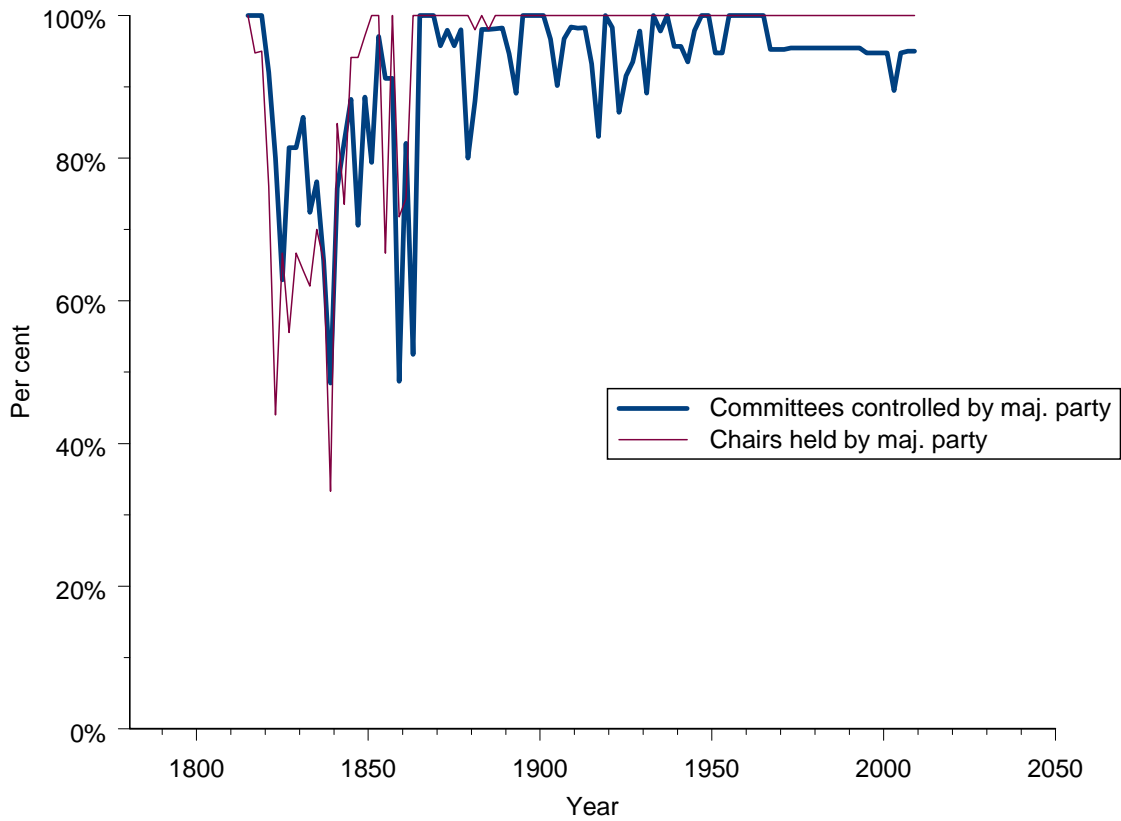
Source: Canon, Nelson, and Stewart (2002).

Figure 2-2. Percentage of seats held on the District of Columbia and Territories committees by slave state members, 17th–36th Congresses.



Source: Canon, Nelson, and Stewart (2002).

Figure 2-3. Percentage of House committees with majorities from the chamber's majority party and percentage of House committees with a chair from the majority party.



Source: Canon, Nelson, and Stewart (2002).

Table 2-1. Resources under the Clerk's Control, 1823-1870

Year	Congress - Session	Full Time Employees	Part Time Employees	Contingent Fund Appropriations
1823	18-1	7	9	25,000
1824	18-2	7	12	60,000
1825	19-1	7	11	50,000
1826	19-2	8	13	72,500
1827	20-1	8	13	92,235
1828	20-2	8	13	80,000
1829	21-1	8	15	85,000
1830	21-2	8	19	85,000
1831	22-1	8	19	80,000
1832	22-2	8	22	155,000
1833	23-1	8	22	100,000
1834	23-2	8	32	213,089
1835	24-1	8	36	200,000
1836	24-2	***	***	200,000
1837	25-2	***	***	200,000
1838	25-3	***	***	225,000
1839	26-1	***	***	200,000
1840	26-2	***	***	200,000
1841	27-2	***	***	160,836
1842	27-3	12	6	175,000
1843	28-1	9	5	125,000
1844	28-2	9	5	175,000
1845	29-1	9	5	75,000
1846	29-2	10	5	170,000
1847	30-1	10	5	216,703
1848	30-2	10	5	200,000
1849	31-1	***	***	167,757
1850	31-2	***	***	312,000
1851	32-1	11	5	197,749
1852	32-2	13	4	209,971
1853	33-1	14	3	456,610
1854	33-2	13	5	288,344
1855	34-1	16	3	323,796
1856	34-3	25	7	593,658
1857	35-1	20	0	548,495
1858	35-2	20	0	581,305
1859	36-1	32	11	434,065
1860	36-2	24	0	557,125
1861	37-1	***	***	365,200
1862	37-2	***	***	432,000
1863	38-1	***	***	189,200
1864	38-2	47	2	290,033
1865	39-1	50	2	243,592
1866	39-2	49	6	291,250
1867	40-2	52	9	308,622
1868	40-3	51	0	495,865
1869	41-2	44	8	534,435
1870	41-3	51	0	301,783

Source: Various *House Documents*, *House Miscellaneous Documents*, and *Statutes at Large* volumes. *** indicates that employee rosters were not made available.

Table 2-2. Congressional Printers, 1819–1860

Cong.	Years	House			Senate		
		Party Control	Printer	Amt. Paid	Party Control	Printer	Amt. Paid
16	1819–21	Rep.	Gales & Seaton	\$228,837	Rep.	Gales & Seaton	\$91,857
17	1821–23	Rep.	Gales & Seaton		Rep.	Gales & Seaton	
18	1823–25	—	Gales & Seaton		—	Gales & Seaton	
19	1825–27	Adams	Gales & Seaton		Jack.	Gales & Seaton	
20	1827–29	Jack.	Gales & Seaton	\$62,154	Jack.	Duff Green	\$32,249
21	1829–31	Jack.	Duff Green	\$66,050	Jack.	Duff Green	\$28,247
22	1831–33	Jack.	Duff Green	\$108,566	Tie.	Duff Green	\$34,152
23	1833–35	Jack.	Gales & Seaton	\$144,092	Anti-J.	Duff Green	\$92,244
24	1835–37	Jack.	Blair & Rives	\$128,291	Tie	Gales & Seaton	\$40,035
25	1837–39	Dem.	Thomas Allen	\$192,078	Dem.	Blair & Rives	\$88,588
26	1839–41	Dem. ^a	Blair & Rives	\$111,078	Dem.	Blair & Rives	\$76,601
27	1841–43	Whig	Gales & Seaton	\$259,920	Whig	Thomas Allen	\$40,791
28	1843–45	Dem.	Blair & Rives	\$169,486	Whig	Gales & Seaton	\$182,737
29	1845–47	Dem.	Ritchie & Heiss	\$185,407	Dem.	Ritchie & Heiss	\$82,940
30 ^b	1847–49	Whig	-----	----	Dem.	-----	----
31 ^b	1849–51	Dem.	-----	----	Dem.	-----	----
32	1851–53	Dem.	Robert Armstrong	\$54,081	Dem.	Robert Armstrong	\$51,220
33	1853–55	Dem.	Armstrong & A. O. P. Nicholson	\$188,237	Dem.	Beverly Tucker	\$148,354
34	1855–57	Opp.	Cornelius Wendell	\$257,497	Dem.	A.O.P. Nicholson	\$164,425
35	1857–59	Dem.	James Steedman	\$179,230	Dem.	William A. Harris	\$94,652
36	1859–61	Rep.	Thomas A. Ford	^c	Dem.	George Bowman	^c

Source: Smith (1977), pp. 250–252. Party control taken from Martis (1989).

^a Although Democrats nominally controlled the House, a Whig was elected Speaker.

^b Printers were not elected in these two Congresses; instead, Congress adopted a lost-cost bidding system and established five classes of printing contracts. Payments not reported.

^c Payments not reported. The Printer position was dissolved in 1860 with the creation of the GPO.

Table 2-3. Major publishers and their relationships to newspapers and political officials, 1819–60.

Publisher/printer	Newspaper	Founded	Partisan affiliation	Congressional Printer	
				House	Senate
Joseph Gales and William W. Seaton	<i>National Intelligencer</i>	1800	Official organ of the Jefferson, Madison, and Monroe administrations; moved toward the Whigs (esp. Webster) under Jackson; official organ of Harrison and Fillmore administrations	1819–29, 1831–35, 1841–43	1819–27, 1835–37, 1843–45
Peter Force	<i>National Journal</i>	1823	Official organ of J.Q. Adams administration	—	—
Duff Green	<i>United States Telegraph</i>	1826	Official organ of Jackson administration; transferred support to Calhoun in 1831	1829–1833	1827–1835
Frances Preston Blair & John C. Rives	<i>Globe</i>	1830	Official organ of Jackson and Van Buren administrations	1835–37, 1839–41, 1843–45	1837–41
Thomas Allen	<i>Madisonian</i>	1837	Official organ of Tyler administration	1837–39	1841–43
Thomas Ritchie & John P. Heiss; Robert Armstrong; A.O.P. Nicholson; Cornelius Wendell; William A. Harris ^a	<i>Union</i>	1845 ^b	Official organ of Polk, Pierce, and Buchanan administrations	1845–47; 1851–54; 1854–55; 1855–57	1845–47; 1851–53; 1855–57 1857–59
George Bowman	<i>Constitution</i>	1859 ^c	Official organ of Buchanan administration		1859–61

Source: Smith (1977), pp. 249–52.

^aThe *Union* changed editors/publishers several times during this period.

^bThe *Globe* was sold in 1845 and renamed the *Union*.

^cThe *Union* was sold in 1859 and renamed the *Constitution*.

Chapter 3

Organizational Politics under the Secret Ballot

As it became clear that offices like the Speaker and Clerk could be politically valuable, conflict over organizing the House took an increasingly partisan cast in the early Republic. However, it would be a mistake to leap from the observation that House members viewed organizational votes through the lens of nascent partisanship to an inference that this was part of an organized, formal manifestation of party activity. At first, there were no formal party organizations at the national level, including in the House.

Organizational politics during the earliest years remain mysterious, not only because the national media, diarists, and the like wrote little about it, but also because House rules helped to submerge the politics of organization. Although the Constitution requires that the two chambers “shall keep a Journal of its Proceedings, and from time to time publish the same, . . . and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal,” the House did not regard the votes they cast for officers to be “Yeas and Nays,” and instead adopted a *secret ballot* to govern these elections. As a result, for the first half-century of the nation’s history, we do not know how individual House members voted for Speaker or other officers. To the extent that the House kept records, they only reported aggregate results.

Nevertheless, these battles did leave traces on the public record — increasingly so, as the House officers became more prominent on the national stage. In this chapter, we lay the groundwork for later analysis by examining speakership and other officer contests during the period when elections were held by secret ballot, ending in 1837.

House Organization in an Era of Weak Parties, 1789–1811

In the years preceding the War of 1812, the election of Speaker and other House officers occurred in a chamber whose internal institutions were in flux. Party identification among the rank-and-file was loose, even as some polarization was evident around the personalities and policies of Thomas Jefferson and Alexander Hamilton.

During the 1st Congress (1789-91), a set of norms emerged wherein all matters of policy and procedure were first discussed by all members of the chamber. “First principles” would be established in the Committee of the Whole (COW), a procedural entity composed of all House members, so that the deliberative process could produce the most democratically informed outcome. If additional, specialized information was required, or if a detailed policy initiative needed to be created, then the matter would be sent to a select or standing committee based on the relevant jurisdiction. This was the House’s typical *modus operandi* for dealing with legislative business for the first two Congresses (see Cooper 1970).

As a result, the Speaker was something of a minor figure in the institutional proceedings. Because the COW was the primary repository of House business, the Speaker’s role in the chamber was somewhat limited. But it was not entirely inconsequential. The Speaker ruled on parliamentary points of order, determined assignments on select and standing committees, and broke legislative ties. Thus, early on, the Speaker could be best characterized as part traffic cop, part chamber manager.

The transformation of the speakership into a partisan office followed the evolution of the chamber itself. The first Speaker, Frederick A. C. Muhlenberg (Pa.), was a policy moderate who did not aspire to use his position in a distinctly partisan manner. This was in keeping with the

fluidity in the House, as partisan sorting was still in its infancy. By the 2nd Congress (1791-93), as institutional parties began forming, Jonathan Trumbull, Jr. (Conn.) was elected Speaker to replace Muhlenberg. Trumbull's election was due in part to shared norms of rotation and regional balancing of the speakership, but it was also a reaction to the partisan stances of the candidates. Trumbull was a strong backer of the Hamiltonian agenda and became an active member of the Federalist Party. While Speaker, he cast the tie-breaking vote against James Jackson, an ardent opponent of the Washington Administration, in his Georgia contested-election case, thus vacating the House seat (*Annals*, 2-1, 3/21/1792, p. 479).

The 3rd Congress (1793-95) saw the forces of Madison and Jefferson, the Republicans, hold a slim advantage over the Federalists in the distribution of House members. They were unable to use their numerical majority to their advantage in the speakership election, however, as their attendance when the Congress convened was lacking.¹ This would prove to be the first multi-ballot speakership election in U.S. history. On the first ballot, three major candidates emerged: Theodore Sedgwick (Mass.), an active Federalist; Abraham Baldwin (Ga.), a moderate Republican; and ex-Speaker Muhlenberg, a weak Federalist. Sedgwick garnered 24 votes, to 21 for Muhlenberg and 14 for Baldwin, with 7 votes scattering. On the second vote, Baldwin's support vanished, as Muhlenberg took the lead with 33 votes to Sedgwick's 29. On the third

¹ Tardiness on the part of Republicans was an issue on more than one occasion in these early Congresses. Risjord (1992, p. 630) notes that Republicans represented districts from the south and west, making it more difficult for them (in an age before mass transportation) to arrive on time for the start of the congressional session. He also suggests that the Federalists might have been more "motivated" to arrive promptly, as they had a clear partisan mission in Congress, while the Republicans eschewed parties and factions and thus had little incentive to travel with due haste. The former explanation strikes us as more plausible.

ballot, Muhlenberg emerged victorious, garnering 37 votes to Sedgwick's 27 (*Philadelphia General Advertiser*, 12/31/1793, p. 3).²

The increasing partisanship in both House politics and speakership elections overlapped with changing norms of doing business in the chamber. By the 3rd Congress, it became clear that determining first principles on all issues within the COW was unrealistic; in attempting to do so, the House found itself quickly overextended (Cooper 1970, p. 9). Thus, the House began bypassing the COW on a fairly routine basis, referring more and more legislative business instead directly to select and standing committees.

This increasing reliance on the committee system altered the dynamics of House decision making. Whereas select and standing committees were established initially to fact find and determine specific policy details, they now were given considerably wider discretion. In effect, committees became *policy proposers*, constructing bills in accordance with the conception and preferences of their members (Cooper 1970, pp. 15-16). Committees, therefore, became a key node of power within the House and a critical stake in the emerging institutional squabbling between Federalists and Republicans. Party leaders on both sides, with the Federalists going first, came to realize that policymaking in the House was increasingly driven by the committee system, and that the Speaker, as distributor of committee assignments, was thus an office of some importance.

A first sign of this committee autonomy was in the 3rd Congress. In response to concerns regarding the nation's internal and external safety and protection raised by the

² On the second and third ballots, in addition to the votes for Muhlenberg and Sedgwick, there were "some" and "a few" scattered votes, respectively.

President in his Annual Message, Speaker Muhlenburg established four select committees that would have a significant effect on chamber business during the session. As Risjord (1992, pp. 639-40) notes: “Established to consider matters of public policy, they governed the legislative agenda . . . Dominated by Federalists, each committee drafted highly partisan measures that generated weeks of debate.” Further, the role of the Ways and Means Committee, now elevated to standing committee status, shifted in a direction advocated by Madison, to stem Hamilton’s influence within the chamber (White 1948, pp. 71-73; Furlong 1968). But, before long, he realized that the committee would be a Federalist conduit, finding it “composed of a majority infected by the fiscal errors which threaten so ignominious and vexatious a system to our country.”³ As a result, Madison and Jefferson realized that “they had been thwarted by the appointive power of the Speaker” (Risjord 1992, p. 641).

The speakership election in the 4th Congress (1795-97) saw the removal of Muhlenburg in favor of Jonathan Dayton (N.J.) by a 46-31 vote on the first ballot. While Muhlenburg’s committee appointments had appeared to help the Federalists in the prior Congress, there was a growing sense that his nominal Federalist leanings were giving way to more Republican tastes. As a result, the Federalists threw their support to Dayton, a centrist within the party ranks (Lientz 1978, p. 65). And Dayton would deliver, appointing Federalist chairs and majorities to two new standing committees, Ways and Means and Commerce and Manufactures, that were critical to the party’s economic agenda. Moreover, he took a leading role in the appropriation of funds to implement the Jay Treaty — a source of strong disagreement between the two parties —

³ Letter from Madison to Jefferson, April 14, 1794. Reprinted in Stagg (1989, p. 306-07).

actively lobbying Federalist members to support the underwriting of the accord with Britain (Charles 1955, pp. 604-05; Risjord 1992, pp. 645-46).

Dayton was easily reelected Speaker in the 5th Congress (1797-99), and continued to behave in a strict partisan fashion. In particular, his committee assignments, both in terms of standing committees like Ways and Means and select committee responsible for handling important policy matters, like military and naval affairs as well as the Alien and Sedition Acts, betrayed a strong Federalist bias (Risjord 1992, p. 647). Moreover, Dayton voiced his partisan preferences openly in House debate. For example, after relinquishing his position briefly due to illness — at which point a Speaker *pro tem*, George Dent (F-Md.), was elected — Dayton appeared on the House floor and “conducted himself so violently in partisan debate ... that he was called to order by the temporary occupant of the chair” (Hinds 1909, p. 157). As a result of his partisan behavior, Dayton drew the ire of many Republicans in the chamber, seen clearly in the 40-22 vote to thank him for his service prior to the adjournment of the session — a vote that was customarily unanimous (Dauer 1953, pp. 232-33).⁴

The speakership election to the 6th Congress (1799-1801) witnessed a brief internal rift within the Federalist ranks. While the Federalists held a small numerical advantage over the Republicans, northern and southern factions within the party pushed for one of their own for Speaker. Northern Federalists backed Theodore Sedgwick (Mass.), while southern Federalists supported John Rutledge, Jr. (S.C.). The Republicans hoped to take advantage of the

⁴ In response, Dayton responded: “As in all public bodies, there have ever been found men whose approbation must be considered by the meritorious as censure, so in this body, there are, unhappily, some whose censure must be regarded by all whose esteem I value, as the highest testimony of merit...” (*Annals*, 5-3, 3/3/1799, p. 3055).

Federalists's sectional division by pushing Nathaniel Macon (Va.), a moderate southern partisan, as a way of drawing in Rutledge's southern supporters. After an informal Federalist caucus suggested that a party split might occur, Rutledge concluded his chances for winning were slight and, not wishing to help Macon, urged his supporters to back Sedgwick (Furlong 1967).

Rutledge's efforts helped heal the party's sectional division. On the first speakership ballot, Sedgwick fell one vote shy of a bare majority, garnering 42 votes, to 27 for Macon, 13 for George Dent, and one scattering. On the next ballot, Dent's supporters moved to Macon, but Sedgwick gained two votes, bringing his total to 44, enough for a bare majority (*Annals*, 6-1, 12/2/1799, pp. 185-86).

Sedgwick proved to be the most partisan Speaker to date. While not actively participating in House debates, as Dayton had done, Sedgwick controlled chamber politics from the Speaker's chair. Of the eight most important House committees in the 6th Congress, five standing and three select, Sedgwick appointed clear Federalist majorities on each. Moreover, he felt comfortable publicly stating his motives, indicating that his appointments were made explicitly to push a Federalist agenda (Welch 1965, pp. 206-07; Risjord 1992, p. 649). Sedgwick also used his procedural authority in a distinctly partisan way, as he "displayed little tolerance for parliamentary maneuvering and dilatory tactics" (Kennon 1986, p. 25).⁵ He was also the pivotal voter on six roll calls in his capacity as presiding officer, two on particularly important policy matters — first, to create a uniform bankruptcy system throughout the United States, and

⁵ Sedgwick also worked behind the scenes as a partisan leader, conferring with other Federalist leaders on procedural tactics. He also appears to have personally tailored legislation on a national road bill, but passed it on to Henry Lee (F-Va.) to steer through the legislative process, rather than present it himself. See Risjord (1992, p. 649), citing letters from Sedgwick to Peter Van Schaack (Feb. 4 and 9, 1800).

second, to continue in force the Sedition Act (*Annals*, 6-1, 2/21/1800, p. 534; 6-2, 2/19/1801, pp. 1038-39). Another of Sedgwick's pivotal votes supported a motion to bar from the House floor two reporters from the *National Intelligencer*, a Republican newspaper that had been critical of the Federalists and the Speaker in particular (*Annals*, 6-2, 12/9/1800, p. 816). This move created a Republican uproar over censorship and denial of free speech that lasted for months (Welch 1965, p. 207; Ames 1972, pp. 23-26), and in combination with Sedgwick's partisan committee assignments and procedural parochialism, led to a narrow 40-35 vote of thanks to him at the end of the session. The roll call was strictly along partisan lines, as all participating Republicans voted against him (*Annals*, 6-2, 3/3/1801, pp. 1079-80).

The elections of 1800 would sweep the Federalists from power, where they would languish in the minority until their demise two decades later. Nevertheless, the Federalists helped establish the structure by which the majority party, through the Speaker and committees, could influence the policymaking process in the House. More specifically, the initial system of hashing out policy and procedural details in the COW was gradually shunted aside as Federalist party leaders realized that committees, under the direct control of the Speaker, could more easily and efficiently generate policy that was suited to the majority party as a whole.

Still, the degree of agenda control that committees possessed was limited. While a Speaker could appoint a partisan committee, refer bills in its direction, and recognize committee members who wished to report bills to the floor, once a piece of legislation was before the House, there was no procedural way to expedite its passage or protect it against amendment. The "special rules" that are commonplace in today's House were still almost a century away, and although a previous question rule was part of the House rules from the First Congress, it was

largely ineffectual.⁶ That the Federalists experienced some success in passing legislation was due mostly to the inability of the Republicans to organize effectively so that they *could* obstruct (Harlow 1917, pp. 163-64). Within a decade, however, the majority party would alter House rules so that the Speaker-committee arrangement of policymaking would work more efficiently, and thus the majority would not have to rely on the ineptitude of the minority to work its will.

The 7th Congress (1801-03) saw the Republicans with a substantial majority, which translated to a quick speakership victory, as Nathaniel Macon (N.C.) defeated James A. Bayard (F-Del.) on a 53 to 26 vote (*New York Commercial Advertiser*, 12/12/1801, p. 3). With all levers of national power in their hands, the Jeffersonians worked to coordinate their efforts, and Macon was a willing participant. As Speaker, Macon used his appointment power to sweep the Federalist majorities from the five House standing committees, replacing them with Jeffersonian majorities (Cunningham 1978, pp. 230-31).⁷ Yet, Macon was distinctly less partisan than Sedgwick had been in the Speaker's chair, to the point that "some members of his party resented [his] impartiality to the opposition" (Kennon 1986, p. 30).

Macon was easily reelected Speaker in the 8th Congress (1803-05),⁸ and continued his relatively even-handed work on behalf of the party. His relationship with Jefferson became strained, however, due to his close friendship with John Randolph (Va.), the chairman of Ways

⁶ As Alexander (1916, p. 184) states: "Although it cut off debate on the main question, [the previous question rule] permitted each member to speak at least once on the expediency of ordering it." Thus, the previous question itself could be filibustered.

⁷ Two of the five standing committees – Claims and Revisal and Unfinished Business – were chaired by Federalists, John Cotton Smith (Conn.) and John Davenport (Conn.), respectively.

⁸ Lientz (1978, p. 67) notes that Macon's election was so uncontroversial that the newspapers of the time offered little coverage and no final tally.

and Means and leader of the Quid faction of the Republican party. A rift between Randolph and Jefferson had developed in 1805, first around various claims on land in western Georgia (the Yazoo land transfer) and later on the desirability of acquiring Florida from Spain (Carson 1986). As a result, Macon was increasingly viewed as a liability by the Jeffersonians, and he faced stiff competition in the speakership election to the 9th Congress (1805-07). Nonetheless, he survived, winning reelection after three closely-contested ballots (*Richmond Enquirer*, 12/6/1805, p. 3). But the division within the party remained, as battles between the Randolph and Jefferson factions continued throughout the session. Eventually Macon was targeted for retribution, when Willis Alston (N.C.), a supporter of Jefferson's, moved that standing committee assignments be appointed by ballot, rather than by the Speaker. Alston's motion failed by a slim 44-42 voice vote (*Annals*, 9-2, 12/1/1806, p. 111), but the message was clear that the party regulars were unhappy with Macon's performance as Speaker and had him in their sights.

Macon's luck would run out in the speakership election to the 10th Congress (1807-09), when Joseph Varnum (Mass.), the Jeffersonian candidate, would be elected by a bare majority on the first ballot (*Annals*, 10-1, 10/26/1807, p. 782). Varnum would make his presence known quickly, by reconfiguring the standing committees to better suit the preferences of the Jeffersonians. Moreover, as Speaker, Varnum supported Jefferson's desires to resist a standing army and the construction of a navy, and later, backed the President's embargo against Great Britain. And, yet, while Varnum would be reelected Speaker in the 11th Congress (1809-11) in a two-ballot affair (*Annals*, 11-1, 5/22/1809, pp. 54-56), all was not well. As Peters (1997, p. 33) notes, "[i]n Varnum, the House had a leader who... wished to avoid conflict." In particular, he

struggled futilely to rein in the Randolph wing of party, and was the target of increased dilatory tactics by the Quids and Federalists.

Varnum's inability to eliminate obstructionist behavior led the Jeffersonian coalition to enhance the majority's procedural authority (and restrict minority rights) by strengthening the House's previous question rule. The new interpretation of the rule, which was ratified on a 66-13 vote (*Annals*, 11-3, 2/27/1811, p. 1092), was a significant alteration, as "approval of the previous question was now considered to suppress debate and to bring the pending matter to a vote" (Binder 1997, p. 50).⁹ Thus, if cohesive, a simple majority now possessed a procedural mechanism to ward off minority obstructionism. This new previous question rule would be codified in the House rules at the beginning of the 12th Congress (1811), just in time for the appearance on the scene of an ambitious new Speaker, Henry Clay.

The evolution of the House Clerk during this period can be examined by tracking the career path of one individual, John Beckley, who held the clerkship for most of this time. Beckley was a political lifer, having worked his way up through the ranks in Virginia, serving in clerical roles during the Revolution and afterwards. His various positions put him in contact with the state's political notables, and he secured recommendations from Edmund Randolph and

⁹ In 1807, Speaker Varnum sought to interpret approval of the motion in just this way – that all debate would be cut off and the House would proceed to an immediate vote on the pending business (Binder 1997, p. 50). But the House was unwilling at that point (not yet having had their fill of John Randolph, apparently) to restrict minority rights, and the membership overruled Varnum, 103-14 (*Annals*, 10-1, 12/15/1807, p. 1784). In the 11th Congress, Varnum interpreted the rule as he believed the House wanted it interpreted – treating debate as sacrosanct – but the membership (now having had enough of Randolph's antics) reversed itself, expressing a new openness to curtailing debate. Thus, in providing a majority with the ability to bring debate to a close, the House in fact overruled Varnum.

James Madison in his quest to become the first Clerk of the U.S. House.¹⁰ Beckley's campaigning was ultimately successful, as he was elected House Clerk of the 1st Congress on the second ballot, the first ballot having ended in a tie (*HJ*, 1-1, 4/1/1789, p. 6; Berkeley and Berkeley 1975, p. 85).

Beckley had the option to bury himself in the clerical duties that comprised his position, but he was not content simply to be an observer to the House's political drama. He soon realized that being Clerk provided distinct opportunities to support the Jeffersonian cause to which he was dedicated. Taking advantage of his privileged administrative position, Beckley passed on sensitive information on a range of topics directly to Jefferson, as well as indirectly to Jefferson's lieutenants, Madison and James Monroe. This information was often used strategically, to give Jefferson and his party an advantage in the framing of public opinion as well as in congressional debates and roll call votes (Martin 1949-50). Moreover, Beckley performed behind the scenes as a proto-whip, "using his position to organize the [Jeffersonian] congressmen and, through them, the party membership" (Jahoda 1960, p. 254).

Despite his efforts on behalf of Jefferson, Beckley was reelected Clerk in the 2nd Congress, which still had a majority of pro-administration (Federalist) members (*HJ*, 2-1, 10/24/1791, p. 434). He was also reelected in the 3rd and 4th Congresses, which had anti-administration (Republican) majorities (*HJ*, 3-1, 12/2/1793, p. 4; 4-1, 12/7/1795, p. 365). The lack of an ironclad tie between electoral and institutional partisanship is illustrated here, in that

¹⁰ For coverage of Beckley's long and dynamic political life, see Marsh (1948), Martin (1949-50), Cunningham (1956), Jahoda (1960), Berkeley and Berkeley (1962, 1973, 1975), Gawalt (1995), Pasley (1996), and Jenkins and Stewart (2004).

his election in the 3rd Congress was by acclamation. In the 4th Congress, he received more votes for Clerk than the number of Republicans in the House.

However, Beckley's activities during the 4th Congress elevated and highlighted his partisan role, leading him and the clerkship more generally to be regarded in a new light. The main event was the debate during the winter of 1795–96 over the Jay Treaty. Beckley opposed diplomatic treaties generally, but as a devoted Francophile, he especially opposed them with the British. He used his influence and all of the information at his disposal to organize the Jeffersonians in the House against the treaty, but fell short in the end, as it passed on a 51–48 roll call (*HJ*, 4-1, 4/30/1796, p. 531).

Now clearly identified as an active partisan, Beckley focused his efforts on getting Jefferson elected president in 1796. In this capacity, he became known as one of the Nation's first party managers. Beckley targeted his adopted home state of Pennsylvania and began a determined electoral campaign, which included the production and distribution of thousands of handwritten ballots and political handbills (Martin 1949-50; Cunningham 1956). Beckley won the battle, chalking up 14 of Pennsylvania's 15 electoral votes for Jefferson, but lost the war, as Adams secured an Electoral College majority nationwide.

Beckley's high-profile activities surrounding the Jay Treaty and the election of 1796 alerted Federalists to the value of the Clerk's office as a partisan post. If nothing else, supporters of President Adams had no interest in subsidizing Beckley's political activities by continuing his tenure as House Clerk. Having gained control of the House in the 5th Congress, the Federalist

majority targeted him for removal, ousting him by a single vote, 41–40, in favor of Federalist James W. Condy (*Annals*, 5-1, 5/15/1797, p. 52).¹¹

After his downfall, Beckley managed to eke out a living as an essayist.¹² When Republicans rode to triumph on Jefferson's coattails in the House elections of 1800–01, Beckley was rewarded again with the House clerkship in the 7th Congress, which he subsequently reclaimed in the 8th and 9th Congresses. In the midst of this tenure, in 1802, he was also elected the first Librarian of Congress, a position he held until his death in 1807. Beckley even regarded this post in partisan terms. As Jahoda (1960, p. 257) notes, "Even as a librarian Beckley was political. His conception of duty on the job was simple; he tried to keep Federalists from seeing documents which would give them useful information."

House Organization in an Era of Institutional Development, 1811–37

From a modern perspective, the House during the first eleven Congresses was underdeveloped. As the speakerships of Jonathan Dayton and Theodore Sedgwick and the life of John Beckley show, however, it was possible for the leadership positions in the House to be put to partisan use. Still, in an era where a "Jeffersonian ethos" (Cooper 1970; cf. Risjord 1992) characterized the House culture, there were no loud and persistent voices who argued that the organization of the chamber should be constructed self-consciously with partisan ends in mind. The House as a formal institution was under-funded and under-organized. As a consequence, any role that the

¹¹ Like so many House Clerks, with the exception of a few like Beckley, Condy has left no trace upon the historical record other than his tenure as House Clerk in the 5th and 6th Congresses.

¹² Beckley is the one who persuaded James Thomas Callender to publish the infamous charges of adultery against Alexander Hamilton (Berkeley and Berkeley 1975, p. 89).

incumbent of a House office might play in policy or partisan intrigues was ad hoc and far from institutionalized.

That began to change around the time Henry Clay became Speaker in the 12th Congress (1811–13). From Clay's first speakership until the time when the House began to ballot for its Speakers publicly in the 26th Congress (1839–41), the formal structure of the House became more complex, the role of political parties was transformed, and the value of House offices, including positions like the Printer and Clerk, was much enhanced.

What makes the 12th Congress a logical break in considering the House organization was the demonstration by Clay that the speakership could be used to the programmatic advantage of the faction that controlled it, whether that faction be personality-driven or partisan. Clay's own dynamic leadership in the run-up to the War of 1812 demonstrated that it was possible for the House to take an active, leading role in momentous policy decisions. Clay used new parliamentary tools, like the beefed-up previous question rule (adopted in the prior Congress) to cut off floor debate, in a skillful way (Binder 1997, pp. 49-50; Stewart 1998, 2006). The 1810s also were the time when both chambers of Congress shifted from select to standing committees to process most legislation (Gamm and Shepsle 1989; Jenkins 1998). Although the power and capacity of these standing committees was still in the formative stages, it was the Speaker who appointed them. Thus, the Speaker was now in possession of parliamentary tools that could, at least in principle, make this office the most influential policy post in the Nation.

This was also a transitional period for the party as well. From the 12th to the 24th Congresses (1811–37), the Republicans (later Democrats) were formally the dominant party. Throughout this quarter century, the partisan heirs of Thomas Jefferson always held a majority of

House seats. Yet it would be a mistake to characterize this as a period of one-party domination, as party affiliations were quite fluid, in the electorate and in government.

The early part of this period was dominated by the War of 1812 and its immediate aftermath. As such, the formal rise of the Republicans to numerical dominance was as much a consequence of the Federalists being considered disloyal (due to their participation at the Hartford Convention) as anything else.¹³ Being a Federalist became the electoral kiss of death, so that many intellectual heirs of Hamilton, like John Quincy Adams, reluctantly took up the Republican mantle. Following the war, during the so-called “Era of Good Feelings,” national politics lacked the polarization that accompanied the debates over whether to align with England or France. This led to the Republicans becoming a “catch-all party.”¹⁴

The lack of a viable partisan foil, and the resulting lack of a polarizing pull in national politics, created regional divisions within the Republican Party, as House members began to focus on parochial interests, which often brought them into conflict with those from other regions. These battles over regional issues made legislating problematic, as party mechanisms that had been created to coordinate shared interests broke down. As a result, voting became fluid

¹³ As the War of 1812 was winding down, the Federalists met in Hartford, Connecticut, to discuss the possibility of a peace accord with the British. Their efforts, reported in the press on the heels of General Andrew Jackson’s victory at New Orleans, appeared to border on treasonous. Already institutionally weak, the Federalists could not survive this negative portrayal, and by the middle part of the decade they had disappeared as a viable national party.

¹⁴ President James Monroe also pushed for an end to partisanship, and attempted to subsume the remaining set of Federalists under the Republican banner. Hofstadter (1969) argues that this “amalgamation” program under Monroe eliminated legitimate opposition in the nation, and led to a factionalization of the political system around key personalities – principally those who had their sights set on the presidency in 1824 (John Quincy Adams, William Crawford, John Calhoun, Henry Clay, and, later, Andrew Jackson).

and highly unstable, which is illustrated in Poole and Rosenthal's (1997) historical analysis of congressional roll call votes. They find that the period from 1815 to 1825 is the one prolonged stretch in American history when congressional voting amounted to "spatial chaos" (pp. 31, 38-39).¹⁵

Thus, for the first half of this quarter century, political leaders jockeyed for new advantages based on personal appeals. As a result, politics became localized, with regional fissures emerging within the Republican coalition. In the second half, however, Martin Van Buren and his political allies were making strides toward shrinking the Republicans' big tent, in order to create a more potent and politically valuable institution known as the Democratic Party.

Personal- appeals invoking region were out, partisan, national appeals were in — or at least in theory. Try as they might, Van Buren and his organizational heirs could never secure their dream of a strong interregional party, devoid of competing personal or regional tugs, into a neat package. Nonetheless, that was the goal, and it transformed how everyone in national politics viewed the formal positions of leadership in the House.

The portfolio that Van Buren assembled in the interest of creating a national party was diversified. Certainly, the core of this portfolio was executive patronage, so that the victors could claim the spoils. But this system also rested on building an enduring network of propaganda and political operatives, and for that project, the House (and Senate) possessed valuable assets. During this period, federal patronage of local newspapers grew; a major goal of that patronage was the creation of a network of local partisan organs that could reprint the

¹⁵ Another shorter period of "chaos" occurred in the early-1850s, amid the rapid deterioration of the Whig Party (Poole and Rosenthal 1997, pp. 31, 52).

reports that originated in Washington (Smith 1977). The most important node of these partisan newspaper networks was the “party organ” — a newspaper supported by national leaders and published in the nation’s capital. Private investment was one way to maintain these mouthpieces, but national party leaders figured out another way — funnel money through the congressional printers that were elected in each chamber.

In the earliest days of the Republic, the House and Senate Printers were chosen simply on a low-bid basis. In the House, the choice was made by the Clerk. (In a detail that will become important later on, the choice was made *before* the new Congress convened. Thus, the House Printer was chosen by the House Clerk who had held the position in the *previous* Congress.) The independent political significance of the congressional printers was marked by the passage of a joint resolution on the last day of the 15th Congress (March 3, 1819) that provided for the election of a printer by (secret) ballot in each chamber (3 *Stat.* 538; *Annals*, 15-2, 3/3/1819, pp. 247–49, 281). In keeping with the prior practice, each chamber’s printer would be elected by one Congress, to take office in the next.

During the quarter century that we focus on here, contention over the House organization grew gradually, as party leaders sought to capture the major House offices to be used for distinctly partisan goals. Amid their efforts, they were hounded by persistent minority regional factions and third parties that were bent on undermining their goals.

In the initial organization of the 12th through 16th Congresses (1811–1819), the personal dominance of Henry Clay was so great that the festering political divisions below the surface were hardly in evidence. Clay himself was easily elected, then reelected, Speaker at the start of each of these Congresses — in the last two by virtual acclamation. The clerkship and printer

choices were similarly muted. Patrick Magruder, who was first elected Clerk at the start of the 10th Congress (1807) in a four-ballot affair, consolidated his hold on the office and was easily re-elected at the start of the next three Congresses. When Magruder was discredited over his actions during the British burning of the Capitol, he resigned in the middle of the 13th Congress; his successor, Thomas Dougherty, claimed the office in a brief two-ballot contest. Dougherty was then reelected unanimously (or virtually so) in each of the next four Congresses. In the first official Printer election, on the final day of the 15th Congress, Joseph Gales, Jr. and William Seaton were the uncontested choice (*Annals*, 15-2, 3/3/1819, p. 1441). Their *National Intelligencer* had been publishing in Washington since 1800 as the unofficial Jeffersonian mouthpiece; Gales, later joined by Seaton, had been the editor and publisher since 1801.¹⁶ Once in control of the House printership, Gales and Seaton held it firmly, winning first-ballot reelections in each of the next four Congresses.

Clay's reelection as Speaker at the start of the 16th Congress (1819–21) marked the end of the House's own "era of good feelings" in the selection of its officers. Of the next nine speakership elections, two of which were replacement elections, four required multiple ballots to resolve. While the choice of Clerk remained relatively uneventful, controversy over the Printer increasingly roiled the waters as well.

Clay relinquished his speakership between the first and second sessions of the 16th Congress, to attend to his deteriorating financial circumstances back home (Peterson 1987, pp.

¹⁶ Gales and Seaton had been taking shorthand notes of debates in both chambers for a decade and printing the transcribed debates in the *National Intelligencer*, to a national audience. Even though they did this reporting in an informal capacity, each was awarded a coveted seat on the floor of each chamber, to facilitate their note-taking (Ames 1972, p. 113).

66–68). The first session of the 16th Congress is known for the battle to admit Missouri to the Union, a battle that turned on the resolution of various amendments barring slavery in the new state. The result of the battle was the so-called “Missouri Compromise,” which provided for the admission of Maine and the drafting of a constitution by the residents of Missouri. A lightning rod in the struggle over Missouri was the “Taylor amendment,” proposed by Republican John W. Taylor (N.Y.), to prohibit slavery west of the Mississippi.¹⁷ The Taylor amendment did not appear in the final compromise, but Taylor’s dogged fight on its behalf, which included some deft parliamentary maneuvers, marked him as a legislative leader to be reckoned with.

Thus, when the second session convened, Taylor emerged as the chief candidate of northern, anti-slavery forces to succeed Clay.¹⁸ Taylor’s campaign was complicated, however, by political divisions in his native New York, which pitted supporters of Governor DeWitt Clinton (the “Clintonites”) against supporters of Martin Van Buren (the “Bucktails”). It took 22 ballots, spread over three days, before Taylor could bring along enough Bucktails win the speakership (Spann 1960; Lientz 1978).

Although Taylor attempted to be conciliatory in his appointment of committees, the House was immediately thrown back into a further row over the extension of slavery. Taylor’s speakership was hamstrung over the deadlock that emerged over accepting Missouri’s

¹⁷ Taylor’s amendment was the successor to the “Tallmadge amendment” that had been proposed in the second session of the 15th Congress, beginning the controversy in the first place. See Richards (2000, pp. 52–82) for a lengthy treatment.

¹⁸ It also appears that Clay supported Taylor, even though they had fought over the resolution of Missouri. Clay’s support came from his estimation that the Missouri question was now behind the House and that a question even dearer to Clay, protective tariffs, was next on the agenda. Clay and Taylor agreed on tariff matters, and thus Clay hoped that Taylor’s parliamentary skills would be put to good use on this matter (Ravenal 1901, pp. 208–09; Spann 1957, p. 224).

constitution. Taylor eventually became so associated with the forces that wanted to restrict slavery in the new state that he had to turn to Clay, who remained a frequently-absent member of the House, to provide a way out of the Missouri quagmire (Brown 1926, pp. 35–43, 65; Peterson 1987, pp. 62–66).

Even though the resulting “second Missouri Compromise” was considered to be a slight victory for pro-slavery advocates, southern House members distrusted Taylor and vowed to elect one of their own to the speakership in the next Congress (Brown 1926, p. 67; Spann 1960). Furthermore, the Bucktail forces in the House found themselves battling with Taylor over economic development issues. Consequently, Van Buren himself took an interest in the speakership election that led off the 17th Congress, vowing to defeat Taylor and install a Speaker who would help cement the New York–Virginia axis he was working to construct.

Van Buren was successful, though it took him two days and 18 ballots to depose Taylor. Van Buren’s success came when he reached out to John C. Calhoun to arrange the election of Philip P. Barbour (R-Va.), who was a well-known *ultra* on slavery. At the same time, regional moderation was achieved, as Barbour proceeded to staff the various standing committees in an even-handed manner. This resulted in one of Van Buren’s first material successes in his strategy to build a trans-regional party (Jenkins and Stewart 2002).

During the recess between the first and second sessions of the 17th Congress, the incumbent House Clerk, Thomas Dougherty, died. The subsequent replacement election was hotly contested — more than a dozen candidates received votes at various points — and required

11 ballots over two days before Matthew St. Clair Clarke was chosen.¹⁹ Once in office, Clarke consolidated his hold on the clerkship, winning reelection in the next five Congresses, all but one by unanimous resolution.

After Barbour's speakership victory in the 17th Congress, subsequent speakership contests for the next two decades always proceeded with the implied threat that regional divisions might dominate. However, more often than not, the spirit of the deal brokered between Calhoun and Van Buren at the start of the 17th Congress prevailed. Clay accepted the speakership one last time, in the 18th Congress, garnering support from over 3/4 of the body. Taylor would reemerge to win the speakership in a two-ballot affair in the 19th Congress, despite significant resistance, thanks to his close relationship with John Quincy Adams and Henry Clay, to whom a majority of House members were linked.²⁰

The convening of the 20th Congress (1827–29), though, marked a sea change in national politics that would eventually bring Jackson to the White House. The midterm elections of 1826–27 produced a strong anti-(Adams) administration House, and the chamber decisively

¹⁹ Clarke, who holds the record for length of tenure among House Clerks, is a political enigma. Although Charles Lanman (1887, p. 97) claims he “was quite famous as a politician,” his life has eluded biographers. Based solely on available information, he appears to have begun his political career as a moderate Republican; as factions in the party emerged, Clarke was probably best characterized as a nominal Jacksonian, a loyal party member who in fact displayed more Whiggish tendencies. Over time, his ideological preferences moved him into the Whig column, as the Whig Party became a viable foil to the Democrats. On the whole, though, Clarke probably sat at the cut point between the Democrats and Whigs, which made him a suitable compromise candidate, when such an outcome was necessary – such a scenario developed at the beginning of the 27th Congress (1841), which we detail in Chapter 5.

²⁰ Beginning in the 19th Congress, Martis (1989) breaks the chamber into “Adams” and “Jackson” factions, depending on whom members were more closely associated. The “Adams” group comprised a majority in this Congress.

elected as Speaker Andrew Stevenson (Jack.-Va.), a supporter of Andrew Jackson and former speaker of the Virginia House of Delegates (Wayland 1949). Stevenson would be reelected to the speakership in the next three Congresses. Critical to his success was his relationship with Jackson, and the two worked together to further Jackson's legislative agenda in Congress (Follett 1896, pp. 84–85). Jackson would subsequently repay Stevenson for his loyalty by appointing him ambassador to England in 1834, after Martin Van Buren had been rejected by the Senate for the same post.

A small drama enveloped the clerkship at the start of the 23rd Congress, as Clarke was defeated for reelection by Walter S. Franklin in a three-ballot affair. In describing the Clarke-Franklin contest, Lientz (1978, p. 74) contends: "In an effort to build party unity, the Democrats made selection of House clerk a partisan matter for the first time in ten years." Clarke's gradual move over time into the Anti-Jacksonian camp was too much for the Jacksonian majority, and they would no longer tolerate his existence.²¹ In addition, the selection of Franklin, a Pennsylvanian, was intended to shore up party support in the Pennsylvania delegation (Lientz 1974, p. 39; 1978, p. 74).²² Franklin would go on to win reelection easily in the next two Congresses.

²¹ In his diary, John Quincy Adams described Clarke's ouster as an "act of heartless cruelty... a dark foreboding of what is to follow during the session" (Adams 1876, vol. 9, 12/2/1833, p. 43).

²² Pennsylvania Jacksonians had groused over Stevenson's continued hold on the speakership, and wanted a greater say in organizational matters. As Lientz (1974, p. 38) notes: "Pennsylvania's Jacksonian leaders had claimed that Pennsylvania should receive some of the national offices, and made desperate efforts to elect a Pennsylvanian Vice President in 1832." Thus, "the clerkship was used to buy back [their] support and friendship" (39).

Stevenson's departure from the speakership mid-way through the 23rd Congress thrust the House into a succession crisis. Jacksonians could not settle on a single candidate to replace him, even though (or perhaps because) they held a considerable majority in the chamber. A complicating factor was the ongoing assault by Jackson on the Bank of the United States, a move that did not sit well with "conservative" elements in the party. The effort to replace Stevenson would require 12 ballots. Six Jacksonians received more than ten votes for Speaker on the first ballot, including four — Richard H. Wilde (Ga.), James K. Polk (Tenn.), Joel Sutherland (Penn.), and John Bell (Tenn.) — who received more than thirty. The contest eventually reduced to a race between Polk and Bell, with Bell emerging triumphant by appealing directly to Anti-Jacksonians (soon to be called "Whigs") who were willing to join in coalition with pro-Bank Democrats (Sellers 1957, pp. 234–66). Bell, in turn, favored Anti-Jacksonians in making his committee assignments and eventually took on the Anti-Jacksonian (Whig) label himself. Bell's actions as Speaker, in turn, galvanized supporters of the President, who rallied behind Polk at the opening of the 24th Congress, electing him easily on the first ballot (Parks 1950, pp. 58–162; Sellers 1957, pp. 292–97). Two years later, at the opening of the 25th Congress, Polk would be reelected, again on the first ballot (but by a slimmer margin).

The arc of the battles over the speakership during these years is broadly consistent with the contours of the rise and then travails of the Jacksonian party system more generally. Van Buren's efforts at creating a trans-regional party that was committed to a relatively small and inactive federal government were more successful than not. As a result, Republicans with a more favorable view toward industrialization and capital (and political mechanisms like protective tariffs, federal internal improvement programs, and a national bank), like Adams,

Clay, and Daniel Webster, coalesced around the label “National Republicans.” This group would join briefly with other third parties under the broad “Anti-Jackson” label, before forming the core of a new, national party, the Whigs. In (rhetorical) response, the followers of Jackson would adopt the label “Democratic Republicans,” to differentiate themselves from their more elite opponents, before settling on the simpler label of Democrats (Watson 1990).

As this development proceeded, the congressional printers, Gales and Seaton, found themselves increasingly on the side of Jackson’s opponents. At the same time, Jackson’s rise to the presidency was abetted by the efforts of a cadre of activists (his “kitchen cabinet”) that was dominated by western editors. One of these editors was Duff Green.²³ (The remainder of this section on House Printers is discussed in more detail in Chapter 4.)

Duff Green emerged as a confidant of Andrew Jackson in his run-up to the election of 1828. By then, Gales and Seaton’s *National Intelligencer* had become the organ of the Adams administration, leaving the Jacksonians in need of a mouthpiece. To that end, supporters of Jackson purchased the financially woebegone *Washington Gazette* in 1826 and changed its name to the *United States Telegraph*. Scouting around for a zealous and capable editor for the *Telegraph*, the paper’s new backers quickly settled on Green. As editor of the *St. Louis Enquirer*, Green had vigorously championed Jackson’s presidential ambitions, and he was deemed the perfect man for the job.

Installed as the new chief propagandist for Jacksonian Democracy, Green would defeat Gales and Seaton for Senate Printer in the 20th Congress (1827–29, elected at the end of the 19th Congress) and House Printer in the 21st Congress (1829–31, elected at the end of the 20th

²³ The following account draws heavily on Smith (1977, pp. 61–64, 150–62).

Congress). His position now secure, Green would easily win reelection in both chambers at the end of the 21st Congress (for service in the 22nd, 1831–33).

Green's role within the Democratic party became controversial, however, as divisions formed over who would be the party's presidential nominee in 1832, with one faction loyal to Jackson (or Secretary of State Van Buren should Jackson not seek reelection) and another to Calhoun. Green found himself in a host of controversies over loyalties and patronage, the sum of which identified his sentiments as lying closer to Calhoun's than to Jackson's. This led loyalists of Jackson and Van Buren to form a new publishing venture, led by Francis Preston Blair, named the *Globe*, which started in December 1830.

The rifts between Green and Jackson and between Calhoun and Jackson all had consequences for the election of House Printers in the 22nd, 23rd, and 24th Congresses. In the 22nd Congress (which elected the Printer who would serve in the 23rd Congress), these rifts were exploited by the emergent Whigs to yield the election of Gales and Seaton as the House Printer, after a bruising two-day, 14-ballot affair. The election of Gales and Seaton in the House was part of a larger logroll between the Whigs and pro-Calhoun Democrats that led to the election of Duff Green as the Senate Printer. Thus, the Jacksonians were dealt a serious blow, having to endure congressional printers hostile to their agenda.

With the politics of choosing congressional printers now pushed to a new level of acrimony, the 23rd Congress was unable to elect a Printer for the 24th House, owing to a filibuster that benefitted the Calhoun-Whig coalition.²⁴ When the 24th Congress finally

²⁴ The delay occurred as the House sorted through two issues, whether any Congress had the right to bind a future Congress in the choice of officers and whether voting for Printer should be by *viva voce* balloting. See Chapter 4.

convened, the Jacksonians closed ranks, and Blair and his new partner John C. Rives were easily chosen.

The Jacksonian victory in the 24th Congress was not enduring, however, as the selection of a printer in the 25th Congress would hit a snag. Joining the teams of Blair and Rives and Gales and Seaton in the contest was a new publisher, Thomas Allen, the editor of the *Madisonian*, a newspaperman (with no printing press) who enjoyed the support of conservative (pro-bank) Democrats. Unbeknownst to administration supporters (see Chapter 4), Van Buren refused to intervene in support of Blair and Rives, hoping that the sacrifice of the House printing contract to a conservative Democrat-Whig coalition would save the administration's subtreasury bill in the Senate. After three days and twelve ballots, House Whigs would unite with conservative Democrats to defeat Blair and Rives and award the House printing contract to Allen — who then turned around and subcontracted the bulk of the work to Gales and Seaton.

To supporters of the administration who were not privy to Van Buren's ploy, this was yet another case of failed party-building.

If we take the convening of the 17th Congress (1821–23) as the beginning of the Jacksonian era in the House, then we see in miniature the struggles over party-building agenda led by Martin Van Buren. On the one hand, Van Buren succeeded in raising the House officers, especially the speakership and the printership, to the level of valued partisan prizes. Speaker Stevenson was indispensable for Jackson's legislative success, and control of the congressional printing operation was indispensable for rallying the troops in far-off hamlets.

Yet Van Buren's designs were not embraced by everyone, even those nominally within the Jacksonian coalition. There were weak points to be exploited. Particularly nettlesome was

the person of John C. Calhoun, who could always command the loyalty of a dedicated group of southerners whose partisan labels were chosen for short-term expediency. Calhoun and his supporters twice played direct roles in undermining the Van Burenite project, by helping to elect John Bell Speaker in the second session of the 23rd Congress and by preventing the anointed mouthpiece of the Jackson/Van Buren administration from securing either congressional printing contract in the previous Congress.

Thus the mode of party-building imagined by Van Buren was imperfect in execution. In the minds of party strategists, one of those flaws was the ease with which backroom intrigues in Washington could undermine the party-building work being done throughout the country. Their solution to this problem was to make the selection of House officers more transparent, by subjecting votes for officers to public roll call votes. Making this change unleashed new political forces that not only undermined the stability of the parties, but also the stability of the Union itself.

Conclusion

As the cases discussed in this section indicate, prior to the use of public roll call votes for House officer elections, organizational politics unfolded around a collection of factors that included party, personality, and region. Unfortunately, because we do not have individual voting records to examine the importance of these factors in any particular organizational struggle, we cannot precisely determine the relative influence of each. By looking at aggregate voting patterns, however, we can gain some insight into the relatively weak pull of party during this period.

We undertake an aggregate analysis by relying on the party codings of Kenneth Martis (1989), and particularly the percentage of House seats held by the “majority” party at the start of

each Congress, according to his classification. If party were the primary factor in determining the outcome of organizational votes, such as that for the Speaker, then the fraction of the votes received by the winning candidate would approximate the fraction of seats held by the majority party.

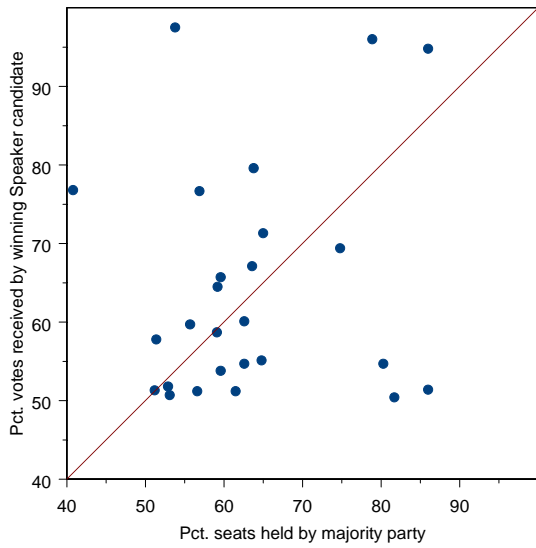
Figure 3-1 shows the fraction of votes received by the winning candidate in each speakership election before the Civil War, graphed against the percentage of seats held by the majority party. The figure is divided into two parts. Figure 3-1a illustrates the relationship prior to the adoption of *viva voce* voting in 1837; Figure 3-1b illustrates the relationship from the onset of *viva voce* voting until the Civil War.

[Figure 3-1 about here]

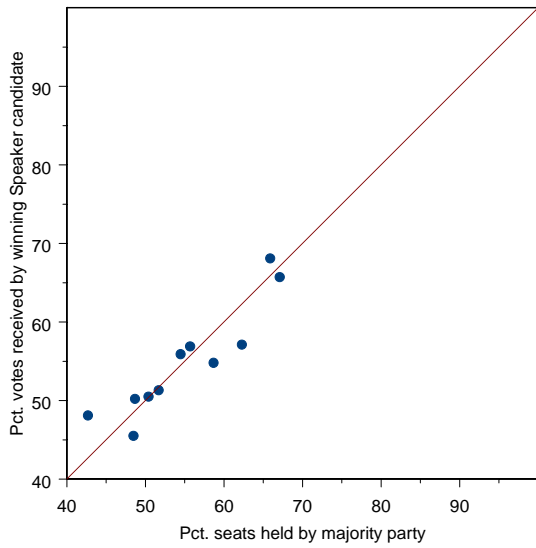
Prior to the use of public roll calls — during the period covered by this chapter — the correlation between majority party strength and winning vote for the Speaker was weak ($r = .14$); afterwards, it was very strong ($r = .92$). Of course, this is aggregate analysis, but the overall weak correlation is consistent with the view that party was only emerging as a formal presence in national politics through the early nineteenth century. As we have already seen, by the end of this period a number of important national leaders sought to enhance the strength of formal party organizations at the national level. The first step was to create a mechanism that would allow leaders to observe whether the rank-and-file contributed their votes to the organizational efforts of leaders. That mechanism, the *viva voce* vote for House officers, is the focus of the next chapter.

Figure 3-1. Percentage of votes received by winning Speakership candidate, plotted against percentage of seats held by majority party, 1789–1859

a. 1789–1837



b. 1839–1859



Chapter 4

Bringing the Selection of House Officers into the Open

In the two decades that preceded the Civil War, the conflicting impulses of region and party were often pitted against each other in Congress, and House politics frequently degenerated into a free-for-all fight over the organization of the chamber. Three of the chapters that follow focus on those fights, how they were resolved, and what consequences those resolutions had for American politics. But, for a fight to happen, there needs to be an arena; for a public fight, there needs to be a public arena. The geographic arena of these antebellum speakership fights was the chamber of the House of Representatives, spilling over into the cloakrooms and rooming houses of the city and newspapers of the country. The bricks-and-mortar arena in which most of the fights occurred was first occupied in 1807.¹ The parliamentary arena was constructed much later, in 1839, when the House decided to elect all of its officers in a public, or *viva voce*, roll call vote. That the House before 1839 chose its officers by secret ballot was not unusual; many state legislature also selected their officers by secret ballot and would continue to do so for decades to come (Cushing 1856, pp. 36-37).² Bringing the vote into the open was still relatively

1. The old chamber of the House of Representatives, now termed Statuary Hall, was occupied by the House in 1807 and used as the body's chamber until 1857, at which time the current hall of the House was occupied (Allen 2001).

2. For instance, the Massachusetts House of Representatives continued to ballot in secret for its Speaker until 1911. The abandonment of secret balloting for Speaker in Massachusetts is very similar in basic structure to its abandonment in the U.S. House, even though the partisan identities of the protagonists were reversed. The election of 1910 threatened to end Republican dominance of the Massachusetts House, which they had held since the Civil War. Fearing he would be vulnerable to a Democrat-Progressive Republican fusion, incumbent Speaker Joseph Walker (Rep.) advocated an "open ballot" for Speaker at the start of the 1911 legislative session. Martin Lomasney, the Democratic leader, led the troops opposing an open ballot. After protracted parliamentary wrangling, the open ballot motion passed and Walker was reelected Speaker ("Walker is Speaker," *Boston Daily Globe*, 1/5/1911, p. 1; Hennessy 1935, pp. 148-50).

unusual for the time, and was not easily achieved in the House. Although moving to a *viva voce* vote for House Speaker helped inaugurate an era of contentious fights over the speakership, the precipitating events that prompted the change pertained more to the printership and, to some degree, the clerkship. Thus, opening the choice of House officers to public scrutiny bore a significance that went beyond the narrow organization of the chamber itself, penetrating into the broader project of building national political parties.

Then, as now, election to the speakership required a majority vote of all House members present.³ If no candidate received a majority, balloting continued until a majority winner was achieved.⁴ Of the 28 speakership elections prior to 1839, eight (28.6%) required more than one ballot to elect a Speaker. Of the 11 speakership elections that occurred from 1839 to 1859, under *viva voce* voting, five (45.5%) required more than one ballot. See Appendix 1 for a breakdown.

As regional tensions mounted over time, these *viva voce* speakership battles became centerpieces of the ongoing struggle for control of the federal government by pro- and anti-slavery forces. The choice to use *viva voce* voting for speakership elections thus may have been

3. There has been some dispute about this. The *House Manual* (§27) states that the Speaker “is elected by a majority of Members-elect voting by surname, a quorum being present.” During the organization of the 46th Congress, on March 18, 1879, Samuel Randall received 144 votes, out of 283 cast (*CR*, 46-1, 3/18/1879, p. 5). This was a majority of votes cast, but not a majority of all members-elect — 293 at the time. The Clerk ruled that all that was required was a majority of a quorum voting to elect a Speaker. His ruling stood without challenge. At the organization of the 68th Congress, Frederick Gillett was eventually elected Speaker with 215 votes, out of 414 cast — a majority of votes cast, but not a majority of all members elected (435). Gillett, too, was declared elected Speaker. These two precedents were cited by House Clerk Robin H. Carle on January 7, 1997, when Newt Gingrich was elected Speaker with 216 votes, out of 425 total votes cast (*CR*, 105-1, 1/7/1997, p. H4) — less than “a majority of Members-elect.”

4. The exceptions were in the 31st Congress (1849) and 34th Congress (1855-56), when the House could not produce a majority winner after 6 weeks and 2 months, respectively. In each case, a plurality rule was adopted to decide the election. These contests are covered in Chapter 6.

the most important change to the House rules for the course of early American history. The immediate political effect was certainly great. As Lientz (1978, p. 76) commented:

Constituents would now know whom their representative had supported, and congressmen would have to stop and think before backing a party candidate whose opinions were objectionable to the home folk. Party leaders would know exactly who had deserted. Congressmen pledged to back a candidate could no longer secretly break that pledge.

As important as this rules change was, few political scientists and historians have taken note of it. Understanding why the change was made is the goal of this chapter. Understanding the consequences of the change is the goal of chapters to come.

The answer for why the change occurred can be summarized as follows: The decision to institute *viva voce* election of the Speaker was an inadvertent consequence of party-building activities of the 1830s, in which the elections of other officers were as consequential as the Speaker. To House members acting *at the time*, the issue was not the speakership, but rather the printership and the clerkship. The former would determine who would get the Nation's largest printing contract and thus which party press organs would be publicly subsidized, while the latter would determine which party would gain the upper hand in resolving election disputes that arose in the initial organization of the House.

In the short term, the effect of instituting *viva voce* election of House officers was to cement party ties. In the *long term*, however, it helped to undermine these ties, by highlighting non-partisan — *i.e.*, regional — considerations in the choice of House leaders.

To reach these conclusions, we first set the political stage, outlining the efforts by national political leaders to build a new type of political party in the 1830s. We then examine efforts to change the election rules affecting House officers generally, focusing on three

important moments: a failed attempt to institute *viva voce* voting in the 23rd Congress (1833–35); two attempts to change the rule in the 25th Congress (1837–39), the second one successful; and the last gasp of *viva voce* opposition in the 26th and 27th Congresses (1839–43). In detailing these moments, we provide evidence that support for *viva voce* voting was tied to party-building efforts among Democrats and Whigs. We close by offering some thoughts about the short- and long-term effects of this new way of electing Speakers, setting the stage for the analysis of particular speakership contests in subsequent chapters.

The Search for Party Discipline

The most lasting effect of the War of 1812 was the destruction of the First Party System, in which Federalists and Republicans vied for power. In the aftermath of the War, American national politics devolved into a shifting landscape of issues and personalities that has received the ironic title of the “Era of Good Feelings.” However, this period also witnessed the first significant injection of slavery into national politics, raising the specter of southern secession.

With the dangers of regional polarization palpable, prominent political heirs of Thomas Jefferson worked to create a political party that knit together North and South by suppressing the slavery issue and emphasizing a list of less regionally-charged issues. The mastermind of this party building was Martin Van Buren, who seized the opportunity presented by Andrew Jackson’s widespread personal appeal to construct a national political party built around political ambition, patronage, and weak allegiances to policy goals.⁵

5. This account of Van Buren’s party-building activities relies on Schlesinger (1947), Remini (1959, 1963, 1972), McCormick (1960, 1966), Hofstadter (1969), Chambers and Davis (1978), Aldrich (1995), and Silbey (2002).

By the time Van Buren himself was elected president in 1836, the Democratic party had developed into a sophisticated electoral machine, dedicated to the electoral success of its members. Van Buren and his disciples also succeeded in creating an ethos among party followers that elevated organizational loyalty over loyalty to individual candidates. This transformation was so great that the loosely-organized opposition to the Jacksonian juggernaut eventually abandoned their allegiances to their particular brands of political belief (National Republican, Anti-Mason, etc.), to coalesce as a single political party, the Whigs.

To be sure, the Democratic and Whig parties that emerged in the 1830s each embodied a core set of political beliefs and goals to which most adherents subscribed. The Democratic party grew up around the Jeffersonian Republican principles which were manifested, for instance, by a distaste for centralized economic power represented by the Bank of the United States. The Whigs sprang up in support of a more activist commercial role for the federal government, recalling the principles of Alexander Hamilton. Still, both parties were big tents, willing to endure internal strife so long as the organization could deliver the votes.

Which brings us to that organization. First the Democrats, then the Whigs, created institutions dedicated to coordinating electoral strategies to win elections up and down the ticket. This organization went far beyond convincing party members to swallow hard and support the party candidate at all costs — it also tapped public officials, elected and appointed, to fill campaign coffers (Ferguson 1983). Money was shifted in national elections to races that were competitive. The parties also created campaign literature to instruct candidates on the party line and to educate followers on the sterling qualities of the parties' nominees and the nefarious character of the opposition. Out of this activity came an enduring structure to national politics

that had been missing for decades. As a result, the grand structure of national politics moved from multidimensional spatial chaos to a remarkably sturdy unidimensional, partisan politics (Poole and Rosenthal 1997).

As organizational capacity within the parties increased, the congressional electorate expanded and congressional elections became more competitive. The number of voters in congressional elections grew by over 60% between the elections of 1830–31 (to the 22nd Congress) and 1838–39 (to the 26th Congress). The number of party labels under which candidates ran was reduced substantially during this time, moving from multi-party competition in much of the country to two-party competition almost everywhere.⁶ Finally, partisan margins shrank. When the decade of the 1830s began, the Jacksonians enjoyed a ten percentage point advantage in the national congressional vote over the National Republicans. As the decade ended, the Democrats and Whigs were running neck-and-neck.⁷

Of course, this tightening of electoral fortunes was not due solely to the growth of the Whig electoral machinery to match that of the Democrats. Whig electoral fortunes were helped at the end of the decade by the Panic of 1837, which precipitated the longest economic contraction in American history. The Panic of 1837 has been attributed to a host of financial actions taken in the closing months of the second Jackson administration. Most prominent of these was the so-called Specie Circular, which announced that the federal government would

6. Aldrich (1995, pp. 307–308, fn. 12) notes that during this period the number of states using winner-take-all systems to allocate electoral votes increased, which, by the operation of Duverger's Law, would encourage a drive toward two parties competing for presidential votes at the state level. It is likely, though not demonstrated, that the migration to two parties competing for congressional seats was an extension of Duverger's logic down the ballot.

7. Turnout, electoral party label, and voting data are taken from Dubin (1998) and Rusk (2001).

only accept gold or silver in payment of obligations to it (Watson 1990, pp. 207-08). This caused the market for federal lands to collapse, bringing down a host of over-extended state banks and eventually money-center financial houses.

Although the Specie Circular was issued in mid-1836, its disastrous consequences did not come to full flower until the spring of 1837, after Van Buren had been inaugurated to succeed Jackson. With the New Orleans cotton market collapsing, mobs taking to the street in New York to raid warehouses, and eastern banks suspending the payment of specie, the electorate was primed to punish the Democrats, as the party responsible for the Panic.

Democrats took a beating in the congressional elections in the summer of 1837.⁸ Compared to 1835, when they held their own against the Whigs with 46.5% of the vote, the Democrats only received 40.5% of the summer 1837 vote. The end result was devastating for continuity among the Democrats, who had supposedly created a political machine dedicated to the electoral longevity of its members.

The immediate consequence of the decline in Democratic popular vote totals was a tightening of the majority enjoyed by House Democrats. The party of Jackson had started the decade with a 39-seat advantage over their opponents in the 22nd Congress (1831–33). When the 25th Congress (1837–39) convened, that margin had shrunk by nearly two-thirds. Moreover, internal divisions over banking and finance were such that it was not until James K. Polk was reelected Speaker at the start of the 25th Congress that the Democrats were assured of even nominal control over the chamber.

8. A large number of congressional elections were held in odd numbered years well into the nineteenth century (Dubin 1998). For a discussion of the timing of congressional elections and the effect that bringing congressional elections into sync with presidential elections had on the presidential coattails phenomenon, see Engstrom and Kernell (2005).

Therefore, the question of how the House would elect its officers emerged in the midst of the first major political crisis for the Democrats in the Second Party System. While efforts to enforce party regularity had been attempted at the state level, efforts to impose the party's whip at the national level had been mostly subterranean. By proposing that they bring the choice of House officers into the open, the Democratic party was moving one step closer to being an actual machine that exerted party discipline publicly. Yet, as we will also see, shining a light on officer elections was a tactic whose utility rose and fell in the fluid give-and-take of politics. Once the idea was first broached on the House floor by a cadre of Democrats, it would take several years before the leadership would embrace the tactic wholeheartedly.

The *Viva Voce* Question

The question of how House officers would be elected arose on several occasions in the 1830s and 1840s. Although the resolution of this question would yield a significant change in how the Speaker was elected, the issue itself first emerged in debates about electing the Printer, eventually being resolved in debates about electing the Clerk. Much of the narrative and the statistical analyses that follow focus heavily on the politics of congressional printing. (To help in keeping the partisan sentiments of Printers straight, the reader may wish to refer back to Table 2-3.)

We focus here on the four Congresses when the issue of how to elect House officers was contested on the floor: the 23rd Congress (1835), 25th Congress (1839), 26th Congress (1839), and 27th Congress (1841).

23rd Congress: Francis Blair calls foul

The Jacksonian tidal wave that washed over Washington in the late 1820s brought with it an explicit tie between political publishing and congressional printing. Duff Green, one of Jackson's trusted advisors and publisher of the *United States Telegraph*, had been installed as Senate Printer in the 20th Congress (1827–29, elected at the end of the 19th Congress), adding the House contract in the 21st Congress (1829–31, elected at the end of the 20th Congress). In installing Green, the Jacksonians ousted Joseph Gales Jr. and William Winston Seaton, publishers of the *National Intelligencer*, who were tied more closely to the forces of John Quincy Adams and Henry Clay.⁹ Green had no problem gaining reelection as Printer in both chambers at the end of the 21st Congress (for service in the 22nd, 1831–33). Soon after his reelection, however, Green was involved in the publication of a series of letters that marked the public break between Calhoun and Jackson — an episode that also revealed Green to have shifted loyalties away from Jackson, toward Calhoun (Niven 1988, pp. 175-76).

In turn, this break led loyalists of Jackson and his new vice president, Martin Van Buren, to form a new publishing venture, led by Francis Preston Blair, named the *Globe*. As the 22nd Congress drew to a close, attention turned to the choice of Printers for the next Congress. Friends of the administration were naturally eager to depose Green as congressional printer, in favor of Blair. In the end, balloting for House Printer, which was held in secret, came down to a race between the three major publishers in town: Green (pro-Calhoun), Blair (pro-Jackson), and Gales and Seaton (pro-Adams/Clay).

9. In time, Gales and Seaton would become the most prominent printers backing the Whig Party.

On the first day of balloting, February 14, 1833, no majority winner emerged. (For a breakdown of the balloting, see Appendix 4). The tenth and final ballot of the day found Jackson's candidate Blair eight votes short of a majority, although on one ballot (the 8th) he had received precisely half the votes (*Register*, 22-2, 2/14/1833, p. 1725). Overnight, Calhoun supporters of Green met with the small handful of Anti-Masons¹⁰ and agreed to shift support to Gales and Seaton in the House, in return for Calhounite and Anti-Mason support for Green as Senate Printer (Smith 1977, pp. 151-52). As a result, Gales and Seaton started the next day's balloting with the lead for the first time, eventually garnering the necessary majority on the fourth ballot that day, and fourteenth overall (*Register*, 22-2, 2/15/1833, p. 1726). Green was subsequently elected Senate Printer, to complete the deal.

The Jacksonites were politically devastated, knowing they would start their second term with congressional printers hostile to administration plans, even though both chambers were nominally made up of administration supporters. Blair himself was financially devastated, having been induced to start a publishing enterprise, now without the assumed congressional subsidy to support it.¹¹

Blair canvassed his political allies in the House to inquire how they had voted. He eventually convinced himself that he had been rightfully elected House Printer, by a majority of at least one, and charged that the election had been stolen from him through fraudulent miscounting of the ballots (Smith 1977, p. 153; Smith 1980, p. 79). Blair's behavior may have

10. The Anti-Masons had split their votes after initially supporting Thurlow Weed.

11. Blair and John C. Rives began the *Congressional Globe*, a (roughly) verbatim report of the debates of Congress at the start of the 23rd Congress, in part to financially support the enterprise until an official congressional contract could be secured (Smith 1977, p. 153).

been unseemly, and a bit pathetic, but the balloting saga demonstrated how the secret ballot for electing officers presented problems for Democrats if they intended to use the organization of the House as a party building tool in national politics.

Blair's supporters would bide their time and press their revenge indirectly. As the 23rd Congress (1833–35) was drawing to a close, attention began to focus on the choice of a House Printer for the following Congress. On December 24, 1834, John Reynolds (Jack.-Ill.) moved that, "hereafter, in all elections made by the House of Representatives for officers, the votes shall be given *viva voce*, each member, in his place, naming aloud the person for whom he votes" (*HJ*, 23-2, 12/24/1834, p. 129). The *viva voce* resolution was tabled, however, and not taken up again until January 14, 1835, when Reynolds moved to suspend the Rules so that his motion could be reconsidered. Reynolds received a majority in favor of his motion (93–87), but it was less than the two-thirds required for suspension (*HJ*, 23-2, 1/14/1835, pp. 215–17).

Less than two weeks later, on January 24, 1835, Reynolds moved his resolution yet again, with debate stretching out over two days. By this time, the intent of the resolution was common knowledge in the House, as John Quincy Adams stated in his diary that evening:

This is a party measure. The object is to secure the public printing for the next House of Representatives to the publishers of the *Globe* newspaper. The *Globe* is openly devoted to the Vice-President, Van Buren, as a candidate for the succession to the Presidency. There is a part of the Jackson party in the House opposed to Van Buren, and who, if the vote for printers should be by [secret] ballot, would vote against the publishers of the *Globe*; if they are called to vote *viva voce*, it is supposed they will not dare to vote against them, for fear of the brand of opposition to the Administration (Adams 1876, vol. 9, 1/25/1835, p. 201).

Opponents of voice voting temporized to the point of threatening other House business. Even though one parliamentary test vote — a motion to table, made by Davie Crockett (Anti-Jack.-

Tenn.), which was defeated 102–113 (*HJ*, 23-2, 1/24/1835, pp. 270–71) — revealed that the *viva voce* forces had a narrow majority, its advocates dropped the matter in the face of relentless dilatory behavior by the opposition.

Analysis of the two roll call votes taken during this attempt to consider the *viva voce* procedure, in Tables 4-1 and 4-2, helps to illustrate the partisan and factional divisions that lay behind selection of House officers in general, and the Printer in particular. Table 4-1 shows the cross tabulation of party membership and voting to consider the Reynolds resolution under suspension of the rules (January 14) and later to table it when it was considered under the regular order (January 24). In the first vote, a “yea” is pro-*viva voce*, in the second vote, a “nay” is pro-*viva voce*. Note that particularly on the motion to table, the vote was largely along party lines, with the three non-Jacksonian “parties” strongly in favor of tabling and the Jacksonians strongly against. Still, there were some splits in the ranks, especially among the Jacksonians.

[Table 4-1 about here]

What explains this Jacksonian rift? In Table 4-2 we have analyzed Jacksonian voting on these two roll calls, as a function of the two W-NOMINATE dimensions.¹² The voting patterns are entirely consistent with the standard story that has been associated with this episode. The nominal Jacksonians who were the most susceptible to defecting were those prone to one of two different impulses — those with pro-business feelings (toward the right of the issue space) and those in sympathy with Calhoun’s nullification theories (toward the top of the space). Of these

12. In the 23rd House the first dimension strongly distinguished Jacksonians on the “left,” Anti-Jacksonians and Anti-Masons on the “right,” and Nullifiers in the center. The second dimension placed the Nullifiers on one end of the dimension (“Up”), the Anti-Masons at the other (“Down”), and the larger Jacksonians and Anti-Jacksonians in the middle. Thus, dimension 1 can be thought of as a nascent partisan dimension splitting members along economic preferences; dimension 2 can be thought of as defining dedication to states rights and the Union.

two threats to Jacksonian regularity, nullification was a bigger problem than pro-business sympathies in these votes.

[Table 4-2 about here]

Overall, the non-Jacksonian “parties” and the Jacksonian factions’ behavior toward the Reynolds resolution was consistent with their own bargaining positions. The Jackson loyalists’ interests were transparent: install the party’s official printer as the House Printer. To that end, as Adams had alluded to in his earlier diary entry, they favored a public vote for all House officers, so that potential defectors could be compelled more easily to toe the party line. The Calhounites and pro-business Jacksonians, on the other hand, were the most likely to be involved in partisan intrigue to deny the Jacksonian mainstream their desires. The conflicted Jacksonians were the most likely to defect on issues of party building, and thus had the strongest reasons to want to hide their votes on the organization of the House. They overwhelmingly supported keeping the balloting for House officers secret, to facilitate such intrigue.

The issue of electing a Printer *via* open ballot would not die among the most ardent Jacksonians. On February 9, 1835, John McKinley (Jack.-Ala.) moved that, three days hence, the House would proceed to vote to Printer, which was amended by Joel Sutherland (Jack.-Pa.) to be *viva voce*. The hour allotted to debating McKinley’s motion having passed, consideration of McKinley’s resolution was renewed on February 25. The Speaker ruled that the resolution would take a 2/3 vote to pass, and when the roll call was taken, it failed even to gain a majority, losing 103–110 (*HJ*, 23-2, 2/25/1835, pp. 448-49).

On the vote to proceed to the election of a Printer *viva voce*, the anti-Jacksonian forces were united in voting *nay*, 4–85, while the Jacksonians were split in favor, 99–25. As with

previous votes this Congress, the Jacksonian split reflected factional divisions, with the Calhounites and pro-business Jacksonians voting to put off the election.¹³

25th Congress: Viva voce is brought to the threshold

Because of the extended debate over *viva voce* voting at the end of the 23rd Congress, the business of electing a House Printer for the 24th Congress (1835–37) was left unfinished when Congress adjourned *sine die*. Thus, for the first time in nearly two decades, an incoming House had the opportunity to select its own Printer. This was especially important, as the Jacksonians had scored a convincing victory in the House elections to the 24th Congress. As a result, James K. Polk was elected Speaker and Blair and his partner John C. Rives were chosen as House Printer at the start of the 24th Congress, both by large margins on the first ballot (*CG*, 24-1, 12/7/1835, p. 3).

The large pro-Jackson majority in the 24th Congress probably explains why the effort to introduce *viva voce* election of the Speaker, brought by John Patton (D-Va.), was brushed aside when the House convened (*CG* 24-1, 12/7/1835, pp. 2–3). After the opening roll of the House was taken, Patton challenged the Clerk’s announcement that the balloting for Speaker would be by secret ballot. In the brief skirmish that ensued, a host of Democrats and Whigs¹⁴ rose to state

13. As the House was aware that the 24th Congress would be friendlier toward the administration, the delay in electing a Printer only postponed the inevitable — the election of a pro-Administration Printer in the 24th Congress, which we discuss in the next section.

14. To this point, relying on Martis (1989), we have been using proto-party labels like “Jacksonian” and “Anti-Jacksonian.” From this point forward, we will use the more straightforward “Democrat” and “Whig” labels. In general, ascertaining the exact transition from Jacksonian to Democrat and Anti-Jacksonian to Whig is practically impossible, given the fluidity of party labels by state and locality during this period. For example, whereas Martis starts using “Democrats” and “Whigs” for members in the 25th Congress, Dubin (1998, p. 114 fn 24) states that “[t]he Anti-Masons and the National Republicans merged in most states into the

the positions that were becoming associated with the two parties on the matter. However, after expressing their general support for public voting for House officers, several Democrats urged Patton to put his motion aside for the moment, arguing that a debate on the method of election would only delay the organization of the House late into the night without affecting the outcome. The motion was unceremoniously laid on the table after Patton was unable even to rally the one-fifth of the House necessary to demand a roll call.

Danger was just around the corner, however, as Democrats lost a handful of seat throughout the country in the summer-fall congressional elections of 1836, led by a Whig sweep in New Jersey. When the House reconvened for the lame-duck session on December 5, 1836, the rising Whig electoral tide prompted them to throw up roadblocks when the matter of electing a Printer for the following Congress was proposed. With the Democrats presumed to be in danger of losing control of the 25th Congress (1837–39), it was apparent to all that the Democrats would have a difficult time organizing the House in the 25th Congress and that Blair and Rives would struggle to secure reelection.

The Democrats' fears were confirmed on the first day of the 25th Congress, when Polk was narrowly reelected House Speaker over John Bell (W-Tenn.) on the first ballot, 116–103 with five votes scattering (*CG*, 25-1, 9/4/1837, p. 3). On the following day, September 5, 1837, when the balloting for Printer commenced, three leading candidates emerged. The veteran combatants, Blair & Rives and Gales & Seaton, were joined by a new entrant, Thomas Allen, a 24-year old lawyer from New York City and publisher of the *Madisonian*.

Whig Party, effective with [elections to the 24th Congress].”

Allen was a Democrat, albeit a proponent of “soft money” and centralized banking, a position that was termed “conservative.” Allen’s *Madisonian* had emerged to compete with the *Globe* for Democratic support. He was often seen in the company of Senators Nathaniel P. Talmadge (N.Y.) and William C. Rives (Va.), two members of Jackson’s conservative Democratic opposition; rumors abounded as to their role in the *Madisonian*’s funding (Smith 1977, pp. 156-57).

The election for Printer proceeded as one would expect, given the narrow Democratic majority and the presence of a third candidate who was appealing to the pivotal faction. On September 5, 1837, five ballots were taken, showing Blair and Rives running neck-and-neck with Gales and Seaton, each duo falling about 10 to 15 votes short of victory (see Appendix 4 for a breakdown of the balloting). Allen ran a distant third, but garnered enough support to prevent either of the two other candidate-duos from winning. Late in the afternoon, with trench warfare looming, adjournment was agreed to on a narrow 108–102 vote (*CG*, 25-1, 9/5/1837, p. 11).¹⁵

The following day was even more contentious. The session opened with several proposals: one to suspend balloting for Printer until the third week in September, one to award printing contracts to the lowest bidder, and one to split printing duties between the *National Intelligencer* (Gales and Seaton) and the *Madisonian* (Allen) until the Printer election was resolved. Each of these proposals produced impassioned debate before being laid on the table.¹⁶

15. The adjournment vote was taken by tellers, so there is no firm evidence to indicate which forces were the most eager at this point to adjourn and regroup. The motion was made by George W. Owens (D-Ga.), who had been a loyal Jacksonian in the 24th Congress, and so it appears that adjournment was favored by Polk and the Democratic leadership; the Whigs wished to press on.

16. These are roll calls numbered 12 to 15 in ICPSR data set 9822. As a general matter, these roll call votes found a consistent coalition of Whigs and conservative Democrats joining in

The House then resumed balloting for Printer. Three additional ballots were taken without producing a majority winner (*CG*, 25-1, 9/6/1837, p 13). A pattern was developing, however, as Gales and Seaton's vote total gradually declined and Allen's gradually rose.

Preparations for further balloting had begun when proceedings digressed once again. Initially, the digression seemed harmless enough, as adjournment was moved unsuccessfully, and a proposal to install Blair and Rives as Printer until a victor emerged was offered and failed. Then, Ratliff Boon (D-Ind.) jolted the chamber to attention by offering a resolution that "the vote of the members" in the election of a Printer "shall be given *viva voce*" (*CG*, 25-1, 9/6/1837, p. 13). John Patton (D-Va.), who had interjected the *viva voce* issue into the opening moments of the 24th Congress, declared that the principle of *viva voce* voting should be extended to the elections of *all* House officers and announced that he was preparing an amendment to Boon's resolution to that effect. Before Patton could follow through, however, Horace Everett (W-Vt.) moved to table Boon's resolution. Everett's tabling resolution failed (91-131), as a group of conservative Democrats unsuccessfully joined with the Whigs to oppose the Democratic leadership, largely as the previous votes had gone (*HJ*, 25-1, 9/6/1837, pp. 38-39).¹⁷ Inexplicably, sixteen Whigs who had previously remained loyal to their party on procedural matters broke with that coalition, to provide the anti-tabling forces a larger margin than they needed to keep the *viva voce* motion alive.

Patton then pushed forward with his amendment to subject all officers to *viva voce* election, which attracted a vigorous debate. Patton and James Bouldin (D-Va.) argued for *viva*

unsuccessful efforts to delay the election of a printer and to deny the contract to Blair and Rives.

17. The vote is incorrectly reported as 88-132 in the *Congressional Globe* (25-1, 9/6/1837, p. 13).

voce voting in *all* cases, in response to “the right of constituents to know all the public acts of their representative” (*Richmond Enquirer*, 9/12/1837, p. 2). George Briggs (W-Mass.) considered the resolution “entirely unnecessary, and expressed his unfeigned astonishment at the introduction of such a measure, after [the House] had been going on with the [secret] ballot for two days.” And, in response to the arguments of Patton and Boulding, Briggs stated that if “constituents could not trust [members] to act in a case like this, the days of the republic were indeed numbered” (*CG*, 25-1, 9/6/1837, p. 13). William Dawson (W-Ga.) reiterated Briggs’s sentiments and believed that the amendment’s only purpose was to “place in the harness gentlemen who were a little chafed, and seemed unwilling to draw in the old yoke” (*Richmond Enquirer*, 9/12/1837, p. 2). After a lengthy debate by an assortment of members, the House agreed to postpone consideration of the resolution until the following day.

On September 7, the action started again. Boon resubmitted his resolution, now with Patton’s amendment incorporated into it. However, the momentum from the previous day had turned. Unbeknownst to Boon, Democratic congressional leaders had convened the prior evening and decided to postpone consideration of *viva voce* voting for the time being. John Clark (D-N.Y.) took to the floor and announced that while he supported *viva voce* voting and felt “no desire to disguise [his vote choices] from the House, or from his constituents,” he “thought it better to take some other opportunity to consider it” (*CG*, 25-1, 9/7/1837, p. 15). Clark then moved to lay the resolution and amendment on the table, to which the House, refusing the yeas and nays, agreed.

Voting for Printer commenced once again by secret ballot. Although the ninth ballot proved inconclusive, Gales and Seaton continued to lose ground to Allen. The next two ballots

saw this trend continue, until, on the fourth ballot of the day (and the twelfth overall), Allen was elected Printer by a bare majority (*CG*, 25-1, 9/7/1837, pp. 15-16).¹⁸

Why did Democratic leaders back away from the *viva voce* juggernaut at the start of the final day of voting? Why did they allow the upstart Allen to claim the printership to the detriment of the administration's loyal propagandist? Simply put, for pragmatic reasons. At the moment the printership struggle was reaching its climax in the House, the Van Buren administration was fighting over the details of the subtreasury bill in the Senate; the Printer became a bargaining chip in this seemingly separate issue.¹⁹

From the time the Panic of 1837 had begun to unfold, the administration Democrats had been working to resolve the schism in their ranks over banking and financial issues. At the same time the House was dealing with its Printer election, the Senate was debating a new subtreasury bill. During the course of the debate, Sen. John Calhoun (D-S.C.) had offered an amendment to the bill which would have tilted it considerably toward the hard-earned interests of the Democratic party. Van Buren felt that accepting the amendment was the best course of action, as it would have appeased a majority of the core Jacksonian coalition. He also knew, however,

18. Although Allen had secured the lucrative House printing contract, he did not have the printing equipment necessary to fulfill the duties of the position. The *Madisonian* had begun operations only three weeks prior to the opening of the special session of Congress and was at the time only published semi-weekly. As a result, Allen entered into an agreement with Gales and Seaton to use the *National Intelligencer's* printing press, until he could acquire the requisite machinery to perform the job himself (*National Intelligencer*, 9/8/1837, p. 3). Smith (1977, pp. 157-58) posits that "presumably this plan was considered and agreed upon before the final ballot in the House and could have given the Whigs an incentive to vote for Allen."

19. See Wilson (1959, pp. 544-73) and Niven (1988, pp. 230-31) for a description of this intrigue.

that concessions would have to be made to the soft-moned conservative Democrats in the House, lest the amended bill fail.

Thus, the House Printer became a sop to conservative Democrats. Van Buren instructed his House deputies to sacrifice Blair and Rives and permit the Printer election to proceed, allowing the coalition of conservative Democrats and Whigs to form unimpeded around Allen and the *Madisonian*.²⁰ Van Buren hoped that the gift of the public printing, along with pressure applied by Speaker Polk and Churchill Cambreleng (D-N.Y.), Chairman of Ways and Means, would line up enough conservative Democrats to pass Calhoun's bill once it reached the House.²¹ Presumably, rank-and-file members like Boon, Patton, and Bouldin were not privy to Van Buren's plotting when they pushed for *viva voce* voting on September 6. Overnight, the backbenchers were informed of the behind-the-scenes details and put up no resistance as the Democratic majority allowed the *viva voce* resolution to be tabled quickly and quietly. Supporters of bringing the selection of House officers into the open would have to wait to fight

20. Niven (1983, pp. 421-22) tells a somewhat different story, claiming that Van Buren first entered into an arrangement with the conservatives to elect Polk Speaker because he was concerned that John Bell might beat Polk otherwise. Niven claims that Van Buren promised the conservatives top committee positions and the Printership, but then Polk reneged by withholding the committee spots when he distributed the assignments. Van Buren, however, kept to his original bargain and gave the Printer to the conservatives. The problem with this story is that Polk made his committee assignments *after* all the officers were elected – including the Clerk. Thus, Niven's account is faulty. Five years later, Niven (1988, pp. 230-31) revisited the drama, but this time dropped the whole Polk-Speaker-committee angle and focused on an explicit side-payments story – the conservatives would get the Printer in exchange for their support on the subtreasury bill (which they eventually withheld).

21. Dion (1997, pp. 82-84) presents a different version of events, building an account around Polk (and his parliamentary strategies as Speaker) while leaving Van Buren and the subtreasury story out of the drama entirely. Moreover, he characterizes the Printer election as a minor affair.

another day. Unbeknownst to them at the time, the opportunity would come again before the 25th Congress would adjourn.

25th Congress: Second attempt

The *viva voce* voting matter was taken up again unexpectedly at the convening of the third session of the 25th Congress, on December 3, 1838, owing to the inter-session death of House Clerk Walter S. Franklin. Franklin's death made election of his successor the first order of business when the House reconvened.

This particular clerkship election was a choice more fraught with significance than typical, because the third session was the lame-duck session, held after the Democrats' disastrous showings in the summer-fall congressional elections of 1838. The Democratic edge in the House had been reduced by four seats, and a major election dispute (affecting five additional seats) was gathering steam in New Jersey (Martis 1989, pp. 94–95; Dubin 1998, pp. 120–122). The individual chosen to replace Franklin as House Clerk would have the authority to make provisional judgments about the initial disposition of disputed electoral credentials when the next Congress convened, and thus could determine which party would organize the 26th Congress. Given their already tenuous majority status, the administration Democrats and their leaders in the House were now poised to revisit *viva voce* voting and squelch the conservative movement within their ranks.

Immediately after Speaker Polk formally notified the House of Franklin's death on the opening day of the session, John Milligan (W-Del.) followed precedent by moving a resolution to proceed directly to the election of a new Clerk. Breaking with precedent, George Dromgoole (D-Va.) then moved an amendment, to provide that the election be *viva voce*. After some initial

confusion as to whether Dromgoole's motion was in order, the House passed the amendment, 119–91, with Democrats voting 98–5 in favor and opposition party members (mostly Whigs) voting in large numbers against (21–86). The House then proceeded to the election of a Clerk by *viva voce*, selecting Hugh Garland, a Virginia Democrat, on the third ballot (*CG*, 25-3, 12/3/1838, p. 2). Garland would in fact play a raw partisan role when the 26th Congress convened. We defer the full accounting of that episode until Chapter 5.

Fresh from victory and feeling their oats, the administration Democrats set their sights higher. Dromgoole rose again three days later and submitted an amendment to the House rules, which stated that “in all cases of election by the House the vote shall be taken *viva voce*” (*CG*, 25-3, 12/6/1838, p. 17), in effect revisiting the Reynolds amendment from the 23rd Congress. On December 10, Dromgoole's amendment was considered, and a heated debate arose. Henry Wise (W-Va.) declared that he “considered this resolution a direct attack upon the independence of the House and the freedom of its elections, as it would have the effect of applying the screws to doubtful members, so that they might sometimes be made to vote for party against their own convictions or predilections” (*Niles' National Register*, 12/15/1838, p. 249). Dromgoole responded that he had offered the amendment because he believed it “in accordance with the fundamental law of his own state, and as an essential accompaniment of the democratic principle of accountability to the constituent body” (*Niles' National Register*, 12/15/1838, p. 249). Moreover, he hoped that “no Representative would oppose it because he wished to vote in secret and skulk away from accountability, or because he desired to conceal his conduct from his constituents” (*CG*, 25-3, 12/10/1838, p. 20).

Francis Pickens (Nullifier-S.C.) agreed with Dromgoole's general notion of representation, but argued that "there was a wide distinction between the responsibility [members] owed to their constituents for the exercise of law-making power and that of choosing their mere ministerial officers" (*CG*, 25-3, 12/10/1838, p. 20). He went on to state, "let a man here dare to express the convictions of his heart, separate from party ties and party allegiance, and what would be the consequence? He trembles under it with more fear than any of the voters of France in the worst days of Jacobin rule." James Pearce (W-Md.) followed by claiming that "the people desired no such accountability as that asked for [by Dromgoole] in unimportant matters of this kind" and argued that if the resolution were adopted, "I shall feel that it makes me the subject of a most exact and unscrupulous discipline, because I know that the power of party can condescend to the smallest, most unimportant, and contemptible matters." John Reed (W-Mass.) agreed with Wise, Pickens, and Pearce that the intent of those advocating *viva voce* voting was not to promote democracy, but "to rally party feeling, and concentrate and drill it, and bring it to bear in all its force in every election, however trivial" (all quotes from *Niles' National Register*, 12/15/1838, p. 250).

After additional debate, Edward Stanley (W-N.C.) moved to lay the whole subject on the table, which failed 81-125, with Democrats voting 5-98 against and Democratic opponents voting 76-28 in favor. Finally, the more general *viva voce* rule was considered and passed, 124-84, with Democrats voting 96-5 in favor and Democratic opponents voting 28-79 in opposition (*CG*, 25-3, 12/10/1838, p. 20). Voting in *all* House elections would henceforth be public.²²

22. Dromgoole struck again later in the session. On January 14, 1839, he proposed a resolution to amend House rules by substituting *viva voce* voting in *all* cases in which the secret ballot had been standard (like committee elections, House voting for President, etc.). Two days later, Dromgoole asked for a suspension of the rules so that his resolution could be considered, but the

A more systematic analysis of the *viva voce* voting dynamics appears in Table 4-3. The four major House roll calls from the 25th Congress are analyzed: the first tabling attempt from the first session; the extension of *viva voce voting* to the election for Clerk in the third session; the second tabling attempt; and the extension of *viva voce* voting to all House elections. As the results show, first-dimension W-NOMINATE scores are a significant predictor of individual vote choices on all four roll calls. Unlike the previous *viva voce* analysis in the 23rd Congress, the second-dimension W-NOMINATE scores provide little additional explanatory power. We attribute this change to the transformation of partisan dynamics during the 1830s, and particularly to the reaction of incumbent House members to the unfolding congressional elections. Even conservative Democrats wanted the next House called to order by a Democratic Clerk.

[Table 4-3 about here]

We also included a control for party, equal to one if the member was a Democrat, zero otherwise. With the exception of the first motion to table, party is never a significant factor explaining how members voted on these motions. Because Democrats, who were on the “left” of the first W-NOMINATE dimension, were virtually unanimous in casting pro-*viva voce* votes, the statistical insignificance of the party variable along with the strong significance of the ideology variable helps to explain the behavior of the *Whigs*, who were more conflicted in their votes.

vote failed to obtain the two-thirds majority necessary for suspension (*CG*, 25-3, 12/14/1839 and 12/16/1839, pp. 117, 121). Statistical analysis of this roll call (number 404) reveals patterns similar to the analysis of the other roll calls on *viva voce* in the 25th Congress. The primary difference is that this last vote was the most purely partisan in structuring.

The analysis suggests that Whigs who were ideologically similar to Democrats in general also sided with the Democrats on these procedural votes.²³

That the Democrats showed more internal discipline than the Whigs on this issue is consistent with the historical view of the two parties. The Democrats were a more cohesive organization than the Whigs, with older, more established connections between state, local, and national party units. The development of the Whig organization had been a best response by the disparate anti-Jacksonian groups of the early-to mid-1830s, and thus lacked the ideological glue that held the Democratic organization together. As Watson (1990, p. 159) notes:

the Whig Party in its infancy was an unstable compound of diverse elements. Clay and Webster stood at its head, but Calhoun also acted with them at first. Many Anti-Masons were inclined to join them, as were former Democrats who favored internal improvements, high tariffs, and of course the Bank of the United States. Other early Whigs were strict constructionists who deserted [Jackson] because they feared that he had stretched the Constitution even more than the outright supporters of broad construction. Initially, all they had in common was a resentment of the methods or the substance of Jackson's Bank policy...

Moreover, unlike the Democrats, who relied upon the design of institutional commitments to achieve partisan success, it was, as Aldrich (1995, p. 135) states, "more the personal commitment and leadership of moderates ... that held the Whig alliance together." Thus, those Whigs with more Democratic (i.e., states' rights) leanings did not feel compelled to vote with their party on the *viva voce* voting legislation, because, presumably, they feared an electoral backlash more than any sorts of sanctions by party leaders.

23. We also find this if we confine our analysis in Table 4-3 only to Whigs.

26th Congress: Viva voce voting survives the first Whig assault

While the *viva voce* voting issue seemed to be resolved at the end of the 25th Congress, some additional fireworks lay ahead. The midterm elections of 1838–39 leveled the partisan playing field, as the gap between the Whigs and Democrats in the House narrowed considerably. Adding to the tensions, the aforementioned election dispute over the New Jersey delegation threatened to determine majority control of the chamber, and delayed the organization of the House for several days (see Rowell 1901, pp. 109-12; Jenkins 2004). Once balloting commenced for Speaker, regional blocs in both parties proved unwilling to support moderate candidates from the other region. After eleven rounds of balloting over two days, this deadlock eventually led to a coalition of convenience, in which the Whigs settled on one of their own with Democratic leanings, Robert M. T. Hunter (Va.), who was able to draw enough support from Calhounites to eke out a six-vote victory. (This episode is fully explored in Chapter 5.)

The Whigs had finally delivered a significant blow and, sensing the Democrats reeling, went for the knockout. On December 20, 1839, after more discussion of the election dispute in New Jersey, the House turned to the election of its remaining officers, at which point Josiah Hoffman (W-N.Y.) proposed that the standing rules of the previous House be adopted, *except* the rule that called for *viva voce* voting in all House elections. Robert Craig (D-Va.) responded by offering an amendment to Hoffman's resolution, which would strike out the *viva voce* voting exception.

This produced yet another impassioned debate. At first, both Whigs and Democrats recapitulated positions from previous debates. For example, Leverett Saltonstall (W-Mass.) argued that *viva voce* voting was objectionable “because it had the tendency to effect a party

organization.” Hiram Hunt (W-N.Y.) followed by contending that *viva voce* voting was introduced not for democratic reasons, but “for the purpose of enabling the party in the majority to put upon gentlemen the party screws.” John Bell (W-Tenn.) concurred, stating that the secret ballot was necessary “to protect [members] from the influence of the Executive.” Jesse Bynum (D-N.C.) shot back that “the idea that we should not vote *viva voce*, through fear of Executive influence, is ridiculous,” while John Weller (D-Ohio) stated that “he was not afraid to let his constituents be the judge of his conduct.” Finally, David Petrikin (D-Pa.) wondered “if it is not disappointed ambition—the mortification of a defeated party, which powerfully influences those who now ask to destroy the *viva voce* principle” (all quotes from *CG*, 26-1, 12/21/1839, pp. 69-73).

However, as the debate progressed, a number of Whigs reversed positions on *viva voce* voting. This new stance reflected a recognition of the party’s electoral rise in recent years and, in turn, a growing sentiment among many Whigs in favor of greater party discipline. Thus, *viva voce* voting, which had been the Democrats’ weapon to keep party members in line, now began to appeal to some Whigs as well. For example, Caleb Cushing (W-Mass.) contended that “the Whigs ought to go for the *viva voce* system, because that was the popular principle.” Julius Alford (W-Ga.) followed by stating that he “had ever been taught to believe the *viva voce* mode of voting was the most Republican in principle, and was sorry to see his friends opposing it.” Moreover, in response to the claims of his Whig colleague John Bell, Alford “thought that the Executive possessed as many charms as terrors, and preferred the open manly mode of voting *viva voce*” (all quotes from *CG*, 26-1, 12/21/1839, p. 74).

Once voting commenced, the Craig amendment passed 142-86, with Democrats voting 115-2 in favor and Whigs voting 25-78 in opposition (Anti-Masons and Conservatives voted 0-6 and 2-0, respectively), leaving the *viva voce* provision in place (CG, 26-1, 12/21/1839, pp. 74–75). The analysis of the voting is presented in Table 4-4. We present results with and without a control for being a Whig.

[Table 4-4 about here]

The results in column 1 show that, as before, significant explanatory leverage came from the first W-NOMINATE dimension, reflecting that *viva voce* voting fit squarely in the ideological division between the two parties. However, as column 2 shows, once we control for ideology, Whigs were *more* supportive of *viva voce* voting, compared to ideologically similar Democrats. Although Whigs *overall* opposed *viva voce* voting, we see that some in the party were beginning to see the device as potentially helpful to their position in the House as well.²⁴

27th Congress: Viva voce survives the Whig ascent

By 1840, the Panic of 1837 had steadily evolved into a full-blown depression, and the national electorate had pointed the finger of blame at the incumbent Democrats. As a result, the Democrats were swept out of national government in the elections of 1840–41. The Whigs captured not only the presidency, but also both chambers of Congress, by wide margins: William Henry Harrison trounced Van Buren 234-60 in the Electoral College, while the Whigs picked up 7 seats in the Senate and 33 seats in the House (Martis 1989, p. 31).

24. A Whig-only analysis confirms this. More generally, Whig support was drawn predominantly from the left-hand portion of the party's ideological distribution, that is, from those Whigs who were ideologically closer to the Democrats.

As the 27th Congress assembled, the Whigs found themselves in an unfamiliar role. No longer relegated to obstruction, they were now the *initiators* of legislation. Suddenly the need for strict party discipline became a Whig priority for the first time and was the leading topic of conversation in the Whig caucus.

The degree of Whig party discipline would be challenged immediately in the new House. On May 31, 1841, the first day of the session, proceedings began harmlessly enough, as the Clerk called the roll, after which Hiram Hunt (W-N.Y.) moved that the House proceed to the election of a Speaker by *viva voce*. Lewis Williams (W-N.C.) then rose and moved to amend Hunt's resolution by striking out *viva voce* and inserting "by [secret] ballot" instead. Williams' amendment failed by a vote of 67-153, with majorities of *both* parties opposing — Democrats by a 4–80 margin and Whigs 63–72 (*HJ*, 27-1, 5/31/1841, p. 8–9).

As the result indicates, although there was far from a consensus within the Whig ranks, a majority of Whigs now preferred *viva voce* voting to the secret ballot as the method for electing House officers. With the Democrats' continued solid opposition to the secret ballot, *viva voce* voting remained the rule in speakership elections.

An analysis of the voting appears in Table 4-5.²⁵ As in previous Congresses, the explanatory leverage stems from the ideological division between the two parties, as reflected by the first W-NOMINATE dimension. However, the shifting preferences of the Whig party produces a poorer overall model fit than in prior Congresses.

[Table 4-5 about here]

25. The following analysis differs from our previous published analysis of this episode. See Jenkins and Stewart (2003).

This shift in Whig sentiment can also be illustrated if we reexamine all of the roll calls on *viva voce* voting that occurred, starting with the 23rd Congress. This time we confine our analyses simply to the Whigs.²⁶ We conduct a probit analysis on each roll call vote as a function of the first dimension DW-NOMINATE score.²⁷ Because a “yea” vote in some cases was pro-*viva voce* and in other cases a “nay” vote was pro-*viva voce*, we have rescaled all of the votes so that a “yea” is pro-*viva voce*.

Figure 4-1 reports the predicted probabilities of voting in a pro-*viva voce* manner for all Whigs during these Congresses as a function of pro-Whig sentiment during these Congresses. Only one curve is labeled, which is the predicted probability of voting pro-*viva voce* in the 27th Congress. Notice that this curve is shifted significantly up, compared to all of the other curves.²⁸ In substantive terms, this means that support for the *viva voce* procedure increased substantially for Whigs of all ideological persuasions in the 27th Congress. Almost overnight, mainstream Whigs had become supporters of the procedure, after their party took control of the House.

[Figure 4-1 about here]

If we are ignorant of the political history of this period, this Whig reversal might seem odd. The reason is that *viva voce* voting had previously been touted by loyal Democrats as a tool to ensure that pivotal party members would not defect and form a coalition with like-minded Whigs. The new Whig behavior makes it appear as if the bloc of Whigs who would be the most

26. For the 23rd Congress, we confine ourselves to the members identified by Martis (1989) as being “anti-Jackson” and anti-Mason.

27. We use DW-NOMINATE scores in this case because we are explicitly comparing analyses across Congresses. The substance of what follows is not affected by the choice of NOMINATE scores, however, as a replication with W-NOMINATE scores reveals the same patterns.

28. Note that all the curves are relatively close together on the left side of the graph, but this is a region with few Whigs.

likely to form coalitions with like-minded Democrats in the organization of the House were making it *harder* for themselves to do just that — or at least to coalesce with moderate Democrats under the cloak of a secret ballot. However, policy was not the only thing at stake between the parties in the early 1840s. Also at stake was the nature of party organizations themselves and whether they would be haphazard or purposeful coalitions.

As noted earlier, the Whig party first emerged in the 1830s as a loose confederation of individuals and political movements whose primary motivation was opposition to Andrew Jackson (McCormick 1966; Holt 1999). These groups and individuals could more easily agree about what they were *against* than what they were *for*. If the new party of Jackson was dedicated to building a strong political party that was willing to use strong armed tactics to impose party discipline, the emergent Whigs would eschew those tactics as a consequence, on principle. Therefore, the strategy of building a tight, formal party organization to oppose Jackson could best be described as “watchful waiting” during the 1830s.

However, in the “Tippecanoe” election of 1840, the Whigs threw off their principled opposition to strong party organization in order to rally behind Harrison to defeat Van Buren. Thus, the grudging willingness of a majority of Whigs to stand behind *viva voce* voting at the start of the 27th Congress was a continuation of the more general strategy of embracing party discipline measures first supported by the Democrats. This was still a transition, however, as not all Whigs jumped on the *viva voce* bandwagon. The sentiments of the old guard were reflected by the biting sarcasm of John Quincy Adams (W-Mass.), in a floor speech on June 1, 1841, when he rose to state that

from the one vote given yesterday [on the secret ballot], he should apprehend that [the Whigs’] opposition to Executive power was beginning to melt away something

like the ice in the dog days. If he might take that vote as a standard, he did not think that the Whigs would be so distinguished for their opposition to Executive power as they were a year ago. It might probably, therefore, be convenient for them to take the name Democrats; and probably, in the change of things, the Democrats of last year would become the Whigs. So far at least as Executive power went, he thought that was likely to be the case (taken from the *CG*, 27-1, 6/1/1841, p. 9).

The Effects of *Viva Voce* Voting

Throughout the decade of the 1830s, the House of Representatives wrestled with the degree to which the rules for choosing its officers would make that choice a central part of national partisan politics. To House members making decisions at the time, the principal concern was printing and the clerkship. Yet, for the future of the nation, the more consequential effect was in choosing the Speaker.

The effect of viva voce voting on the selection of officer candidates

One immediate effect of *viva voce* voting was on how officer candidates would be selected by the two parties. In the secret-ballot era, the parties typically used informal politicking to coordinate support around the candidates preferred by the leadership. Such politicking, and promises of support made by party members, could be undone on the House floor, however, as vote choices were not made public. Now, with the public ballot governing all House elections, a mechanism was available to monitor vote choices and provide a means of enforcing pre-ballot agreements and promises. This provided ambitious party leaders with the incentive to eschew informal politicking and adopt more formal institutions for candidate selection. That institution was the *party nominating caucus*.

Caucuses themselves were not a new feature on the congressional landscape. They had a long history in congressional politics, with legislative party caucuses going back to the early

Federalist era and the Congressional Nominating Caucus dictating party selection of presidential nominees through 1824.²⁹ But for the first four decades of our Federal system, a regular party caucus to select House officer candidates never took hold, perhaps due to the secret ballot (and resulting enforceability issues) that ultimately determined officer selection on the House floor.³⁰ Party nominating caucuses *did* exist in several state legislatures, however, with the most notable example being that of New York.³¹ There the caucus stood at the heart of an organization built in the early-1820s on the tenets of strict party discipline and unwavering party loyalty (Wallace 1968; Hofstadter 1969, pp. 244-45).³² At the helm of this New York party organization — the “Albany Regency” — was Martin Van Buren. Now, a decade and a half later, Van Buren found himself at the head of a different party organization, the national Democratic Party, and sought to extend the Albany Regency’s party blueprint to the congressional level.

29. On the rise and fall of the Congressional Nominating Caucus, see Ostrogorski (1899) and Morgan (1969).

30. Follett (1897, p. 40) notes: “Although some concerted action must always have been necessary to produce a majority result, caucuses as we know them did not appear until towards the middle of the [nineteenth] century.” Harlow (1917, pp. 249-50) disagrees with Follett, noting newspaper evidence (reports in the *Columbian Centinel*) that caucuses formed in advance of the speakership elections of 1799 and 1814; from these cases, Harlow concludes that it is “fairly evident” that the Speaker had always been elected by a party caucus. To examine the issue further, we examined a range of newspapers from 1831 to 1837 – covering the five speakership elections prior to the contest in the 26th Congress – and found *no* evidence that a party caucus was held in advance of the given election. From this, we feel confident claiming that party nominating caucuses were not “regular” events prior to the 26th Congress.

31. New Jersey was another prime case. See Levine (1977).

32. The logic of the caucus system was recounted by Jabez D. Hammond, a former U.S. House member, New York state senator, and loyal foot soldier in the Albany Regency: “when political friends consent to go into caucus for the nomination of officers, every member of such caucus is bound by honor to support and carry into effect its determination. ... unless you intend to carry into effect the wishes of the majority, however contrary to your own, you have no business at a caucus” (Hammond 1850, pp. 192-93).

The passage of *viva voce* voting would allow Van Buren and his supporters to institutionalize a party nominating caucus in the House, which would meet just prior to the start of a new Congress. Within the confines of the caucus, nominations for each of the major House officer positions would be held, after which elections would be conducted and choices made. Minority factions — those members of the party who supported unsuccessful nominees — would be placated, usually through committee assignments or promises of patronage, and in exchange they were expected to support the caucus nominees on the House floor (or be “regular”). And now, unlike during the secret-ballot era, Democratic leaders could examine whether party members followed through and voted for the caucus nominees. Dissidents could no longer defect and escape punishment. The caucus thus had the potential to be *binding*.

Wasting no time, the Democrats organized a party nominating caucus prior to the opening of the 26th Congress. The Whigs made a half-hearted attempt to follow the Democrats’ lead, before actively adopting the same caucus machinery prior to the opening in the 27th Congress (wherein they would enjoy majority control of the House). And, as a result, a caucus-directed system of House organization had begun. The Van Burenites’ goal of instituting Regency-level discipline and loyalty was not to be, however. As we describe below (and in considerable detail in Chapters 5 and 6), slavery would become an increasingly difficult issue for the interregional coalitions underlying the Second Party System, eventually trumping partisanship in the mid-1850s and leading to a realignment later in the decade (which we cover in Chapter 7). But the Van Burenites’ efforts were not in vain; while initially unsuccessful, they laid the foundation for seamless and consistent House organization beginning in the mid-1860s

— after slavery was no longer a viable wedge issue. The true emergence of a caucus-induced system of House organization will be examined fully in Chapters 8 and 9.

The effect of viva voce voting on printership elections

Moving to *viva voce* voting had one immediate effect on the choice of House Printer. Once the *viva voce* procedure survived the onslaught from the Whigs in 26th Congress, the election of Printer was fairly straightforward and occurred along party lines. Indeed, the election of Printer did not experience any of the cross-party intrigues that had affected the election of Speaker earlier in the Congress. The states' rights Democrats who threw the speakership election to Hunter returned to the Democratic fold, supporting the official party organ for Printer, even though it had been established because of a break between their patron Calhoun and Jackson. The election of House Clerk went the same way, and it was the Democrats, not the Whigs, who dominated floor politics for the rest of the Congress.

The election of Printer went this way for the next decade-and-a-half. By that time, the attentions of partisan leaders who were trying to keep their parties together as interregional coalitions had switched to less subtle devices than the propaganda infrastructure.

The effect of viva voce voting on speakership elections

The ultimate motivation behind understanding why the House eventually adopted *viva voce* voting was not to understand how Printers and Clerks were elected in the 1830s, but how Speakers were elected in the 1840s and 1850s. Viewed one way, making the election of Speaker public had precisely the effect that its supporters desired: it was impossible for House members to hide from their ballot choices, and therefore impossible for them to avoid political (caucus)

pressure over the choice of Speaker. But, as the cases presented in the following chapters will show, the *viva voce* election of Speaker had exactly the *opposite* effect in the long term, compared to what was desired. Democratic supporters of *viva voce* voting assumed that the partisan era they had ushered in was here to stay, in precisely the way that Van Buren had designed. Thus, they assumed that by casting light on votes for offices like Speaker, in combination with the discipline imposed by a party nominating caucus, party leaders could exert more effective command over the rank-and-file and more firmly control the reins of government.

What these supporters of *viva voce* voting did not count on was the power of the regional divisions that were simmering in the country. (It is telling that the battle over *viva voce* voting happened in parallel with the House battle over the “gag rule.”) In the end, the daylight that shone on speakership elections highlighted regional animosities just as much as partisanship, as *constituents* as well as party leaders could now observe members’ speakership choices. As a result, it became more difficult to elect Speakers and organize the House than before the onset of *viva voce* voting.

Over the next twenty years, *viva voce* voting would be the most important strategic reality facing party leaders as they organized the House for business every two years. It induced both parties to choose “slavery moderates” as their caucus nominees for Speaker, whereas Speakers from the secret-ballot era had been chosen for their parliamentary skills, even if they possessed strong beliefs about slavery. Indeed, Speakers who were elected prior to *viva voce* voting — such as Taylor (N.Y.), Stevenson (Va.), Bell (Tenn.), and Polk (Tenn.) — held strong views on the slavery issue that reflected their home regions. Strong pro- or anti-slavery views did not interfere with their election, so long as they possessed the other leadership qualities

needed to advance the majority party's shared agenda, including fairness in dealing with the party's factions and exercising a firm control over the House floor.

In the era of secret ballots, Speakers with strong regional opinions were often elected with only a scattering of defections, suggesting strong support among co-partisans who disagreed with them on slavery. Even when the majority party could not initially agree on a single candidate, the disagreement was typically worked out within a couple of ballots. This was because ideologically opposed co-partisans could cut deals behind a veil of secrecy, secure in the knowledge that their constituents could not observe their vote choices. Following the rise of a *viva voce* voting for Speaker, things changed. Now, with one's vote for Speaker public knowledge, there was a greater premium on the parties settling on an actual slavery moderate (not just a north/south geographic median), and by-and-large that is what happened.

This pattern can be illustrated by examining the spatial location of Speakers along the dimension of preferences most closely correlated with region — which we take to be a surrogate for attitudes about slavery — during the Second Party System, roughly the 19th (1825–27) through 34th (1855–57) Congresses. Using W-NOMINATE scores for this exercise, the first dimension was most strongly correlated with region for the 19th–21st (1825–1831) and the 32nd–34th Congresses (1853–1857); the second dimension was most strongly correlated with region for the 23rd–30st Congresses (1833–1849); both the first and second dimensions were

similarly correlated with region in the 22nd (1831–1833) and 31st (1849–1851) Congresses; and the third dimension was the regional dimension in the 32nd Congress (1851–1853).³³

Keeping in mind that the Speaker rarely voted, in order to illustrate the pattern of regional moderation, we need to look back to the Congress preceding a Speaker's initial election, to see where he stood on the regional issues of the day. Table 4-6 reports the Speaker's W-NOMINATE score along the regional dimension in the Congress *preceding* his initial election to the speakership, as well as the W-NOMINATE median and quantile cutoffs for the Speaker's party along the regional dimension.

[Table 4-6 about here]

33. The Pearson correlation coefficients between the first two dimensional scores and a dummy variable indicating being a southern representative are as follows:

Dim:	Congress															
	19	20	21	22	23	24	25	26	27	28	29	30	31	32 ^a	33	34
1st	-.70	-.65	-.62	-.53	.05	.19	-.02	-.04	-.31	-.30	-.37	-.35	-.62	-.31	-.57	-.77
2nd	.01	-.10	.14	.55	.66	.79	.84	.83	.80	.79	.82	.86	.70	.20	-.13	.04

^a3rd dimension correlation = .52.

Because the W-NOMINATE algorithm imposes an assumption of orthogonality between the dimensions, we council caution in thinking about comparisons that involve dimensions higher than the first. Substantively, although the kernel of the first dimension during the Jacksonian era was a commercial one and the second dimension a racial one, political discourse at the time invoked federal power on both — a federal government powerful enough to actively develop an economy (dimension 1) would be strong enough to abolish slavery (dimension 2). Therefore, in practical terms, attitudes about the two issues were undoubtedly correlated at the time. Because the W-NOMINATE algorithm estimates the second dimension from what is left unexplained by the first, the “federal power” aspect of the second dimension is already accounted for by the first dimension, even though contemporaries understood federal power to be involved in both. As a consequence, our interpretation of the “regional” dimension is as a more purely moral issue that contemporaries would probably have recognized.

As a general rule, when voting for Speaker was handled through a secret ballot (Speakers Taylor through Polk), the victorious candidate was a regional extremist (defined as being *outside* the party's interquartile range of W-NOMINATE scores) . Also as a general rule, once balloting became *viva voce*, *all* of the victorious Speaker candidates were regional moderates (defined as being *within* the party's interquartile range of W-NOMINATE scores).³⁴

The one exception to the general pattern was the first Speaker who was elected via public ballot, Robert M.T. Hunter (Va.). But even here the exception proves the rule. Hunter, a veteran House member with “confused party loyalties” (Lientz 1978, p. 77), was not the first choice for Speaker of either of the parties in 1839. Following the logic that had guided secret ballot contests, the two parties settled upon highly partisan candidates with strong southern sentiments — John W. Jones (D-Va.) and John Bell (W-Tenn.). The strong regional opinions of both men were unpalatable to Unionist southerners and to northerners. The regional fracturing of the two parties gave an opening to southern Whigs to rally around Hunter, as he possessed strong regional sentiments but was quite moderate (located near the House median) on the major commercial ideological dimension (Stewart 1999, pp. 18–20). In the end, although the Democrats held a nominal majority in the 26th Congress, they lost hold of the speakership when

34. The cases of Bell (23rd Congress, 1834) and Boyd (32nd Congress, 1851) are ambiguous, since they are “inliers” on one of the two dimensions and “outliers” on the other. In the case of Bell, the first dimension in the 22nd Congress is much more highly correlated with the regional dimensions on either side of the Congress, therefore it is likely that Bell was a regional outlier at the time of his election—a judgment shared by contemporaries. Likewise Boyd was an outlier on the first dimension in the 31st Congress, which was most highly correlated with the partisan (commercial) dimension in the 30th, so that it is also likely that Boyd was a regional moderate among Democrats—which is also a judgment shared by his contemporaries. (Boyd, like the southern Speaker who preceded him, Howell Cobb, refused to sign Calhoun's “Southern Address,” which alienated him from southern firebreathers.)

Hunter was elected through a coalition of Whigs and a few southern Democrats who were allies of Calhoun. This episode will be explored in greater detail in the following chapter.

The Hunter fiasco led the Democrats to understand the importance of settling regional differences within the caucus, lest the fight for the Speaker erupt on the floor. This realization guided speakership choice for the next decade, as the majority party generally nominated regional moderates and imposed that choice on the first ballot.

Even though the rise of *viva voce* voting for Speaker put a premium on finding a slavery moderate in caucus, and binding members to that caucus choice, defection still occurred on the House floor. The slavery issue, and the potential position-taking benefits and costs on speakership votes, led some members to eschew party in favor of regionally-inspired constituency interests. This is illustrated in Table 4-7, which reports the fraction of northerners and southerners who supported each party's principal speakership vote-getter in each Congress. When a Congress experienced multiple ballots to choose a Speaker, the first and last ballots are analyzed.

[Table 4-7 about here]

In most cases, one or both of the parties experienced a regional division in their voting for Speaker. One interesting detail in this pattern, which is not entirely surprising, is that when there were regional differences, southerners were almost always more likely to defect—even when the party's candidate was a (moderate) southerner. (The only notable exception was in the 34th Congress (1855–57), when the party system was in full collapse.) Additionally, the Whigs were more regionally divided than the Democrats, with southern Whigs more likely to rebel against their party's regular candidate.

Thus, in the long term, *viva voce* voting interacted in an interesting way with the two conflicting impulses identified at the opening of this chapter, region and party. When one of the parties had a comfortable margin in the House, no difficulties arose — the most cross-pressured members of the majority could abandon their party in the speakership balloting without serious consequences, as a Speaker could still be elected. However, whenever the party division was close, as it was on several occasions, choosing a Speaker became nearly impossible — speakership elections often became deadlocked because the regional factions within the parties found it difficult to rally around a single candidate, yet were unwilling (because of the party principle) to reach across the aisle to form an inter-party coalition comprised of members from the corresponding region. *Viva voce* voting helped to push the parties apart during the chamber's organization, since it made partisan defection easy to observe by party leaders. At the same time, *viva voce* voting also helped to push the regions apart in the House, as the highly aggressive regional press that emerged in future years worked to make political life difficult for House members who stuck with their party's Speaker nominee, regardless of region.

Finally, the path of the *viva voce* election rule illustrates an interesting, recurring dynamic concerning rules changes in Congress. Narrowly considered, arguing over adopting the *viva voce* rule is an example of Riker's "inheritability problem" — the tendency of procedural matters to "inherit" the substantive considerations that give rise to them (see Riker 1980). In this case, what motivated the *viva voce* voting controversy was not the simple principle of publicly declaring one's support for House leadership, but rather the principle of how strong parties would be.

At the same time, once the rule had been put into place, future House members, and other players in national politics, began to consider a wider range of ramifications of the *viva voce* rule. As players in national politics gained experience with life under *viva voce* voting, those motivated more by regional considerations than party principles recognized the potential that public votes for Speaker could have to excite regional passions and therefore (ironically enough) *undermine* the very partisan system that its original supporters desired. Thus, the larger story of *viva voce* voting is cautionary to students of institutional change. The original motivation behind institutional transformation may end up getting buried under the new, unanticipated possibility (or unintended consequence) that the transformation opens up. That was certainly the case here and is likely the case in other circumstances, too.

Figure 4-1. Predicted probability of voting in a pro-*viva voce* direction on all *viva voce*-related roll call votes, 23rd–27th Congress, Whigs only (Anti-Masons and Anti-Jacksons in 23rd Congress).

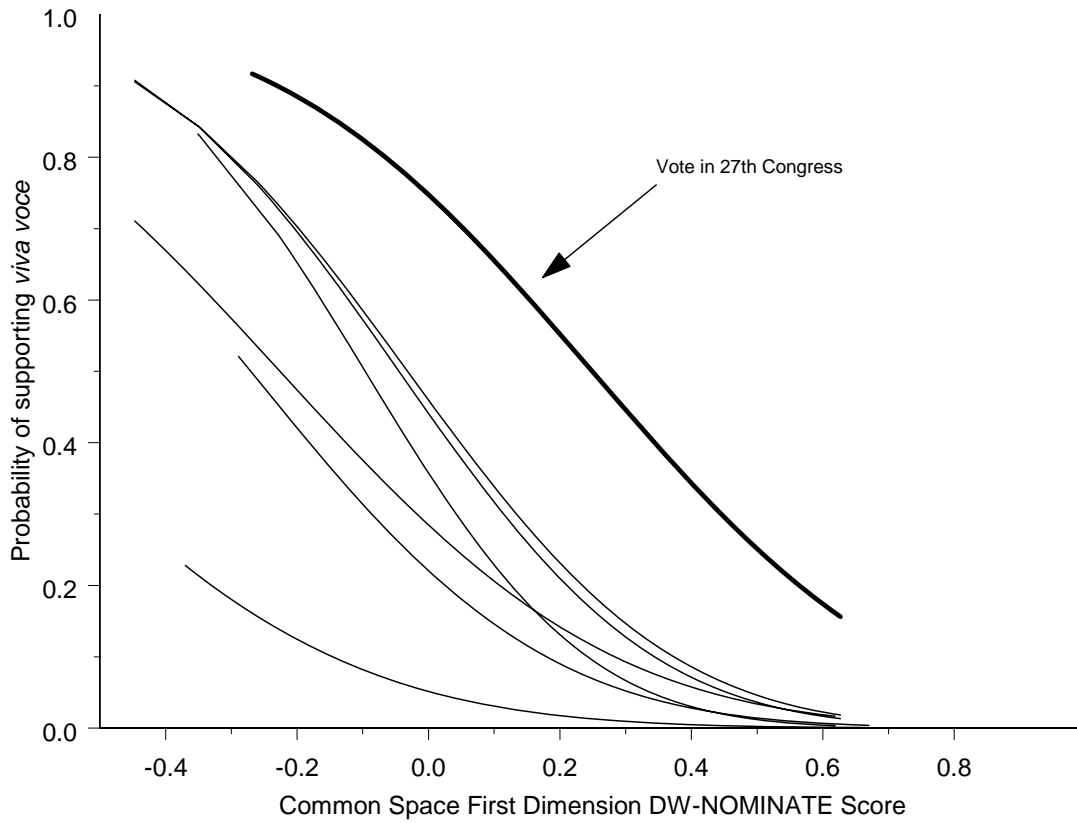


Table 4-1. Voting to consider the Reynolds resolution under suspension of the rules and to table Reynolds resolution, 23rd Congress.

	Suspend Rules and Consider Reynolds Resolution ^a			Table Reynolds Resolution ^b		
	Yes	No	Total	Yes	No	Total
Anti-Masons	3	19	22	19	1	20
Anti-Jacksonians	6	46	52	58	2	60
Jacksonians	84	17	101	17	110	127
Nullifiers	0	5	5	8	0	8
Total	93	87	180	102	113	215

^aICPSR Study number 9822, 23rd Congress, roll call number 251

^bICPSR Study number 9822, 23rd Congress, roll call number 264

Table 4-2. Voting on the Reynolds resolution (23rd Congress) among Jacksonians. (Robust standard errors in parentheses.)

	Consider Reynolds resolution ^a	Table Reynolds resolution ^b
W-NOMINATE first dimension	-0.44 (0.50)	1.39** (0.53)
W-NOMINATE second dimension	-1.45*** (0.45)	1.95*** (0.48)
Constant	1.12** (0.30)	-1.37* (0.28)
N	101	127
χ^2	14.49***	31.14***
LL	-35.65	-30.24
Pseudo R ²	.22	.40

* $p < .05$; ** $p < .01$; *** $p < .001$

^aDependent variable is ICPSR Study number 9822, 23rd Congress, roll call number 251, probit coefficients

^bDependent variable is ICPSR Study number 9822, 23rd Congress, roll call number 264, probit coefficients

Table 4-3. Analysis of voting on *viva voce* voting legislation, 25th Congress (Robust standard errors in parentheses.)

	Table <i>viva voce</i> resolution First Attempt ^a	Extend <i>viva voce</i> voting to election for Clerk ^b	Table <i>viva voce</i> resolution Second attempt ^c	Extend <i>viva voce</i> voting to all House elections ^d
W-NOMINATE first dimension	1.57*** (0.45)	-2.98*** (0.66)	2.76*** (0.66)	-3.31*** (0.82)
W-NOMINATE second dimension	-0.35 (0.29)	0.37 (0.34)	-0.22 (0.28)	0.17 (0.30)
Party = Democrat	-1.32* (0.53)	0.20 (0.58)	-0.12 (0.59)	-0.22 (0.64)
Constant	0.33 (0.29)	0.36 (0.37)	-0.58 (0.37)	0.80 (0.43)
N	221	209	207	208
χ^2	132.43***	72.76***	80.05***	67.31***
LL	-57.67	-45.39	-54.25	-50.59
(Pseudo) R ²	.61	.68	.61	.64

* $p < .05$; ** $p < .01$; *** $p < .001$

^aDependent variable is ICPSR Study number 9822, 25th Congress, roll call number 15, probit coefficients

^bDependent variable is ICPSR Study number 9822, 25th Congress, roll call number 341, probit coefficients

^cDependent variable is ICPSR Study number 9822, 25th Congress, roll call number 348, probit coefficients

^dDependent variable is ICPSR Study number 9822, 25th Congress, roll call number 349, probit coefficients

Table 4-4. Voting on Craig amendment, 26th Congress (Robust standard errors in parentheses.)

	(1) ^a	(2) ^a
W-NOMINATE first dimension	-3.07*** (0.42)	-5.95*** (1.07)
W-NOMINATE second dimension	0.86** (0.33)	0.59 (0.36)
Party = Whig	—	3.07** (1.18)
Constant	1.04** (0.26)	-0.18 (0.60)
N	228	228
χ^2	56.35***	79.05***
LL	-41.75	-36.84
Pseudo R ²	0.72	0.76

* $p < .05$; ** $p < .01$; *** $p < .001$

^aDependent variable is ICPSR Study number 9822, 26rd Congress, roll call number 50, probit coefficients

Table 4-5. Voting on Williams amendment, 27th Congress (Robust standard errors in parentheses.)^a

W-NOMINATE first dimension	1.08* (0.50)
W-NOMINATE second dimension	-0.23 (0.28)
Party = Whigs	0.47 (0.63)
Constant	-1.03* (0.42)
N	220
χ^2	41.03***
LL	-102.40
Pseudo R ²	.24

* $p < .05$; ** $p < .01$; *** $p < .001$

^aDependent variable is ICPSR Study number 9822, 27rd Congress, roll call number 11, probit coefficients

Table 4-6. Spatial location of speakers on regional dimension, 19th–34th Congresses

Speaker (State)	Party	First Cong. (Years) as Speaker	W-NOMINATE score ^a					Speaker inside interquartile range
			Dimension examined	Speaker	1st Q	Median	3rd Q	
Taylor (N.Y.)	Ad.	19 (1825-27)	1	.555	-.384	.192	.527	
Stevenson (Va.)	J	20 (1827-29)	1	-.413	-.256	-.004	.224	
Bell (Tenn.)	J	23 (1833-35)	1	-.738	-.655	-.381	-.065	
			2	.034	-.329	.051	.374	**
Polk (Tenn.)	J	24 (1835-37)	2	-.491	-.439	.044	.286	
Hunter (Va.)	W	26 (1839-41)	2	-.889	-.493	.142	.457	
White (Ky.)	W	27 (1841-43)	2	-.195	-.196	.276	.399	**
Jones (Va.)	D	28 (1843-45)	2	-.269	-.300	.012	.358	**
Davis (Ind.)	D	29 (1845-47)	2	-.047	-.311	.104	.487	**
Winthrop (Mass.)	W	30 (1847-49)	2	-.041	-.232	.062	.189	**
Cobb (Ga.)	D	31 (1849-51)	2	-.319	-.415	.127	.465	**
Boyd (Ky.)	D	32 (1851-53)	1	-.544	-.463	-.253	-.09	
			2	-.111	-.294	.053	.410	**
Banks (Mass.)	Am.	34 (1855-57)	1	.426	.062	.631	.812	**

^aThis is the score along the dimension most strongly correlated with region (north/south) in the Congress preceding the Speaker's initial election. For Taylor, Stevenson, Bell, and Banks this is the first dimension. For the remaining Speakers, this is the second dimension.

Table 4-7. Support for major party speakership candidates by region, 26th–34th Congresses

Cong (Years)	Main candidate	State	Democrats				Whigs/Opposition					
			South	Non-south	χ^2	prob.	Main candidate	State	South	Non-south	χ^2	prob.
26 (1839-41)	Jones	Va.	82.6%	100%	13.6	.000	Bell	Ky.	77.1%	98.3%	11.75	.001
-1st ballot-			(46)	(73)					(48)	(58)		
26	Jones	Va.	51.5%	42.5%	0.83	.36	Hunter	Va.	97.9%	100%	1.25	.264
-last ballot-			(45)	(73)					(47)	(58)		
27 (1841-43)	Jones	Va.	90.3%	100%	5.52	.019	White	Ky.	86.0%	92.9%	1.68	.195
			(31)	(55)					(50)	(84)		
28 (1843-45)	Jones	Va.	100%	100%	—	—	White	Ky.	100%	100%	—	
			(85)	(43)					(15)	(41)		
29 (1845-47)	Davis	Ind.	82.7%	100%	14.33	.000	Vinton	Ohio	87.0%	98.1	3.91	.048
			(52)	(77)					(23)	(52)		
30 (1847-49)	Boyd	Ky.	67.4%	48.3%	3.82	.051	Winthrop	Mass.	93.9%	97.5%	.84	.359
-1st ballot-			(46)	(58)					(33)	(79)		
30	Boyd	Ky.	53.3%	65.5%	1.57	.210	Winthrop	Mass.	100%	97.5%	.825	.364
-last ballot-			(45)	(58)					(32)	(79)		
31 (1849-51)	Cobb	Ga.	96.2%	92.9%	.56	.455	Winthrop	Mass.	76.0%	97.4%	12.14	.000
-first ballot-			(52)	(56)					(25)	(78)		
31	Cobb	Ga.	96.2%	89.1%	2.00	.157	Winthrop	Mass.	77.8%	100%	17.93	.000
-last ballot-			(53)	(55)					(27)	(76)		
32 (1851-53)	Boyd	Ky.	84.2%	98.7%	9.21	.002	Stanly	N.C.	5.3%	37.0%	6.92	.009
			(38)	(76)					(19)	(54)		
33 (1853-55)	Boyd	Ky.	88.7%	100%	10.52	.001	Chandler	Pa.	23.5%	62.5%	7.64	.006
			(53)	(89)					(17)	(30)		
34 (1855-57)	Richardson	Ill.	98.0%	79.2%	7.90	.005	Campbell	Ohio	0%	44.1%	17.93	.000
-first ballot-			(51)	(24)					(26)	(118)		
34	Aiken	S.C.	100%	82.6%	9.20	.002	Banks	Mass.	0%	87.6%	79.16	.000
-last ballot-			(50)	(23)					(26)	(113)		

Note: Victorious candidates are in **bold** type. The χ^2 statistic tests whether support for the top vote-getter within each party was independent of region.

Chapter 5

Shoring Up Partisan Control: The Speakership Elections of 1839 and 1847

The House began to vote publicly to elect its Speakers and other House officers just as the country was entering a period of monumental, and ultimately cataclysmic, political change. Within a generation, eleven southern states would secede from the Union and a bloody civil war would commence. In the late-1830s, however, the sectional tensions that would ultimately spell national doom were just coming to light — over the next decade, they would slowly but steadily ratchet up. While the *viva voce* voting procedure was introduced for partisan reasons, it quickly got caught up in those escalating sectional tensions.

Viva voce voting was used for the first time in a speakership election at a treacherous moment in congressional history, during the disputed organization of the 26th Congress (1839–41). Partisan sentiments were closely and bitterly divided in the House, and control of national political institutions was determined by the resolution of a disputed election in a single state (New Jersey). Despite the Democrats' championing the device, *viva voce* voting could not bring them together, even though they held a narrow majority, and the end result was one of the most politically confusing organizational outcomes the U.S. House has ever seen: a Whig was eventually elected Speaker, but Democrats were chosen as Clerk and Printer. In the end, the officer choices were dictated by a small group of nominal Democrats, the followers of John C. Calhoun, who placed regional interests (specifically, support of states' rights) over partisanship, the exact *opposite* of what Van Buren had been trying to foster with the construction of the public ballot and the party nominating (organizational) caucus.

After the treacherous 26th Congress, the next several Congresses were organized largely along the lines envisioned by Van Buren. House officer nominees were chosen in caucus and

elected on the floor by public ballot.¹ That said, partisan margins in the House were sufficiently large during these years that majority-party floor success could be achieved, even with a non-trivial number of defections from the caucus agreement. These defections stemmed from increasing sectional tensions, as the continuing struggle over the gag rule in the House and conflict over western expansion (and the annexation of Texas) led some members to question the wisdom of placing party over region. Finally, in the 30th Congress (1847–49), a narrower partisan margin in the House created explicit difficulties, forcing the majority Whigs to take three ballots to elect one of their own as Speaker. More problematic, the outcome was achieved when a *non-Whig* cast the deciding vote, after several Whigs refused to support the caucus nominee on *principle* — with that principle being that the caucus candidate was not *sufficiently* anti-slavery, at a time when war with Mexico raged and additional western land for slavery expansion was sought.

Thus, the intended consequence of *viva voce* voting — enhanced partisan cohesion on House officer votes — was increasingly met with an unintended consequence — enhanced electoral responsiveness and partisan defection, as members sought to stay true to their sections' (constituents') interests. While this tension created by the public ballot would cause some difficulties between 1839 and 1847, which is the subject of this chapter, the main conflictual drama was still to come.

1. There was a small hiccup in 1841, when the Whigs' Clerk nominee was defeated.

Partisan Division and Institutional Chaos: House Organization in the 26th Congress

The organization of the 26th Congress (1839–40), of which the speakership election was just one in a sequence of events, was perhaps the most divisive in American history. To understand that divisiveness, we have to cast our sights back a full year before it convened, to the fall of 1838, when the election season for the 26th Congress was in high gear.

Democratic House candidates took a drubbing in the fall elections of 1838, over ongoing discontent fostered by the Panic of 1837. Election returns from the fourteen states that had held elections in the fall showed a net shift of sixteen seats to the Whigs, putting control of the House within their grasp.² The prospect of the Whig party gaining control of the House for the first time in its history focused attention on New Jersey, where the election was closest and the stakes were highest.³

The Garden State was pivotal because it continued to elect its six-member House delegation via a general ticket – that is, on an “at large” basis. Initial newspaper reports of the election returns showed that five of the top six vote-getters were Democrats, yet the margins were tiny.⁴ The House candidate who received the most votes statewide, Peter D. Vroom (D), out-pollled the last-place finisher, John B. Ayerigg (W), by only 197 votes.

The 1838 New Jersey House election is a prime instance of partisan officials using the mechanics of the electoral canvas to sway the outcome of an election. The opportunity for

2. The worst electoral showing for Democrats in the fall elections of 1838 were in Georgia (net loss of 8 seats) and New York (net loss of 11 seats). See Dubin (1998, pp. 115–125).

3. On the New Jersey election dispute, see Rowell (1901, pp. 109-10).

4. The congressional election stretched over two days, October 9–10, 1838. The election returns reported here come from Dubin (1998, p. 121), which reports as his source the *Trenton Emporium & True American*, 11/9/1838.

partisan shenanigans presented itself in the town of South Amboy, which had given the Democratic House slate an average majority of 252 votes. South Amboy's election returns were delivered to the Middlesex County Clerk, a Whig, without a certification from the election inspectors and without the signature of the election clerk. The County Clerk chose to ignore South Amboy's returns, claiming they were invalid. As a result, what had been a narrow statewide victory for five of the six Democratic candidates became an even narrower victory for the entire Whig slate.

The decision of the Middlesex County Clerk cascaded through state politics, in an episode that came to be known as the "Broad Seal War." The Whig Governor, William Pennington, and his Council chose not to send for the missing South Amboy returns, declared all the Whig House candidates victorious, and issued official writs of election to all six, under the "broad seal" of the State of New Jersey. The Democratic Secretary of State, who was in receipt of all the election returns, including those from South Amboy, issued an irregular writ of his own to the candidates he deemed to be victorious, including the five Democrats who would have been elected if the South Amboy returns had been counted, along with John F. Randolph (W), whose inclusion among the victorious slate was never in dispute.

This local dispute over the membership of the 26th Congress was dominating the national news when the lame-duck session of the 25th Congress convened on December 3, 1838. As discussed in the previous chapter, the first order of business in the reconvened House was filling the vacancy caused by the inter-session death of the House Clerk, Walter S. Franklin. Due to vacancies and late arrivals, the House membership in the lame-duck session was equally balanced between Whigs and Democrats, raising the possibility that the election of Clerk could

rest on the most arbitrary of contingencies. House members knew that if the New Jersey election was still under dispute when the 26th Congress convened a year later, the Clerk they were about to elect would preside over the organization of the next House in a highly charged partisan atmosphere. And, as described in Chapter 4, after nearly a decade of arguing off-and-on about whether to subject the election of House officers to the light of day, the chamber decided, in a largely party-line vote, to select the Clerk *viva voce*. The balloting for Clerk then commenced. (For a breakdown of the balloting, see Appendix 3.)

As neither party had settled on a single candidate for Clerk in advance of the House's formal convening, nine candidates received votes on the first ballot. The Democrats split their votes among Hugh A. Garland (Va., 48 votes), Edward Livingston (N.Y., 31 votes), Henry Buehler (Pa., 16 votes), John Bigler (Ohio, 8 votes), and Reuben M. Whitney (D.C., 2 votes); the Whigs divided their support among Matthew St. Clair Clarke (D.C., 55 votes), Samuel Shoch (Pa., 21 votes), Arnold Naudain (Del., 20 votes), and James H. Birch (Mo., 9 votes).

The split within the two major parties revealed different types of partisan cleavages and, perhaps, different ideas about how to build a majority to elect a Clerk in an environment in which the parties were closely matched. On the Democratic side, the primary cleavage was regional, with southern Democrats uniting behind Garland and northerners splitting among Garland, Livingston, and Buehler. Garland had served five years in the Virginia House of Delegates as a staunch Jacksonian, which probably accounts for his strong support among southerners. He was also the Administration's candidate, which undoubtedly accounts for his

strong (though not unanimous) showing among northerners.⁵ Divisions among northern Democrats arose over the continuing rift over the subtreasury plan, which had divided the party and threatened its control of the chamber (*Albany Argus*, 12/6/1838, p. 2). This rift was largely orthogonal to the main partisan divide; support for each of the three major Democratic Clerk candidates was, in fact, spread across the board on the main “party dimension,” as measured by W-NOMINATE scores.

The division was quite different on the Whig side. Clarke, the main Whig vote-getter, had (as noted in Chapter 3) served previously as the House Clerk from the mid-17th (1822-23) through 22nd Congresses (1831–1833), until he was defeated for reelection at the start of the 23rd Congress (1833). These were the transitional Congresses when the Republicans were a catch-all party and the primary loyalty of representatives was to personalities. Clarke’s strongest support in those earlier Congresses came from the Adams-Clay faction, which explains his attractiveness as a Whig Clerk candidate in the 25th Congress. Among Clarke’s Whig opponents, Naudain was a former senator from Delaware who drew support that was similar to Clarke’s, across the ideological perspective and from both north and south, only in smaller numbers. Shoch’s support was concentrated entirely in the north.

On the second ballot, the Whigs coalesced around Clarke, while the dueling factions of northern Democrats continued to be polarized around Buehler and Livingston, leaving Garland,

5. On the first ballot Garland received 25 of 26 votes cast by Deep South Democrats, but only 19 of the 79 votes from Democrats of other regions. Northern support mostly was split between Edward Livingston (N.Y.) and Henry Buehler (Pa.). This pattern persisted into the second ballot. In the third, Garland collected all but 7 of the 104 votes cast by Democrats. Six of those votes were cast for Clarke, the Whig candidate, all by Democrats whose W-NOMINATE scores suggest they were closer ideologically to the Whigs.

leading Democratic candidate, without northern support. At the end of this ballot, Clarke led Garland 87–59.⁶

Whig leaders were counting on conservative Democrats to eventually defect to Clarke, who in previous Congresses had won their support, but to no avail. Prior to the third ballot, the names of the minor candidates for Clerk were withdrawn. With nowhere to go and the clerkship on the line, the northern Democratic holdouts threw their support to Garland, providing him with a narrow victory (106–104) on the third ballot. The *viva voce* procedure had fulfilled its intention, exposing individual members' votes for Clerk and forcing dissident conservatives to toe the party line or risk penalties.⁷ Press accounts hailed Garland's election as a clear victory for Van Buren and his Administration.⁸

The significance of Garland's victory became apparent a year later, when the 26th Congress convened and Garland found himself in the chair for the organization of the House. The partisan tide had eventually turned in the House elections of 1839, as the Democrats

6. The *House Journal* (25-3, 12/3/1838, p. 13) lists the total vote for Clarke at 88; however, only 87 names are recorded as having voted for Clarke (p. 12). Here, as elsewhere in this book, we rely on the actual roll call, rather than the recapitulated vote.

7. A reporter for the *New Yorker* who was covering the House organization documented the effect of the *viva voce* procedure this way: "Whigs, Administration men, and Conservatives, prepare to show your colors: there will be no dodging allowed" (12/8/1838, p. 190).

8. The *Albany Argus* put it this way: "[Garland's] election is a triumph to the friends of the administration, and a sore mortification to its opponents, who had confidently counted upon a different result. ... The conservatives, who have not resolved to become part and parcel of the [Whig] party, supported Mr. Garland with cordiality" (12/6/1838, p. 2). *The Jeffersonian* emphasized the role played by the Calhounites: "The result is an Administration and still more a Southern triumph. No candidate North of the Potomac could have been elected by the Administration party. But the votes of Southern Conservatives and ultra 'States Rights' men have secured Mr. Garland's election. He is a strong 'States Rights' man of great respectability and weight of character" (12/15/1838, p. 346).

achieved a net gain of five seats, thus reducing some of the sting of the net loss of sixteen seats they had endured in 1838.

Nonetheless, the congressional elections of 1838–39 were indecisive from the perspective of organizing the House for business. Unlike the present day, when partisan attachments of House candidates are universally understood, in the 1830s enough candidates were sufficiently cagey about their sympathies that no one was quite sure which was the majority party. Furthermore, with travel delays and the presence of several disputed elections — in addition to New Jersey — we can understand why both parties entered the organizational struggle with a high degree of caution and an unwillingness to give ground.

The *New York Evening Post* (Nov. 23, 1839, p. 3) summarized the situation this way:

Parties are so nearly equally divided that the determination of the preliminary question as to the right of certain members to their seats, is looked forward to with the deepest interest. The House of Representatives, with the exception of four members, to be elected in the Franklin District of Massachusetts, the Potter District in Pennsylvania, and the state of Mississippi, is complete. The seats of eight members, of whom six are Whigs, five from New Jersey, one from Virginia, one from Pennsylvania, and one from Illinois, are disputed. If these members are allowed to vote in the election of Speaker, the House will stand, democrats 119, whigs 122, showing a whig majority of three votes. But if they are all excluded and the controverted questions are settled, the democratic majority will be one. It is not certain, however, that all the members will vote with the party to which they are nominally attached—Great doubt rests upon the course that may be pursued by many who are called State Rights men, and both parties, it is to be presumed, will make serious efforts in their nominations of candidates for the office of Speaker, to make themselves acceptable to that portion of the House.

Within this confusion, the most important decision that needed to be made regarding the complexion of the upcoming House was how to determine the rightful occupants of the New Jersey seats. The Clerk's role was presumably not to decide the issue, but to get the House

organized and its members sworn in, so that *they* could decide. Under the rules and precedents of the House, Garland's course of action should have been obvious:

Five of the claimants (Whigs) carried certificates of election signed by the Governor who was the legal authority empowered to issue such certificates. They were unquestionably in valid form. Under the existing rules of the House, the Clerk had no alternative other than to accept the certificates, since they were *prima facie* evidence of the right to the seats. On the basis of all precedents, the persons certified by the Governor should have been seated, and contests brought later. (Dempsey 1956, p. 65)

However, Garland did not pursue the obvious.

On December 2, 1839, the 26th Congress convened, and Garland began to call the roll of members-elect. When he reached New Jersey, Garland announced that conflicting evidence existed regarding the election of five members. He then stated that he would skip their names and finish calling the roll, thus allowing the House to deliberate and sort out the specifics of the New Jersey case afterward (*CG*, 26-1, 12/2/1839, p. 1).⁹

The House erupted. Over the next several days, debate was protracted and vicious. The Whigs wanted Garland to follow the precedent that should have governed his actions. The Democrats supported the Clerk's extraordinary course.¹⁰

9. Rumors that Garland might attempt such a maneuver abounded well in advance of the vote. On November 23, a story in the *New Yorker* reported "Some [rumors] indicate ... that the Clerk of the last House, (who is *ex officio* of this until a new election,) will take the responsibility of reading from a newspaper a list of the claimants from New Jersey, instead of the returned Members. We trust that better Councils will prevail" (p. 153).

10. John Quincy Adams kept a log of the politicking in his diary. To Adams, Garland's parliamentary maneuver was obvious: "This movement has been evidently prepared to exclude the five members from New Jersey from voting for Speaker; and the Clerk had his lesson prepared for him" (Adams 1876, vol. 10, 12/2/1839, p. 143).

Garland's opening gambit of deferring the New Jersey question until after the House had organized itself quickly devolved into a parliamentary quagmire that threatened pure disorder. He publicly disclaimed any authority to decide with finality the New Jersey election dispute, wielded the House gavel with the lightest hand, and asserted that only a presiding officer of the House, elected by members of the House, could act to channel debate and motions in any direction. The result was a tangled knot of motions, appeals, and protests that frustrated all sides.¹¹ Various resolutions were put forth so that the House could organize itself, some excluding the New Jersey members and some including them, but none carried (*CG*, 26-1, 12/2/1839, pp. 1-11).

Out of desperation, John Quincy Adams was made "Chairman" of the House on December 5, until the organization could be settled. Adams, of course, was probably the most divisive member of the House at the time, owing to his persistence in submitting anti-slavery petitions in the face of the "gag rule." (Adams would face censure from the House in the next Congress over precisely this behavior.) Still, the concern over pure anarchy prevailing was so great that Adams's quasi-coup was greeted by nearly-unanimous approbation within the chamber. After two additional days, and some unrecorded teller votes, Adams noted in his diary (somewhat presciently) that "it is apparent ... that the choice of the Speaker will depend entirely upon the New Jersey vote" (Adams 1876, vol. 10, 12/7/1839 p. 150).

11. Fuller (1909, p. 75) was direct in his assessment of Garland: "The self-serving Garland, concealing unworthy motives behind the pleasing mask of modesty, had arbitrarily disfranchised a State which was entitled to vote in the constitution of the House — either by one set of delegates or the other — and had then effectually fortified his position by obstructing all business in an effort to compel that body to bow to his purpose."

With Adams in the chair, the House endured several more days of debate. Eventually, on December 11, the House voted swiftly in turn to deny seats to the five New Jersey Whigs and then to complete the call of the roll, skipping over New Jersey (*CG*, 26-1, 12/11/1839, pp. 40–41). Garland subsequently completed the task of calling the roll, *sans* the New Jersey members, the following day.

The Whigs had lost the Battle of New Jersey but refused to surrender the war. On December 13, Henry Wise (W-Va.) moved to amend the roll, stating that the election credentials of the five New Jersey Whigs were sufficient to entitle them to their seats. The previous question was called and seconded, but lost on a tie (117–117) vote (*CG*, 26-1, 12/13/1839, p. 48). Wise had believed his amendment would pass, but he was undone by two missing would-be supporters — Thomas Kempshall (W-N.Y.), who had not yet arrived in Washington, and Richard Hawes (W-Ky.), who had taken ill.¹² Hawes’s absence was especially frustrating, as he was known to be in Washington and a call had gone out requesting his presence. But he was evidently too sick to attend the vote (*Adams 1876*, vol. 10, 12/13/1839, p. 161).

Democratic leaders now looked to end the organizational standoff. Albert Smith (D-Maine) gained the floor and moved that the House proceed to the election of a Speaker. Smith’s motion attracted a thicket of dilatory motions before passing, 118–110. The speakership election

12. This loss led Adams to claim: “There was therefore a vote of eight majority of the whole House affirming the right of the New Jersey members to their seats, which they lost by this tie” (*Adams 1876*, vol. 10, 12/13/1839, p. 161). Adams’s math here included Kempshall and Hawes, plus one recently-deceased Whig member from Massachusetts (James C. Alvord), along with the votes of the five excluded New Jersey members.

commenced the following day, December 14, 1839, nearly two weeks after the House had first convened.¹³

Parallel with the politicking over organizing the House, the two parties' caucuses had been busy considering their leadership options and had settled on plans of battle for the speakership contest. Such plans were not easily determined, however, as clear divisions within each party caucus had emerged.¹⁴

The Democratic caucus had met on December 2, and began with the consideration of Francis W. Pickens (S.C.), a staunch ally of John C. Calhoun, for Speaker.¹⁵ Pickens' candidacy was actively pushed by President Van Buren, in an effort to reach out to the Calhounites and thus solidify the Democratic coalition. Pickens, however, was unwilling to make *ex ante* concessions concerning committee assignments and moderating his strong states' rights views, and so he withdrew. In Pickens' place, Dixon Lewis (Ala.) was offered as an alternative by those hoping to lock-in support from the pivotal bloc of Calhounites. A group of northern Democrats, guided

13. Note that from Wise's motion on Dec. 13 to the final procedural motion in advance of the speakership balloting on Dec. 14, there were 24 roll call votes. On all of these roll calls, the side favored by the Democrats prevailed. The one exception was a vote on a procedural motion on whether to enter on the *Journal* a set of propositions regarding the election of the New Jersey delegates. Most of the motions were dilatory tactics that the Democrats opposed, to divided Whig opposition. With the Democrats winning constantly, it was simply a matter of time until the Whigs would capitulate (or the Democrats would vote to proceed to vote for Speaker).

14. Subsequent accounts of the two party caucuses are taken from *NY Journal of Commerce* (12/3/39, p. 3); *NY Evening Post* (12/6/39, p. 3); *The Madisonian* (12/4/39, p. 3); *Albany Argus* (12/6/39, p. 1; reprinting the *NY Evening Post*, 12/4/39, p. 3); *Hartford Courant* (12/10/39, p. 3); *Alexander Gazette* (reported in *Richmond Enquirer*, 11/19/39, p. 1); *New Hampshire Sentinel* (12/11/39, p. 1); *The Pittsfield Sun* (12/12/39, p. 1; correspondence of the *NY Evening Post*, 12/2/39); the *Daily Atlas* (12/12/39, p. 1; correspondence of the *NY Evening Post*, 12/2/39); and the *NY Herald* (12/19/1839, p. 1).

15. Like many of his South Carolina brethren, Pickens was classified as a "Nullifier" in the previous three Congresses in which he served (see Martis 1989, pp. 92-94).

by Sen. Thomas Hart Benton (Mo.), proposed John W. Jones (Va.) instead, arguing that Jones would appeal not only to Democrats but also to certain Conservatives and states' rights Whigs from his home state of Virginia.¹⁶

In the caucus ballot for Speaker that ensued, Jones defeated Lewis by one vote, 50–49, suggesting the fragility of the Democratic coalition. Moreover, the legitimacy of the outcome was questioned, as the ballot was held when the *entire* South Carolina delegation was absent; had the ballot been delayed until the South Carolina members were present, “they would have doubtless voted for Mr. Lewis” (according to a *Saturday Evening Post* correspondent covering the caucus proceedings, as reported in *The Pittsfield Sun*, 12/12/1839, p. 1). The Calhounites would further claim that Benton and his followers cheated Lewis out of the nomination by strategically scheduling the caucus vote when they knew the South Carolinians would be absent.

Thus, the politicking in the Democratic caucus revealed a serious cleavage in the ranks, as Bentonites and Calhounites vied for control of the party while Van Buren and his supporters worked feverishly to construct unity. The caucus finally agreed to unite behind Jones in the early balloting for Speaker and to shift to Lewis if Jones proved unable to capture a majority on the floor. Van Buren and his allies worried that even this weak caucus agreement was tenuous, and feared that the Calhounites would re-adopt their independent habits and pursue their own selfish interests.

16. Three such Virginia members were explicitly mentioned in the press: Conservatives James Garland and George W. Hopkins and Whig Robert M. T. Hunter.

On the Whig side, ex-Speaker John Bell entered the caucus as the presumptive nominee, though there were rumors that the newer generation of Whigs preferred another candidate.¹⁷ Part of the uneasiness with Bell stemmed from the 1839 elections in Tennessee, which turned on his very bitter personal rivalry with Speaker Polk, who was running for Governor. Polk got the better of the direct match-up back home, resulting not only in a personal victory but a general repudiation of Whig candidates statewide. Polk exhibited strong enough coattails to reverse national tides and produce a doubling (from three to six seats) of Tennessee's Democratic delegation to the U.S. House. Bell, the old Whig lion, was damaged goods.

The Whig caucus deliberated over several evenings while the New Jersey controversy was blazing during the day. Like the Democrats, the Whigs finally settled on a contingent strategy, agreeing to support Bell in the early House balloting for Speaker, but to switch to William C. Dawson (Ga.), a strong states' rights advocate and supporter of Van Buren's subtreasury plan, should Bell falter.

Figure 5-1 illustrates in spatial terms the strategies employed by the two parties in their opening moves in the speakership contest. The scattering of points shows the spatial locations, using W-NOMINATE scores, of all members of the 26th Congress, with the locations of Jones, Lewis, Bell, and Dawson specifically indicated. Both parties chose southerners who leaned toward a states' rights stance but who, importantly, were also *not* allies of Calhoun. Lewis and Dawson, the candidates both caucuses selected as their backups, were each shaded toward the

17. In addition to the newspaper accounts cited in footnote 14, the account of Bell's role in the speakership contest relies heavily on Parks (1950, chapter 9).

other party ideologically along the main partisan dimension, but were also among the most fervent states rights' supporters in the chamber.

[Figure 5-1 about here]

As the speakership balloting began on December 14, 1839, the Democrats seemed to possess a clear advantage. Thanks to the exclusion of the five Whig members from New Jersey, the Democrats counted 120 members, to the Whigs' 114 and the Conservatives' 2 (with one vacancy, due to Whig James C. Alvord's death).¹⁸ The Democrats thus controlled a majority of *seated* members; if they held together, they could elect a speaker without any help from opposition party members. But the Democrats were deeply divided, which led to a protracted speakership contest. Indeed, when all was said and done, the Democrats failed to elect one of their own.

The early balloting on the floor illustrated the promise and limitations of the nomination strategies (see Appendix 2 for a breakdown of the balloting).¹⁹ On the first ballot, with 235 members voting, 113 Democrats united behind Jones while Bell received 102 votes from fellow Whigs. Jones was thus left five ballots short of election. And while both parties' caucus agreements largely held, a small number of defections occurred, which in the Democrats' case proved decisive and led to prolonged balloting. Specifically, six Democrats (five from South

18. See footnote 21 for a note on our partisan coding of several members.

19. Individual votes on the speakership balloting appear in *CG*, 26-1, 12/14/1839, pp. 52-54 (ballots 1-6), and 12/16/1839, pp. 55-56 (ballots 7-11); and *HJ*, 26-1, 12/14/1839, pp. 57-70 (ballots 1-6), 12/16/1839, pp. 70-79 (ballots 7-11). Accounts of the speakership election appear in Benton (1856, pp. 160-62); Jameson (1900, pp. 436-37); Wiltse (1949, pp. 405-07); and Niven (1988, pp. 234-35).

Carolina) spurned Jones and voted for either Lewis (2 votes) or Pickens (4 votes).²⁰ As Van Buren feared, the Calhounites had risen up and rejected the caucus bond.

The second ballot was substantially a repeat of the first, with one exception that proved to be prescient — Robert M.T. Hunter (Va.), who would eventually go on to win the contest, received his first vote from Charles Ogle (W-Pa.), who had supported Bell on the first ballot. What is significant about Ogle being the first to vote for Hunter is that Ogle, who served in the previous Congress as a member of the Anti-Mason party,²¹ was strongly *anti-states rights*.²² This marked the beginning of an effort to rally Whigs around candidates irrespective of their view on nullification.

On the Whig side, party leaders observed that ten of their members rejected Bell on each of the first two ballots, in favor of Dawson. Thus, they sought a new strategy. Plan B was rolled out on the third ballot, with Dawson as the party's new standard bearer. The Whig membership immediately shifted support *en masse* from Bell to Dawson, which resulted in Dawson receiving

20. Jones himself voted for Lewis. During this period it was common for speakership candidates to refrain from voting for themselves. Jones would continue to vote for Lewis throughout the contest, before switching to Francis Thomas (Md.) on the eleventh and final ballot, while Bell voted for Dawson on each of the 11 ballots.

21. Note that Martis (1989, p. 95) continues to list Ogle as a member of the Anti-Mason party in the 26th Congress, along with five other members of the Pennsylvania delegation (Francis James, John Edwards, Edward Davies, Richard Biddle, and Thomas Henry). He notes, however, that “In in the 1838 Pennsylvania congressional elections there was an Anti-Masonic/Whig coalition. ... After the 1838 election ... the Whig party gained dominance over the coalition as many Pennsylvania Anti-Masons joined the Whigs” (p. 362). Given this explanation, and as Dubin (1998, p. 122) classifies these six individuals as Whigs in the 26th Congress, we consider them as Whigs in this analysis.

22. Using DW-NOMINATE scores – which allow for cross-time comparisons of spatial ideology – we find that Ogle's location on the second dimension was -0.411 in the 25th Congress, compared to Hunter's at 0.899.

103 votes, a pick-up on the Whig side of four votes.²³ However, confounding this shift, Ogle managed to convince four of his Pennsylvania colleagues to move instead to Hunter. Furthermore, John Quincy Adams now picked up one protest vote (from Seth Gates, W-N.Y.) while Bell attracted the vote of Dawson. If we add together all the votes received by Whig candidates, the total had fallen to 110, fewer than had been received by all the Whig candidates on the first two ballots.²⁴

The Whig counter-move on the third ballot was met with a standpat strategy by the Democrats, as they continued to rally behind Jones. But Jones slipped in this round, to 110 votes, and never recovered. The remaining votes went to Lewis and John Clark (D-N.Y.). The third ballot ended with the aforementioned Democratic candidates receiving 117 votes, the Whigs combining for 110 votes, and Pickens holding the balance with seven votes.²⁵

Believing they might be able to corral the stragglers, the Democrats entered the fourth ballot still formally wedded to Jones. Jones's support continued to sag, however, while support for Dawson on the Whig side began to collapse altogether. Sensing the pull of the Calhounites, elements of both parties migrated to even surer states' rights candidates. Jones lost nine votes on the fourth ballot, only one of which failed to shift to Lewis. On the Whig side, Dawson lost a

23. Bell's vote total had slipped from 102 on the first ballot to 99 on the second ballot. In addition to Ogle switching to Hunter, Hiram Hunt (W-N.Y.) and William Cost Johnson (W-Md.) shifted their votes to Dawson.

24. Richard Hawes (W-Ky.), who had been ill earlier in the Congress, voted for Bell on the first two ballots, but then failed to cast a vote for the remainder of the speakership contest. In addition, two Georgia Whigs, Walter T. Colquitt and Mark A. Cooper, who had voted for Dawson on the first ballot, switched to Lewis (and thereby crossed the partisan aisle) beginning on the second ballot.

25. The seven votes for Pickens on this ballot consisted of six of the nine-member South Carolina delegation, plus Hunter.

quarter of his support, to 77 votes, while Hunter surged from five votes on the third ballot to 29 on the fourth. However, none of this churning had any effect on the strength of the Calhounite bloc, as Pickens picked up yet another vote, raising his tally to eight.

At this point Dawson, recognizing his inability to do any better than Bell had done in securing a Whig victory, withdrew his name from consideration, which left the Whigs without a single candidate to rally behind (*CG*, 26-1, 12/14/39, p. 54). As a consequence, the fifth ballot saw Dawson's former vote split, with 19 former supporters returning to Bell, 36 flocking to Hunter, and 19 other votes scattered among eight other candidates. Meanwhile, resisting pressure from some Democrats to bow out of the race, Jones lost considerable support on the fifth ballot, seeing 28 of his erstwhile supporters — mostly those with strong states' rights sentiments — defect to Lewis. As a consequence, the fifth ballot witnessed the most fractured voting pattern of the entire episode. The two front-runners were now Jones (71 votes) and Hunter (68 votes). A sizeable number of Democrats (49) were now with Lewis and a smaller-but-still-significant number of Whigs (22) were with Bell. The Calhounites held firm behind Pickens (6 votes).

The sixth and final ballot of the day was held immediately after the fifth, and the voting was nearly as fractured. Jones continued to lose votes to Lewis among the Democrats, as Jones dropped to 39 votes while Lewis surged to 79 votes. Also, importantly, Lewis garnered the support of four of the six Calhounites who withheld their support from Jones on the first ballot. This suggested to some that Lewis could command a majority of votes when the balloting resumed once again. On the Whig side, Hunter's support dipped to 63 votes, while Bell held steady with 21 votes. The only additional development worth noting was the appearance of Levi

Lincoln (W, Mass.) as a factor, with 11 votes. Lincoln, an “Adams Whig,” provided the only glimmer of hope for a northern candidacy during the entire proceedings, but faded away altogether once the balloting resumed the next day.

Figure 5-2 depicts the spatial situation as balloting came to a close at the end of Day One. What is quite amazing about this figure is that the two leading vote-getters were located far from the greatest number of votes in each of the respective parties. If we ignore Lincoln, who has never been mentioned as a serious factor in any historical account of this episode, and consider the spatial voting situation, Bell should have garnered the lion’s share of Whig votes, likewise for Jones among the Democrats. And yet by this point, the voting for Speaker within party contingents was not ideological.

[Figure 5-2 about here]

This decline in the ideological structuring of the balloting is illustrated in Table 5-1, which shows simple probit analyses of voting for Speaker among Whigs (top panel) and Democrats (bottom panel) in the first and sixth ballots. Among the Whigs, the dependent variable is equal to 1 if the House member supported Bell on the ballot, zero otherwise. Among the Democrats, the dependent variable indicates a vote in favor of Jones. On the first ballot, loyalty to each party candidate was greatest among the most ideologically extreme members of the two parties; among the Democrats, it was also strongest among those with weak states’ rights sentiments. (The effect shows the same sign for the Whigs, but it is not statistically significant.) On the sixth ballot in both parties, the coefficient on the first W-NOMINATE dimension retains the same sign as before, but the coefficients have shrunk and are no longer significant (at the $p < .05$ level). The coefficient on the second W-NOMINATE dimension also shrinks, changing

signs for the Democrats, and fails to reach statistical significance in either case. In both sets of analyses, the overall fit of the models declines substantially.

[Table 5-1 about here]

Thus, what had started out as an episode organized around substantial party loyalty, undercut with small amounts of ideological noise on both sides, progressed to the point where members of both parties abandoned ideological purity in a search for a party candidate who could win.

As the first round of voting occurred on a Saturday, the House took Sunday off and reconvened on Monday (December 16). Reports of party machinations over that weekend suggest that the Whigs were unable to agree on a clear strategy, while Democratic leaders were working to consolidate support behind Lewis (*Fayetteville Observer*, 12/18/1839, p. 1). Indeed, the Democrats' superior coordination led John Quincy Adams to note in his *Diary* on Monday that "When I went to the House this morning, it was with a firm conviction that Dixon H. Lewis, the Silenus of the House — a Falstaff without his wit or good humor — would be chosen Speaker, probably at the first trial" (vol. 10, 12/16/1839, p. 164).

After the House reconvened, Jones removed himself as a candidate for the speakership (*CG*, 26-1, 12/16/1839, p. 55); this left Lewis as the obvious Democratic choice. While the first ballot of the day (and seventh overall) was no more decisive than the six from Saturday, the parties seemed to be moving in opposite directions. The Democrats regrouped cohesively around Lewis, giving him 110 votes (five short of a majority), while the Whigs appeared disorganized, failing to consolidate around a single candidate. The bulk of the Whig votes (64) had returned to Bell, but Hunter retained 22 votes and Francis Granger (W-N.Y.) inherited Levi

Lincoln's mantle as the recipient of protest votes (12 in all) from the most determined northern Whigs. Statistical analysis of who voted for Hunter rather than Bell reveals only a weak ideological structuring of this vote (and no regional structuring at all), which suggests that by now the Whig rank-and-file were rallying around the candidate they felt the most electable, rather than the one most congruent with their own policy desires.

The next (eighth) ballot saw Lewis extend to 113 votes, four short of election. There was a small amount of consolidation on the Whig side, as the northern protest vote returned to Bell's side, raising his total to 80. Hunter hung tight at sixteen votes.

Despite Lewis's gains on the seventh and eighth ballots, it had become clear that a small band of Democrats was absolutely resistant to electing a nullification sympathizer as Speaker. While Lewis had won over the bulk of the Democratic membership, and actually gained *five* votes from states' rights Whigs from Georgia, a set of ten Democrats failed to support him and instead scattered their votes among several minor candidates.²⁶ These ten Democrats had supported Jones throughout the early stages of the balloting, and appeared to be paying the Calhounites back for their earlier defection from the caucus agreement. If even *half* of these ten Democratic defectors had voted for Lewis on *either* the seventh or eighth ballots, they would have pushed him over the top and given control of the speakership to the Democrats.

26. The five Georgia Whigs who voted for Lewis were Edward J. Black, Walter T. Colquitt, Mark A. Cooper, Eugenius A. Nisbet, and Waddy Thompson. The ten Democratic defectors were Julius W. Blackwell (Tenn.), Zadok Casey (Ill.), John Carr (Ind), Henry W. Connor (N.C.), George C. Dromgoole (Va.), Cave Johnson (Tenn.), John Reynolds (Ill.), Francis Thomas (Md.), Philip F. Thomas (Md.), and Hopkins L. Turney (Tenn.). An eleventh Democrat, John T. H. Worthington (Md.), defected on the seventh ballot, but returned to the fold and voted for Lewis on the eighth and ninth ballots.

The eighth ballot proved to be Lewis's high water mark, as his support on the ninth ballot sagged to 110 votes, six short of a majority. While Lewis managed to pick up a sixth Whig vote, he now faced *thirteen* defectors within his own Democratic party.²⁷ Lewis's problems aside, perhaps the most significant development on the ninth ballot was the continued churning of voting patterns among the Whigs, as support swung from Bell to Hunter. Bell saw his vote total fall from 80 to 33, while Hunter's support grew from 16 to 59.

The momentum shifted decidedly toward Hunter on the tenth ballot. His support surged to 85 votes, now besting Lewis, whose support had shrunk to 73 votes. At this point, the Democrats became more confused as the Whigs consolidated. It was the Democrats whose members now began to desert their party's official candidate in favor of candidates with more purely regional appeal. At this point, Lewis, realizing his opportunity had passed, formally withdrew from the contest (*CG*, 26-1, 12/14/1839, p. 55).

On the eleventh ballot, Hunter broke through and captured the speakership. He received 119 of 232 votes cast, a three vote majority, winning the support of every Whig who cast a vote (111 in all), along with one Conservative (George Hopkins, Va.) and seven Democrats — the Calhounites Sampson H. Butler (S.C.), John Campbell (S.C.), Charles Fisher (N.C.), John K. Griffin (S.C.), Isaac E. Holmes (S.C.), Francis Pickens (S.C.), and Thomas D. Sumter (S.C.). Five of these seven Calhounites had voted against John W. Jones, the Democratic caucus

27. The sixth Whig vote was Sherrod Williams (Ky.). The three new Democratic defectors (all of whom had supported Lewis on the previous two ballots) were Linn Banks (Va.), Thomas Robinson (Del.), and Lewis Steenrod (Va.). Francis Rives (D-Va.), who had supported Lewis on the previous two ballots, did not cast a vote on the ninth ballot.

nominee, on the first ballot, and in doing so had extended the contest. Now, in voting for the Whig Hunter, they went a step further and denied the Democrats the speakership.

In engineering the election of Hunter as Speaker, the Whigs elevated someone who was the most heterodox on the principle issue that divided the party at the time – banking – and the *most* extreme on the issue that almost everyone wanted to avoid – sectionalism. Hunter was raised in an environment steeped in traditional Jeffersonian politics, and his affiliation with the Whig party was prompted almost entirely by his revulsion toward what he (and other Whigs) regarded as the dictatorial aggrandizement of power in the presidency under Andrew Jackson. He shared very few of the substantive ideas of the Whig leaders who were busy building a national party — “American System” ideas like the protective tariff, a national bank, and federal funding of internal improvements — and in fact had gained notoriety by favoring Van Buren’s subtreasury plan, which was anathema to mainstream Whigs.²⁸

If Hunter had any enduring sentiments on national matters, it was on the issue of states’ rights. He engaged in an active correspondence with John C. Calhoun and regarded him as a mentor.²⁹ Hunter stood by his beliefs in the speakership balloting, snubbing his Whig brethren and voting for Calhounite Francis Pickens throughout.³⁰ Calhoun was clearly pleased by Hunter’s election, which he communicated in a letter to a family friend: “I have great confidence

28. For background on Hunter’s political career and policy preferences, see Hunter (1903), Simms (1935), and Fisher (1968; 1973).

29. A 1843 biography of Calhoun, published anonymously, is thought to have been written by Hunter. See Anderson and Hemphill (1972).

30. Hunter voted for Pickens on the 1st–5th and 9th–10th ballots. He did not cast a vote on the 6th– 8th and 11th ballots.

in his good sense and discretion, and, if he should act as well as I think he will, it will do much to advance our [states' rights] principles and doctrines."³¹

In sum, Hunter was apt to espouse “principles over party” in public and seemed to revel in his perceived independence. He enunciated these feelings in his acceptance address to the House, after winning the speakership: “Called as I have been to his high station, not so much from any merits of my own as from the independence of my position, I shall feel it especially due from me to you to preside as the Speaker, not of a party, but of the House” (*CG*, 26-1, 12/17/1839, p. 56).

Given all of this, what were the Whigs (and Whig leaders who coordinated the Whig votes on the floor) thinking when they elected Hunter? Clearly he was outside of mainstream Whig thinking. But, as the minority in the chamber, the Whigs were constrained in their ability to influence the outcome. A successful Whig candidate had to appeal to some pivotal bloc of non-Whig members. In this case, it was the Calhounites, which meant advocating policy stances at odds with orthodox Whiggery. As the *Rhode Island Republican* reported: “In giving their suffrages to Mr. Hunter, the whigs did but choose the least of the evils that beset their path” (12/25/1839, p. 2).

Yet, selecting the “least bad” candidate was not all Whig leaders expected to gain by electing Hunter. They were, after all, selecting a *Whig*, which they hoped would translate into tangible benefits for the party. As a correspondent for the *New Hampshire Gazette* stated:

The whigs doubtless thought that if elected by their votes, he would, to preserve his assumed independence of party, favor them somewhat in appointing committees, and in the general exercise of powers, as far as he could safely,

31. Letter to Mrs. T. G. Clemson, Dec. 18, 1839; published in Jameson (1900, pp. 436-37).

without compromising the great principles upon which he stands pledged to his constituents and the country at large. And they knew the administration candidates would not give them one inch beyond their just rights as a minority (12/31/1839, p. 1).³²

Whether Hunter would behave in a fashion consistent with this was unclear.

More generally, Hunter's election was met with crowing on behalf of House Whigs, who taunted the Democrats for failing to coordinate and elect one of their own. However, the Whig press received Hunter frostily, given his anti-American System policy positions, while the Democratic press gave appraisals that were remarkably subdued considering partisan fears that had run rampant only days before. The hope among Democratic editors was that Hunter would be more "states' rights" than "Whig" as presiding officer.

Less than a week later, Hunter released his committee assignments (*HJ*, 26-1, 12/27/1839, pp. 136-38), and the equivocal reaction to his election was reinforced.³³ The partisan composition of committees (chairs and majorities) appears in Table 5-2. At first glance, Hunter seemed to favor his Whig brethren — at least to some extent — as exactly two-thirds (22 of 33) of committee chairs were given to Whigs, and nearly half of all committees (14 of 33) were fully controlled (i.e., Whig chairs *and* Whig majorities) by the party. Yet, his independent streak was also apparent, as nine committees exhibited divided control (i.e., chair of one party versus committee majority of the other) while 11 others were fully controlled by the *Democrats*.³⁴ Moreover, the four most important committees during this era — Foreign Affairs,

32. The correspondence was dated Dec. 19, 1839, but did not appear in print until Dec. 31, 1839.

33. Note that a discrepancy exists between the *House Journal* and the *Congressional Globe*, as the latter reports that Hunter released his committee assignments on Monday, Dec. 30, not Friday, Dec. 27. See *CG*, 26-1, 12/30/1839, pp. 88-89.

34. In total, the Democrats were the majority on 19 of 33 committees.

Military Affairs, Naval Affairs, and Ways and Means — were comprised of Democratic chairs *and* Democratic majorities. And the Elections committee, which would investigate the disputed New Jersey election and thus have an important organizational role in the 26th Congress, was also fully controlled by the Democrats. Thus, while the Whigs no doubt would have been worse off under a Democratic Speaker, Hunter certainly did them no favors in his committee assignment decisions.³⁵

[Table 5-2 about here]

While the Democrats scuffled badly in their pursuit of the speakership, they quickly righted the ship and, in general, ruled the 26th Congress. The two other major House officer votes quickly went the Democrats' way. Hugh Garland was reelected House Clerk on the first ballot, receiving 118 votes, to 105 for Matthew St. Clair Clarke and 8 for Richard C. Mason (*HJ*, 26-1, 12/21/1839, p. 97-99). Garland received every Democratic vote cast, including those of the seven Calhounites who defected (in favor of Hunter) on the final speakership ballot.³⁶ The House then spent a month debating the printership generally, as resolutions to adopt an open-bid system (to replace the elective system) and divorce the public printing from newspaper presses

35. In his diary, John Quincy Adams took an especially dim view of Hunter's committee assignments: "John W. Jones, Chairman of the Ways and Means, Francis W. Pickens of the Foreign Affairs, and the whole organization as subservient to the Executive administration as if the appointments had been made in the President's Cabinet. So much for Mr. Robert M.T. Hunter's independent positions... (Adams 1876, vol. 10, 12/30/1839, p. 179). A year later, Adams wrote that Hunter was "an amiable, good-hearted, weak-headed young man, prematurely hoisted into a place for which he is not fit, precisely for his Virginian quiddities. I sat and conversed an hour with him, but could make absolutely nothing of him" (Adams 1876, vol. 10, 12/20/1840, p. 379).

36. Garland ran unopposed in the Democratic caucus, while the Whigs made no Clerk nomination (see *The Pittsfield Sun*, 12/12/1839, p. 1; printed correspondence of the *New York Evening Post*, 12/2/1839).

were offered (and defeated), before proceeding to the election of a Printer.³⁷ And, on the first ballot, Francis Blair and John C. Rives were elected with 110 votes — capturing every Democratic vote cast — to 92 for Joseph Gales and William W. Seaton, and five votes scattering (*HJ*, 26-1, 1/30/1840, pp. 261-63).³⁸ Blair & Rives served as the Administration printer, and thus signified another victory for the “minority” Democrats.

After completing the officer elections, the House turned to the New Jersey election dispute, which had been tabled at the start of the session. On a *pure* party-line vote, with 110 Democrats opposing 81 Whigs, the case was resolved in favor of seating the Democratic slate, consistent with the recommendation of the Democratically-controlled Elections committee (*HJ*, 26-1, 3/10/1840, pp. 576-77).³⁹ Later in the summer of 1840, President Van Buren’s subtreasury

37. In considering the Printer election, recall that the House was still bound by the 1819 law that established the practice of electing a Printer at the expiration of one Congress, to take effect in the following Congress. Spurred on by the prospect that they might win control of the chamber in the 26th Congress, Whigs at the end of the 25th Congress managed to delay the choice of printer. Thus, the House Printer election in the 26th Congress was *for* the 26th Congress.

38. The Democratic caucus made no Printer nomination, although Blair and Rives were considered the “strongest” option, while the Whig caucus nominated Gales and Seaton (see *The Pittsfield Sun*, 12/12/1839, p. 1; printed correspondence of the *New York Evening Post*, 12/2/1839).

39. Richard P. McCormick’s *The History of Voting in New Jersey* (1953) contains the rare insightful scholarly analysis of this disputed election. He points out that the dispute that centered on the South Amboy election returns also involved the election to the state legislature, which had already considered the dispute. It is significant that when the disputed election was referred to the Whig-dominated committee on elections, it took the unusual step of going behind the returns to investigate charges of widespread fraud due to non-citizens voting for both Whigs and Democrats. Once the committee on elections was finished with its work, it concluded that the *Democratic* slate was entitled to the seat. Members of the U.S. House undoubtedly were aware of the proceeding in the New Jersey state legislature, which probably explains why Whigs in the national legislature opposed sending the matter to a committee that might also go behind the returns. Also see Rowell (1901, pp. 109–12) for a summary of proceedings in the House on the election dispute.

plan finally came to fruition. The bill that would become the Independent Treasury Act passed 123-107 in the House on a largely party-line vote, with Democrats voting 120–3 in favor and Whigs voting 3–103 against (*HJ*, 26-1, 6/30/1840, pp. 1175-77).⁴⁰ This Act completed the drama (at least temporarily) begun when Andrew Jackson pulled federal deposits from the Bank of the United States in 1836.

A Period of Relative Peace: House Organization in the 27th-29th Congresses

The next three congressional elections were routs, first for the Whigs (1840–41) and then the Democrats (1842–43 and 1844–45). Because the majority party in each of these Congresses enjoyed a comfortable margin in the House, the organizational dynamics were quite different from the 26th Congress. The Whigs took full advantage of the nationwide economic depression, and the public's ire toward the ruling Democrats, in the elections of 1840 and 1841. Unified behind a single presidential candidate and riding on the coattails of William Henry Harrison, they won majority control of both the House and Senate in the 27th Congress. In the House, the Whigs picked up a net total of 27 seats, giving them a 142–98 advantage over the Democrats (Martis 1989, p. 96).⁴¹

When the first unified Whig Congress in American history convened on May 31, 1841, Tippecanoe had been dead for nearly two months.⁴² In his place sat John Tyler, whose Whig

40. Conservatives were split 1-1 on the House vote. In the Senate, the Independent Treasury bill passed on a 24-18 vote, with Democrats voting 24-4 in favor and Whigs voting 0-14 against (*Senate Journal*, 1/23/1840, p. 131).

41. In calculating these net gains, we again count the six Anti-Masons in the 26th Congress as Whigs. See footnote 21.

42. The Senate met in a special session from March 4–15, 1841, before the official convening of the full Congress (in an extra session, called by President Harrison via proclamation before his

loyalties had always been suspect, and who immediately communicated that he would not accept the full economic agenda proposed by the congressional leadership. In fact, Tyler's ideological proclivities were almost precisely those of outgoing Speaker Hunter, both men arising from a Virginia planter context that was nearly identical (Holt 1999, p. 128).⁴³ In his presidential message, delivered at the opening of the extra congressional session, Tyler declared that he would embrace parts of the Whig agenda, like repealing the Independent Treasury Act, but strongly oppose others, such as raising tariffs significantly (see *CG*, 27-1, 6/1/1841, pp. 5-8).

When the Whigs assembled in caucus on May 29 to settle on House officer nominations, there were divisions by region (north vs. south) and ideology (nationalist vs. states' rights). Tensions over slavery had escalated in recent years, thanks to the growing anti-slavery movement in the country, the resulting gag-rule debates in Congress, and the *Amistad* case argued before the Supreme Court in early 1841. As a result, Whig party cohesion was weak, and four caucus ballots were needed before a speakership nomination was decided.

The choice was John White (Ky.), a protégé of Henry Clay, who garnered 72 of the 105 Whig votes on the final ballot (*New York Herald*, 5/31/1841, p. 2).⁴⁴ Clay was active in rallying

death) at the end of May.

43. Both Tyler and Hunter served in the House and the Senate, but not contemporaneously. Therefore, we cannot directly compare their roll call voting records. However, for the years when Hunter was in the Senate, he was always in the top 10 among those with extreme values on the second (regional) W-NOMINATE dimension; Tyler was always in the top 3. Both were solid states' rights legislators. Tyler's scores on the first (partisan/ideological) W-NOMINATE dimension were always much more centrist than Hunter's, suggesting that Tyler was truly more conflicted over economic issues than Hunter, who was never far from Jeffersonian principles.

44. For additional background on Whig politicking over the House organization, see *Richmond Enquirer*, 5/14/1841, p. 3; *New York Herald*, 6/1/1841, p. 3; *Albany Argus*, 6/2/1841, p. 2; *New York Evening Post*, 5/31/1841, p. 2; and *New Hampshire Patriot and State Gazette* (reprinting a correspondence from the *NY Commercial Advertiser*), 6/11/1841, p. 3.

House Whigs behind White, building on loyalists from Kentucky and New England, who provided the strongest support in White's favor. White had a solid reputation as an active and skilled debater, was an untiring advocate of a national bank, and possessed a safe (but not *ultra*) stance on states' rights.

For the Clerk nomination, the two leading Whig candidates were Francis Ormand Jonathan ("Fog") Smith (Maine) and Matthew St. Clair Clarke (D.C.) Smith, who was Clay's handpicked candidate, had previously served three terms in the House as a conservative Democrat. In Clay's mind, a ticket of White and Smith would cement the interregional coalition that he was trying to build, one that united Whigs with conservative northern Democrats. With the substantial pressure applied by Clay and his House lieutenants, Smith won a bare majority on the first nomination ballot (*New York Herald*, 6/1/1841, p. 3). Yet, Clay's gambit, viewed as excessively heavy-handed, alienated a significant portion of the Whig caucus, breaking up the meeting "in high dudgeon" (*Albany Argus*, 6/2/1841, p. 2, reprinting a *New York Evening Post* story; *New York Commercial Advertiser*, 6/2/1841, p. 2). Concerns were expressed that should the Democrats decide to support Clarke, the ex-Republican and former House Clerk who received the lion's share of Whig votes in the two previous clerkship elections, some portion of the disgruntled Whigs would bolt the caucus and back Clarke as well.

Once the House convened, White was elected Speaker on the first ballot, capturing 121 of the 221 votes cast (*HJ*, 27-1, 5/31/1841, pp. 10-11). The Whig majority was substantial enough that White easily endured six defections among southerners, who supported Henry Wise (W-Va.), five defections among northerners, who supported Joseph Lawrence (W-Pa.), and two

scatters.⁴⁵ The Democrats unified behind their candidate from the previous Congress, John W. Jones. Robert M. T. Hunter (elected to the 27th Congress as an Independent) voted for Jones, not White, marking his formal break with the Whig party that had elected him Speaker only two years before.

The Whig defections on the speakership ballot were a harbinger. While a number of southern Whigs had threatened to bolt and support their own candidate for Speaker — viewing White as too moderate on the slavery issue — they, in the end, largely stayed loyal and supported the caucus-nominee White. The rebellion occurred instead on the vote for Clerk.

On the first clerkship ballot, the Whigs split between Smith (89 votes), Clarke (39), and Richard C. Mason (8), while Democrats rallied once more behind Garland. Those Whigs who defected from Smith were significantly closer to the Democrats on the main ideological dimension (i.e., the first W-NOMINATE dimension) that divided the parties. On the second ballot, some Democrats saw an opportunity and broke ranks, redistributing their votes to Clarke and Mason. The third ballot saw an even greater defection of Democrats to Clarke, but now ten Whigs also broke in his favor. The fourth and final ballot saw further consolidation of Clarke's position, as he won with a coalition that was essentially half Democrat (63 votes) and half Whig (64 votes).

45. The six Wise defectors were Julius C. Alford (Ga.), Meredith P. Gentry (Tenn.), Thomas W. Gilmer (Va.), William L. Goggin (Va.), Francis Mallory (Va.), and John Taliaferro (Va.); the five Lawrence defectors were John Quincy Adams (Mass.), Seth M. Gates (N.Y.), Joshua R. Giddings (Ohio), John Mattocks (Vt.), and William Slade (Vt.); and the two scatters were Nathaniel B. Borden (Mass.), who voted for George N. Briggs (W-Mass.), and Wise (Va.), who voted for William Cost Johnson (Md.). Adams's description of White in his moment of triumph is priceless: "White was sworn by Lewis Williams, took the chair, and made a namby-pamby speech about his incompetency and impartiality" (1876, vol. 10, 5/31/1841, p. 470).

In the words of the Whig *New York Commercial Advertiser*, “The locos [Democrats] wished to help the southern Whigs to kill off a conservative and, at the same time, to foment jealousies in the Whig ranks” (6/2/1841, p. 2). In helping to elect Clarke, and thus defeating Smith, they did just that. While Whig leaders were upset that Smith, the caucus nominee, was not supported by the full Whig membership on the floor, they could at least take comfort in the ouster of the despised Hugh Garland, who saw his Democratic base evaporate in the process.⁴⁶ Moreover, the Printer election went the Whigs way, quickly and easily, as Gales and Seaton won a first ballot victory, receiving 134 votes, to 75 for Blair and Rives, and 6 for Peter Force (*HJ*, 27-1, 6/11/1841, pp. 88-89).⁴⁷ Unlike the Clerk balloting, Whig coordination was not a problem, as only one Whig (Thomas Gilmer, Va.) defected from Gales and Seaton.

In constructing his standing committees, White behaved quite differently than Hunter, stacking all the important ones with Whig majorities and giving Democrats the chairs of only five trivial committees, such as Mileage (*HJ*, 27-1, 6/8/1841, pp. 49-52). From this position of

46. In fact, defeating Garland was simply the first step in the Whigs’ ultimate plan for him. During the 27th Congress, the Whig-controlled House proceeded to dish out some payback, by examining his behavior as Clerk. The Committee on Public Expenditures, controlled by a Whig majority, conducted an investigation and claimed that Garland had been involved in fraudulent activities while serving as Clerk, most notably in overcharging suppliers and receiving kickbacks (see footnote 19 in Chapter 2 for more details). Garland denied committing fraud, and countered each of the committee’s specific charges in detail (*House Document* 275 [27-2] 405). Moreover, he endeavored to explain his reasons for not calling the names of the five Whig members from New Jersey during the organization of the 26th House, citing various British Parliamentary procedures from the seventeenth century (*House Document* 106 [28-1] 442).

Yet, in the end, Garland’s efforts to explain his actions and clear his name were to no avail. His reputation was tarnished, and he faded into political obscurity. His final legacy was to be known as the House Clerk who perhaps most influenced the course of congressional proceedings.

47. We could find no record as to whether the Whig caucus made an explicit Printer nomination.

institutional strength, the Whig Congress acted swiftly, repealing the Independent Treasury Act before it could even be implemented and passing a new Bankruptcy Act. As a general matter, however, the Whig juggernaut in Congress was met with a series of Tyler vetoes. Twice, for example, Tyler vetoed a new Bank of the United States bill and new protective tariff legislation.

The Whigs' electoral success in the 1840-41 elections turned out to be their undoing in the subsequent House elections of 1842 and 1843.⁴⁸ When the electoral dust had settled, the Whigs had lost nearly half the seats they had controlled in the 27th Congress, one of the most devastating losses by a majority party in American history. Historians have attributed this electoral skewering to several factors, ranging from issues to the Tyler fiasco to reapportionment. With Tyler as president, rather than Harrison, the Whig economic recovery plan was absolutely stymied; casting around for policy alternatives made Whig leaders look incompetent. Tyler, drummed out of the Whig party and embraced by the Democracy, used his patronage appointments in major cities to reinforce Democratic strength in mobilizing midterm voters. This is a well-told story. Less well known is the bloodbath visited upon Whigs nationwide by a reapportionment act that reduced the size of the House (thus redistributing the number of seats in various states), mandated single member districts, and touched off one of the most substantial redistricting exercises in American history through the agency of a passel of largely Democratic state legislatures. As a consequence, the Whigs experienced a small dip in

48. The accounts of these congressional elections draw heavily on Holt (1999, pp. 151–61).

national vote in the midterm House elections (3.5% point drop), but saw their share of seats in the House decline significantly (26.4% point drop).⁴⁹

The House elections that were held in the shadow of the 1844 presidential election left the Democrats and Whigs where they had been at midterm. Most significantly for future organizational politics, the principal issue in the 1844 election was Texas annexation, which yet again forced slavery and regional politics on the national stage, and resulted in large surges in voters, north and south, in response to the issue. Democrats were associated with pro-annexation sentiment while Whigs were anti-annexation (Morrison 1997; Silbey 2002). On net, the regional equation largely balanced out, with Democrats picking up a handful of seats in the south and Whigs picking up a few seats in the north. Consequently, Democrats held healthy majorities in the 28th and 29th Congresses, and in both cases the organization of the House was settled in the Democratic caucus.

Prior to the opening of the 28th Congress, after Calhoun supporters pushed through a two-thirds rule for all caucus nominations, the Democrats chose John W. Jones (Va.) for Speaker once again, along with Caleb J. McNulty (Ohio) for Clerk and Blair & Rives for Printer.⁵⁰ All

49. The Whigs totaled 142 of 242 (58.7%) seats in the 27th Congress, and 72 of 223 (32.3%) seats in the 28th Congress (see Martis 1989, pp. 96-97).

50. Jones won a first ballot victory in caucus, with 78 votes, to 15 for William Wilkins (Pa.), 9 for Dixon Lewis (Ala.), 7 for John W. Davis (Ind.), and 4 scattering (*Daily National Intelligencer*, 12/8/1843, p. 3; reprinting a 12/6 story in the *Richmond Enquirer*), while McNulty required three ballots to emerge victorious, winning 101 of 118 votes on the third (*The Ohio Statesman*, 12/12/1843, p. 3). No vote totals were discovered in Blair & Rives' victory, although it was reported that it occurred only "after a sharp struggle" (*The Southern Patriot*, 12/9/1843, p. 2). No information about Whig caucus nominations was found. For more on the caucus nominations, see *The Farmers' Cabinet*, 12/1/1843, p. 2; *New York Herald*, 12/4/1843, p. 2; *The Madisonian*, 12/4/1843, p. 3; *The Daily Atlas*, 12/11/1843, p. 2; *The Southern Patriot*, 12/6/1843, p. 2, and 12/7/1843, p. 2; *The Sun*, 12/5/1843, p. 4, and 12/7/1843, p. 4; and the

were considered “Van Buren men,” and all were elected easily on the floor: Jones 128-59 over John White on a strict party-line vote (*HJ*, 28-1, 12/4/1843, pp. 8-9); McNulty 124-66 over Matthew St. Clair Clarke, with only two Democratic defections (*HJ*, 28-1, 12/6/1843, pp. 29-30); and Blair & Rives 124-62 over Gales & Seaton, with only one Democratic defection (*HJ*, 28-1, 12/7/1843, pp. 35-37).⁵¹

Prior to the opening of the 29th Congress, after repealing the two-thirds nomination rule adopted two years earlier, the Democrats chose John W. Davis (Ind.) for Speaker,⁵² along with Benjamin B. French (N.H.) for Clerk⁵³ and Thomas Ritchie and John P. Heiss (editors of the *Union*) for Printer.⁵⁴ The overwhelming Democratic majority allowed Davis, a pro-slavery

Emancipator and Free American, 12/14/1843, p. 130.

51. The two Democratic defectors on the Clerk vote were Edward Cross (Ark.) and ex-Whig Henry A. Wise (Va.), both of whom voted for Clarke. The single Democratic defector on the Printer vote was Thomas Gilmer (Va.), who voted for Jacob Gideon (the only vote he received). Several Democratic members from southern states (S.C. and Va., for example) did not vote in the Printer election, but did vote in the Sergeant-at-Arms and Doorkeeper elections, which occurred *immediately* afterward. Blair & Rives had issues with some members of Congress (and this was reciprocated); thus, these abstentions may have been strategic. Rather than break the caucus agreement, these MCs just didn't vote, knowing the Democrats had plenty of votes to spare.

52. John W. Jones did not run for reelection to the 29th Congress, so he was not an option for the speakership.

53. Note that French replaced McNulty as Clerk in the 28th Congress. McNulty was dismissed by the House, on a 196-0 vote, after a report presented by the Committee on Accounts charged him with embezzling as much as \$60,000 from the House's contingent fund (*HJ*, 28-2, 1/18/1845, pp. 230-31; for a description of the report, see *CG*, 28-2, 1/17/1845, p. 147). French, who was at that time first assistant to McNulty, was then elected House Clerk unanimously by resolution (*CG*, 28-2, 1/18/1845, pp. 153-54).

54. Davis won a second ballot victory in caucus, with 77 votes out of 153 Democratic members present (*New York Herald*, 12/3/1845, p. 2). French won a first ballot victory, besting ex-House member John B. Weller (Ohio) 78-26, while Ritchie & Heiss, who bought the *Globe* from Blair & Rives and changed its name to the *Union*, were elected unanimously (*The Sun*, 12/3/1845, p.

moderate who supported western expansion, to prevail over Samuel Vinton (W-Ohio) in a cakewalk, 120-71 with 19 votes scattering (*HJ*, 29-1, 12/1/1845, pp. 7-9). But the defection of nine Calhounite Democrats to Moses Norris (D-N.H.) was evidence of lingering regional animosities within the Democratic caucus.⁵⁵ The Calhounites were unhappy with the repeal of the two-thirds nomination rule and, more importantly, were suspicious of Davis's states' rights credentials (*The Georgia Telegraph*, 12/16/1845, p. 2).⁵⁶ The other officer elections proceeded without a hitch, however, as French was unanimously elected by resolution (*HJ*, 29-1, 12/2/1845, p. 13) while Ritchie and Heiss won handily over Jesse E. Dow and Theophilus Fisk (editors of the *U.S. Journal*), 123-69 with 6 votes scattering and only one Democratic defection (*HJ*, 29-1, 12/3/1845, pp. 46-47).⁵⁷

Both Jones and Davis appointed committees that heavily favored the Democrats, allowing Whig majorities or chairs on only a small handful of minor committees that were far removed from the hot political issues, such as Texas annexation and the Mexican War.⁵⁸

4). For more on the caucus nominations, see *The Southern Patriot*, 12/1/1845, p. 2, and 12/2/1845, p. 2; *The Farmers' Cabinet*, 12/4/1845, p. 2; *The Daily Ohio Statesman*, 12/1/1845, p. 2, and 12/5/1845, p. 2; *New York Herald*, 12/7/1845, p. 3; *The Constitution*, 12/10/1845, p. 2; and *The Georgia Telegraph*, 12/16/1845, p. 2.

55. The defectors were Armistead Burt (S.C.), John H. Harmanson (La.), Isaac E. Holmes (S.C.), Robert Barnwell Rhett (S.C.), James A. Seddon (Va.), Richard F. Simpson (S.C.), Alexander D. Sims (S.C.), Joseph A. Woodward (S.C.), and William Lowndes Yancey (Ala.).

56. According to the *Telegraph*, while Davis voted to maintain House Rule 25 — the “gag rule” that prevented anti-slavery petitions from being read on the House floor — as a member of the 28th Congress, he voted to abolish Rule 25 *within* the rules committee (where he was a member).

57. The one defector was Burt (S.C.), who voted for the Whig-nominated team of Dow & Fisk.

58. In the 28th Congress, Jones allowed Whig majorities on four of the “Expenditures” committees, plus Manufactures and Public Buildings and Grounds; he appointed Whig chairs to four of the “Expenditures” committees, plus Manufactures, Agriculture, Patents, and Claims. In

By the 29th Congress the organizational system that the Van Burenites had devised in the late-1830s was beginning to take hold. The party nominating caucus combined with *viva voce* voting had, after an initial failure in 1839, generated the majority party's desired results three consecutive times. This successful run (especially with regard to the speakership) was noticed in contemporary press accounts. For example, *The Georgia Telegraph* (12/16/1845, p. 2) reported that "Mr. Davis is the third Speaker who has been elected by caucus. Mr. White was the first by the Whigs; Mr. Jones, the Speaker of the last Congress, was the second." This organizational good fortune would soon be tested, however, as simmering regional tensions threatened continued interregional partisan harmony.

One final point about House organizational politics in the 29th Congress requires mentioning.⁵⁹ Thanks to a joint resolution, which became law on August 3, 1846, the House Printer (and its Senate counterpart) as an *elective* position was abolished. In its place, a somewhat elaborate bidding system was established, in which various low-bid printing contracts would be extended. Arguments for reforming the congressional printing system had begun in the early-1840s, when separate House and Senate committees recommended placing the job in the government's hands — a change the committees felt would significantly reduce printing costs as well as enhance professionalism and impartiality. In 1845, the Whigs made a strong push for change, led by Garret Davis (W-Ky.), who argued that the current patronage-based printing

the 29th Congress, David allowed Whig majorities on the Committee on Expenditures in the War Department, Public Expenditures, Revolutionary Claims, and Roads and Canals; he appointed Whig chairs to Manufactures and to Claims (Canon, Nelson and Stewart 2002).

59. This section relies heavily upon Ambler (1913, pp. 251-65) and Smith (1977, pp. 206-10). See also *The Boston Daily Atlas*, 7/25/1846, p. 2, 8/5/1846, p. 2; *The North American*, 7/28/1846, p. 1; *The Pittsfield Sun*, 7/30, 1846, p. 2; and *The Southern Patriot*, 8/3/1846, p. 2.

system was fraught with opportunities for corruption. In pushing their case, the Whigs benefitted from the actions of the current House Printer, Thomas Ritchie, who had taken several policy stances after ascending to the printership — specifically, supporting the manner of conducting the war with Mexico, supporting the Walker Tariff of 1846, and opposing the British position on the Oregon border question — that proved unpopular with many Democrats, Calhounites, and Bentonites alike.⁶⁰ While other Democrats, like Stephen Douglas (D-Ill.), argued that the Whigs' advocacy of reform was simply a case of the minority playing politics (because they were cut out of the congressional printing in both chambers in the 29th Congress), momentum for change had been building, and both chambers passed the joint resolution advocating the low-bid system, the House 134-26 (*CG*, 29-1, 7/22/1846, pp. 1129-30) and the Senate 38-13 (*CG*, 29-1, 7/30/1846, p. 1167).⁶¹ This low-cost bidding system would prove to be a failure, and a return to an elective printer position would occur in 1852. But for the next two Congresses, the 30th and 31st, the House Printer would not exist as a patronage plum to fight over.

60. In adopting these positions, Ritchie was actively supporting the views of President Polk. His *Union* newspaper was the official organ of the Polk administration, and over time, he became Polk's scapegoat.

61. Whigs voted 55-0 in the House and 23-0 in the Senate; Democrats voted 75-26 in the House and 14-13 in the Senate. In explaining why the Democrats chose to support the move to the low-bid system, a correspondent for *The Boston Daily Atlas* noted: "At first it was proposed to disgrace [Ritchie], by expelling him, by a public vote, from the office of Printer; but, upon reflection, Col. Benton, who was the prime mover in the affair, thought it best to take the equally effectual method of passing the joint Resolution to let the printing be by contract; knowing full well that the Organ could hardly exist beyond the next session" (8/5/1846, p. 2).

The Calm before the Storm: House Organization in the 30th Congress

While unified Democratic control of the national government during the 29th Congress was viewed initially as a setback for the Whigs, domestic and foreign policy decisions would turn the situation to the party's advantage. War with Mexico began in 1846, and the Whigs (with some effort) were able to frame the conflict as a case of unprovoked aggression perpetrated by President Polk. Their contention was that "Mr. Polk's War" was conducted solely to acquire territory in the West, so as to provide for the expansion of slavery and thus appease the "Slave Power" in the southern states. The Whig slogan of "No Territory" was used to knit together both southern and northern wings of the party, while sidestepping the more controversial Wilmot Proviso that separated both parties by region (Morrison 1997, pp. 78-82; Holt 1999, pp. 252-57).⁶² In addition, Whigs capitalized on new Democratic policies, two of which were the Walker Tariff of 1846, which reduced tariffs rates, and a new Independent Treasury Act, to spread fear of an impending economic downturn for the country.

As a result, the elections of 1846–47 went the Whigs' way and returned them to majority status in the House, but just barely. The Whigs controlled 116 of the 228 seats at the opening of the 30th Congress, with Democrats controlling 108 seats and four third-party candidates filling

62. The Wilmot Proviso, first offered by David Wilmot (D-Pa.) in 1846 and by others in subsequent years, would have prohibited slavery in any new western Territories taken from Mexico. The Proviso split both parties into northern and southern contingents; for the Whigs, southern representatives could not support such a measure, not because they necessarily disagreed with its provisions, but because it was viewed as disrespectful of the South. Opposition to territorial annexation could be supported by both northern and southern Whigs, however, as "honorable" justifications could be provided by region. That is, the "No Territory" slogan was more malleable, and could be styled to members' particular electoral goals. For example, northern Whigs could frame "No Territory" as limiting the further extension of slavery, while southern Whigs could claim that western lands were not suitable for slavery and, thus, that any new states carved out of that land would organize themselves as free states.

out the remainder.⁶³ Thus, the Whigs had just a bit of wiggle room in their pursuit of the House organization; party cohesion would be critical if they hoped to secure the important House officer positions.

The Whigs held a caucus on the evening of December 4, 1847, to settle on officer nominations.⁶⁴ Samuel Vinton (Ohio), the Whig speakership candidate in the 29th Congress, emerged as the caucus choice for Speaker on the first ballot, but he declined the nomination due to poor health. Robert C. Winthrop (Mass.) was then chosen on the following ballot.⁶⁵ For Clerk, the Whigs chose Thomas J. Campbell (Tenn.), a former House member in the 27th Congress. The Democrats also met in caucus, but produced no nominations.

The 30th Congress convened on December 6, and 221 members were present when the Clerk called the roll. Three Whigs and four Democrats were absent, maintaining the narrow Whig majority in the chamber resulting from the 1846–47 elections.⁶⁶ A slight sense of foreboding was in the air, however, as Whig leaders heard rumblings over the weekend from

63. Wisconsin would enter the Union in May 1848 and receive two House seats in the 30th Congress, bringing the chamber total to 230.

64. Details on caucus proceedings and nominations are taken from the *North American and United States Gazette*, 12/2/1847, p. 2, 12/6/1847, p. 2, and 12/7/1847, p. 2; *The Boston Daily Globe*, 12/6/1847, p.2, and 12/8/1847, p. 2; the *Morning News*, 12/7/1847, p. 2; *The Farmers' Cabinet*, 12/9/1847, p. 2; and the *New Hampshire Patriot & State Gazette*, 12/9/1847, p. 2.

65. Vote totals on the Whig speaker nominations are sketchy. The most thorough account was provided in *The Boston Daily Globe* (12/8/1847, p. 2), which characterized Vinton's nomination as "unanimous" while reporting that Winthrop received 59 out of 97 votes. However, in a diary entry, Winthrop claims that Vinton received 51 votes on the first ballot (with no mention of other votes cast), while he (Winthrop) received 57 votes (to 25 for Caleb B. Smith, Ind.) on the subsequent ballot. Diary entry quoted in Gatell (1958, p. 222).

66. Winthrop would not participate in the speakership balloting, so in effect the narrow Whig majority in the chamber resulting from the 1846-47 elections was *exactly* maintained.

extreme elements within the party. At issue was Winthrop's slavery credentials. Southern firebrands were concerned that Winthrop could be a "Wilmot Proviso man," while northern agitators believed Winthrop was not firm enough in opposing territorial expansion. In his home state of Massachusetts, Winthrop was a leader of the "cotton Whigs," party members who were principally concerned with commercial and manufacturing interests. This contrasted with the goals of the "conscience Whigs," party members who emphasized moral issues, notably opposition to slavery (and slavery extension). The cotton Whigs' economic impetus often led them to de-emphasize slavery whenever possible, so as to maintain positive (and profitable) relations with the southern wing of the party.⁶⁷

By all accounts, Winthrop was considered middle-of-the-road on the slavery issue. He had generally been against annexation of Texas and territorial expansion, but he also worked against extreme anti-slavery agitation, most recently by helping to defeat a strident anti-slavery plank in the 1847 Massachusetts state convention. Winthrop was, at his core, a pragmatist, which helped determine his performance in the speakership election.

Prior to the balloting, two Conscience Whigs, Joshua A. Giddings (Ohio) and John G. Palfrey (Mass.), contacted Winthrop (via a note penned by Palfrey), asking whether he as Speaker would organize the standing committees around anti-slavery tenets (Giddings 1864; Gatell 1958).⁶⁸ Winthrop responded by refusing to make any pledges, and instead advised

67. For more on the differences between cotton Whigs and conscience Whigs, see Gatell (1958) and Brauer (1967).

68. In his *History of the Rebellion*, Giddings (1864, pp. 261-63) would provide an overview of the speakership election of 1847, emphasizing Winthrop's shortcomings on various slavery-related issues, and document Winthrop's subsequent failings as Speaker. More than a decade later, Winthrop would read Giddings' account and take issue with many of his claims. Winthrop

interested parties to search his public record for evidence of his issue positions.⁶⁹ Thus, Giddings and Palfrey (along with a third strongly anti-slavery member, Amos Tuck, an Independent (N.H.) with ties to the nascent Liberty party) were left in a quandary — follow the caucus dictate or not? — as the balloting began.⁷⁰

Winthrop received 108 of 220 votes cast on the first ballot, falling three votes shy of victory.⁷¹ All 108 of his votes came from the Whig side of the aisle, while the Democrats revealed their disorganization by splitting their votes among Linn Boyd (Ky., 61 votes), Robert McClelland (Mich., 23), John A. McClernand (Ill., 11), and a host of others. In the end, four Whigs failed to support Winthrop, which proved to be his undoing. Giddings and Palfrey did not give in to the caucus dictate, voting for James Wilson (N.H.) and Charles Hudson (Mass.),

considered Giddings' book "a mere attempt to justify a rash public career, & to make himself out the Hero of the whole Antislavery struggle." And of the man himself, Winthrop remarked: "Giddings always coveted martyrdom, & lost no opportunity, as his book shows, to magnify & intensify every indignity which could succeed in provoking the Hotspurs of the South to offer him." Quotes taken from an 1872 letter to Charles Deane, reprinted in Borome (1951, p. 291). (Note that Giddings' account of the 1847 speakership election is flawed in at least two respects: first, he contends that Winthrop's victory came on the *second* ballot rather than the third, and second, that Winthrop's election was secured by the strategic abstention of *two* southern Democrats. As Giddings wrote his *History* almost two decades after the speakership election, it appears that his memory of events was a bit faulty.)

69. Palfrey's letter to Winthrop, and Winthrop's letter of reply to Palfrey, are reprinted in *The Georgia Telegraph*, 1/4/1848, p. 3, and Winthrop (1897, pp. 68-70).

70. In discussions of the 1847 speakership election, Tuck is sometimes considered a Whig and grouped together with Giddings and Palfrey as an extreme anti-slavery, northern-Whig trio (see, e.g., Winthrop 1897, p. 67). Tuck's partisan loyalties were quite fluid throughout his career. While he would later be elected on a Whig/Free-Soil fusion ticket to the 31st and 32nd Congresses, he was elected as an Independent to the 30th Congress in a runoff, after running under the Liberty party label in the regular election (see Gatell 1958, p. 223 *fn* 20; Dubin 1998, pp. 148-49, 154, 161). Tuck would go on to vote against Winthrop for Speaker and Campbell for Clerk.

71. For individual tallies on the speakership balloting, see *HJ*, 30-1, 12/6/1847, pp. 8-14.

respectively, and they were joined by John William Jones (Ga.), who voted for John P. Gaines (Ky.), and Patrick W. Tompkins (Miss.), who voted for John Gayle (W-Ala.). While disheartening, Winthrop's showing indicated that pre-ballot concerns about wholesale defections by extremist Whigs (both on the left and right) was much ado about nothing. The key now was for Winthrop and his allies to secure the remaining votes needed for victory.

A second ballot was taken, and still no decision was had. But Winthrop inched closer, picking up Jones's vote to take his total to 109. Moreover, Tompkins was convinced to abstain on the vote, bringing the overall ballot tally to 219. Thus, Winthrop fell one vote short of victory. He now had the complete support of the southern Whigs (directly or, in Tompkins' case, indirectly), but he could not fully consolidate the northern wing of the party, as Giddings and Palfrey continued throwing their support to Wilson and Hudson, respectively. An assortment of Whig members, including John Quincy Adams, pleaded with Giddings and Palfrey to support Winthrop, warning that persistent balloting and intraparty strife could swing the election to the Democrats — especially as they seemed to be coordinating more effectively around Boyd (82 votes). But Giddings and Palfrey rejected such entreaties, maintaining that their principles must be upheld at any cost (Brauer 1967, pp. 219-21).

On the third ballot, Winthrop emerged victorious, capturing 110 votes out of 218 cast. But the deciding 110th vote that provided him with a bare majority was cast *not* by a Whig — as Giddings and Palfrey continued to support Wilson and Hudson, respectively — but by the *sole* American Party member in the House, Lewis C. Levin (Pa.). Moreover, press reports suggested that Winthrop was actually stuck on 109 votes at the completion of the voting on the third ballot, at which point Levin switched his vote to Winthrop (and away, presumably, from Joseph R.

Ingersoll (W-Pa.), for whom he had voted on the first two ballots) before the Clerk could assemble and announce the complete tabulation (see *National Era*, 12/9/1847, p. 3).

Thus, Winthrop had ascended to the Speaker's chair by the slimmest of margins.⁷² And while he and his supporters were elated, a dark cloud hung over the festivities — success was determined by an unexpected occurrence (a third-party member's vote) and *not* by perfect adherence to the caucus agreement. The slavery issue, which had infiltrated prior speakership elections during the decade, but not in a pivotal fashion, overrode party allegiance at a critical time. This would prove to be a harbinger, as the war with Mexico was drawing to a close and the organization of the western territories (soon to be ceded by Mexico) would demand attention.

72. In combing through the histories of the 1847 speakership election, a couple of small errors were discovered. These errors originate in a biography of Winthrop, written by his son in 1897. First, Winthrop (1897, pp. 70-71) argues that *three* southern Whigs (Jones, Tompkins, and William M. Cocke of Tenn.) opposed Winthrop on the first ballot, and *two* of them (Tompkins and Cocke) abstained after the first ballot. (This story has been repeated verbatim by Brauer 1967, pp. 219-20, and in a slightly different form by Schroeder 1973, p. 147; and Howe 2007, p. 796.) In fact, only *two* southern Whigs (Jones and Tompkins) opposed Winthrop on the first ballot, and only Tompkins subsequently abstained on the second and third ballots. Cocke was not eligible to vote in the speakership contest, as he was not sworn in by the Clerk until the *following* day, December 7 (see *HJ*, 30-1, 12/7/1847, p. 15; *CG*, 30-1, 12/7/1847, p. 4). Second, Winthrop (1897, p. 71) contends that the abstention of Democrat Isaac Holmes (Miss.) on the third ballot, which reduced the overall vote total from 219 to 218, was *pivotal* to the outcome. (This story has been repeated by Brauer 1967, p. 220; Gatell 1958, p. 223; and Schroeder 1973, p. 147.) However, Holmes' abstention *by itself* meant little; if Holmes had voted for someone other than Winthrop, Levin's vote would have still provided Winthrop with a bare majority (110 out of 219 votes). Holmes' abstention only mattered in combination with Tompkins' continued abstention; if *both* had decided to vote for someone other than Winthrop on the third ballot, their *joint* decision would have been pivotal (leaving Winthrop with 110 out of 220 votes). This contingent requirement is rarely mentioned in the histories (but for an accurate press account, see *National Era*, 12/9/1847, p. 3); rather, Holmes' somewhat dramatic departure from the hall during the voting on the third ballot is typically described as a uniquely crucial factor. (Note that additional, separate errors are found in Giddings 1864, p. 261; see footnote 70. These errors have not been propagated in subsequent histories.)

The following day, December 7, the House turned to the election of a Clerk. The Whig candidate, Thomas J. Campbell, faced off against Benjamin B. French, the incumbent House Clerk. Overnight, four additional members arrived in town, two Whigs and two Democrats, leaving the party ratios in the House at their previous level. On the first ballot of the morning, in which all 225 members in the chamber participated, Campbell eked out the narrowest of victories, winning by a bare majority with 113 votes, to 109 for French and three votes scattering (*HJ*, 30-1, 12/7/1847, pp. 15-17). Campbell survived two Whig defections — John Quincy Adams, who voted for French, and Joshua Giddings, who voted for Nathan Sargent (who would be elected Sergeant-At-Arms the following day).⁷³ Thus, working with a thin margin and amid an ideologically charged environment, the Whigs were able to overcome partisan defections and elect their caucus nominees to the House's two most important posts.

73. Adams's plan to vote for French was widely known (see, e.g., *The Boston Daily Atlas*, 12/8/1847, p. 2). Adams noted in his diary that he had made French a promise "some months since" to vote for him, as did (according to Adams) several other Whigs, but they were "overpowered by the Caucus screw" (entry of Dec. 6, 1847, Adams Family Papers, Massachusetts Historical Society). In his journal, French also hinted at receiving prior Whig promises, noting specifically that "[t]he evening previous to the election [Whig] Henry Nes, of Pennsylvania, held up his hand & swore before the God that made him, in presence of Mr. Levin, that he would vote for me, and then perjured himself by voting for Campbell! Let the unprincipled, perjured wretch answer to his conscience and his God for this crime! I despise him" (entry of Dec. 16, 1847, reprinted in French 1989, p. 197). As for Giddings, the *National Era* (12/9/1847, p. 3) claimed that his failure to support Campbell stemmed from an interaction they had when they were both members of the 27th Congress. At that time, Giddings faced censure in the House, due to resolutions he introduced concerning the natural rights of slaves, and Campbell voted in favor of censure. In a subsequent letter to the editor of *The Cleveland Herald* (1/5/1848, p. 3), Giddings confirmed the general thrust of the *National Era* story, but framed Campbell's vote of censure as a violation of the Constitution rather than a personal affront. Giddings would also claim that the Whig caucus was unaware of Campbell's prior censure vote, and "if it had been known he could not have received the nomination." Whether Giddings is correct in this assessment (or whether it is simply bluster) is impossible to know, but it seems clear that he was not the type to forgive and forget.

Once in the Speaker's chair, Winthrop would walk a tightrope between regional elements in his party. The war with Mexico and slavery extension, and the rules by which it would be allowed or prevented, dominated the public consciousness, and members of Congress increasingly made the slavery issue a litmus test for assessing a man's ideological allegiance. ("Popular sovereignty" — a method for resolving the question of slavery extension in the West, by letting the people in the territories decide the matter — became a household term and a moderate position during this period, and it would be a major factor in the presidential election of 1848.) Thus, Winthrop knew his construction of committees would be watched carefully, and he worked on the matter incessantly behind closed doors. Later, he confided to a friend: "the assignment of committees has been the hardest work I ever did in my life" (quoted in Winthrop 1897, p. 74).

Winthrop's committee assignments appear in Table 5-3. As the table indicates, committee power was stacked heavily in the Whigs' favor. Winthrop distributed nearly all chairmanships to Whigs; the only exceptions were Accounts, given to his main speakership rival, Linn Boyd (D-Ky.), and Engraving, given to Lewis Levin (A-Pa.), who cast the deciding vote in his speakership victory. He also made sure that Whigs constituted majorities on most committees, and on all major policy committees. Only on a few minor committees, like Mileage and Revolutionary Pensions, were Democrats provided with majority control. Thus, based on this evidence, few could claim that Winthrop was anything less than partisan in his construction of committees.

[Table 5-3 about here]

Perhaps the more important question was: was Winthrop *ideological* in his construction of committees? As the slavery issue was gripping the Nation and producing rifts within the parties, did Winthrop acquiesce to extremists (either on the pro- or anti-slavery side) and tilt important committees in a given ideological direction? To answer these questions, we incorporate second-dimension W-NOMINATE scores, which tap slavery preferences in this Congress (see Poole and Rosenthal 1997, p. 49). We then examine the ideological location of key actors (the chairman and the median member) on the nine most important House committees — Ways and Means, Commerce, Judiciary, Foreign Affairs, Territories, Agriculture, Military Affairs, Naval Affairs, and District of Columbia — in the 30th Congress.⁷⁴ These locations are illustrated in Table 5-4.

[Table 5-4 about here]

As the table indicates, most of the key actors on these nine committees fell within the interquartile range on the second W-NOMINATE dimension, which represented the “moderate” range of policy positions. Only three of the nine committee chairmen — Botts on Military Affairs, King on Naval Affairs, and Chapman on D.C. — were extreme pro-slavery advocates, and none were extreme in the anti-slavery direction. In terms of committee medians, most were representative of the overall chamber, with only Agriculture *slightly* tilted in an anti-slavery direction and Naval Affairs *slightly* tilted in a pro-slavery direction. Thus, Winthrop did not

74. The first six committees — Ways and Means, Commerce, Judiciary, Foreign Affairs, Territories, and Agriculture — represent the overlap of Silbey’s (1989, p. 12) “key” committees and Alexander’s (1916, pp. 399-410) “important” committees. The last three committees — Military Affairs, Naval Affairs, and District of Columbia — are considered “important” by Alexander but not “key” by Silbey; nonetheless, their composition was discussed in detail in newspapers of the time, as they had direct influence on issues related to the war with Mexico, slavery, and slavery extension.

construct disproportionately-biased committees — and when he did grant chairmanships to extreme members, he made sure to balance them by insuring that the pivotal committee members (the medians) were policy moderates.

The story that emerges from these committee data largely supports contentions in news reports of the time. Most complaints against Winthrop were levied by extreme anti-slavery advocates, who were angry that he did not staff all major committees with those who would hold the line against the “Slave Power.” Southern interests, by contrast, were generally pleased with his committee decisions.⁷⁵ In a sense, only liberal extremists were unhappy; conservative extremists were content with generally representative committees, as the moderate position in Congress (and the country more generally) was to maintain the status quo — continue the war with Mexico and be open to some form of slavery extension. The South had consistently won on slavery-related policy matters over time (see Richards 2000), and southern leaders were confident that maintaining the current course would help them achieve their goals.

Still, in time, Winthrop ran afoul of southern extremists within his party, notably Alexander Stephens (Ga.) and Robert Toombs (Ga.). In 1849, during the lame-duck session of the 30th Congress, Stephens and Toombs wanted Winthrop to stack a general appropriations conference committee with pro-slavery advocates, so as to concur with the Senate and *oppose* the wishes of a House majority that favored a pro-Wilmot Proviso bill. Winthrop refused to do so, and later had to discipline Toombs on the House floor during debate on the bill (Winthrop

75. See, e.g., *The Emancipator*, 12/22/1847, p. 2, and 1/26/1848, p. 1 (reprinting an article from the *Charleston Mercury*); *The Farmer’s Cabinet*, 12/23/1847, p. 2; *The Semi-Weekly Natchez Courier*, 12/31/1847, p. 3; *The New Hampshire Patriot & State Gazette*, 1/13/1848, p. 2; and *The Liberator*, 1/17/1848, p. 1. See, also, Giddings (1864, p. 263).

1897, pp. 91-92). These decisions would have consequences, as the 31st Congress and Winthrop's speakership reelection campaign loomed.

Controlling the Speakership and Controlling the Floor

Thus far in this chapter we have described the dynamics of organizational roll call votes once the House began electing Speakers and other officers through *viva voce* voting. Certainly the combatants believed that the speakership was valuable for policy reasons. However, given the occasional disconnects between the outcomes in voting for Speaker and voting for other House officers, plus the fact that the formal apparatus of party government was informal and weak at best, we can only somewhat be assured that the coalition that elected the Speaker actually controlled the legislative process once the actual work of the Congress got under way. How can we tell, in a systematic way?

One way to tell whether the election of the Speaker had significant policy consequences in subsequent decisionmaking is to cast the question in terms of the "legislative cartel" model, associated with the work of Cox and McCubbins (1993; 2005). A legislative cartel can be defined as a legislative majority — usually the majority party — that captures the internal legislative institutions for the purpose of structuring policy more to the liking of that majority. Such a legislative cartel is distinct from a chamber in which the center rules, with roll call votes regularly pitting a centrist bipartisan coalition against first one partisan extreme and then the other. A legislative cartel might operate through many mechanisms, including committee composition and agenda setting rules. Here, we focus on agenda setting rules, since it has direct implications for patterns in roll call behavior, which we examine in this section.

One way in which the majority party might use the rules to encourage policy to march

toward the majority party median — as distinct from the chamber median — is illustrated through the following spatial voting example. Begin with the standard unidimensional spatial model that operates under pure majority rule. Suppose the ideal points of members of a legislature are arrayed uniformly in a unidimensional space, as illustrated in Figure 5-3. This legislature considers ten roll call votes, with “cut points” located as indicated in the figure.⁷⁶ In terms of roll call vote #1, with cut line #1, the rightward alternative prevails, since that is the side of the space that includes the chamber median. Thus everyone to the left of the cut line is on the losing side of the roll call and everyone to the right is on the winning side. The *Ls* and the *Ws* in the figure indicate whether members of the separate ideological regions vote on the losing or winning sides of that roll call.

[Figure 5-3 about here]

After all ten roll calls are taken, all the legislators who lie between the fifth and sixth cut lines — which includes the median — have been on the prevailing side on each roll call vote. Members lying further away from this region prevail less often, in direct proportion to how far they are from the median.

Now, consider a world that is organized by a legislative cartel that operates as follows. First, for simplicity, assume that all members of the minority party lie to the left of all members of the majority party, as illustrated in Figure 5-4. Second, assume that the majority party controls the agenda-setting mechanisms of the legislature, such that no votes are allowed to come to the floor that would result in the median of the majority party (indicated by *J* in the

76. A “cut point” in spatial voting theory is the point in a unidimensional model that separates those who vote *yea* from those who vote *nay*. In two dimensions, a cut point becomes a “cut line” (or “cutting line”).

figure) being on the losing side. In such a world, any roll call vote involving cut lines 6 and 7 would be ruled out of the agenda, since *J* would lose the vote. As a consequence of this agenda-control device, all members who lie in the regions between the one occupied by the chamber median and the one occupied by the majority party median prevail in all *observed roll calls*. Empirically, the ideological region of the “most frequent winners” of roll call votes has expanded, shifting toward the majority party median.

[Figure 5-4 about here]

The frequency of being on the winning side of observed roll call votes under these two regimes — pure majority rule versus agenda-controlling legislative cartel — as a function of ideological location is summarized in Figure 5-5. This figure illustrates an important implication that is likely to be associated with a party-based legislative cartel controlling the agenda: majority party members win more often than they would under pure majority rule, and the members who benefit the most lie in the region between the floor median and the majority party median.⁷⁷ By keeping a set of votes off the floor that would split the majority party, policy moves away from the middle.

[Figure 5-5 about here]

In applying this insight to roll call voting in the antebellum House, we need to make one important modification. Because parties did not uniformly unite behind a single candidate for

77. See Lawrence, Maltzman, and Smith (2006) for an examination of a similar model, using a more modern set of roll call votes. Also see Cox and McCubbins (2002).

Speaker, it is probably best to explore it with respect to the coalition that supported the victorious speakership candidate on the final ballot — what could be called the *organizing coalition*.⁷⁸

If agenda-setting operates in a manner consistent with this example, then we should discover that the most frequent winner of roll call votes is not the median of the House, but rather, the median of the organizing coalition. Figure 5-6 graphs the percentage of times from the 26th to 30th Congresses that each House member was on the prevailing side of roll call votes against his spatial (ideological) location, measured by first dimension W-NOMINATE scores. Also indicated are the location of the floor median and the median of the organizing coalition. A third-degree polynomial has been fit through the data in each graph, using least squares regression, to help in identifying where the most frequent roll call winners are located in each Congress.⁷⁹

[Figure 5-6 about here]

Visual examination of Figure 5-6 suggests a mixed bag with respect to the legislative cartel idea in the antebellum House. The most frequent winner of floor votes was located away from the median in three of these five congresses, so a centrist “pivotal politics” model hardly

78. In coining the phrase *organizing coalition*, we remain agnostic for the moment about whether the coalition was anything more than simply an empirical phenomenon.

79. The choice of a third-degree polynomial is entirely a matter of empirical curve-fitting. After some experimentation, the third-degree polynomial seems generally to be more conservative than a second-degree polynomial (from the perspective of the simple median voter model), since the global maximum of the curves it tends to fit are shifted toward the center of the issue space. Polynomials of a higher degree do fit the data better, but produce only marginally different curves, compared to the third-degree polynomials.

seems descriptive. In one of these cases, the 26th Congress, the organizing coalition could not reasonably be called a *legislative cartel*, since the most frequent policy winners were located across the policy space from the coalition that elected the Speaker.

This section has introduced a formal way to explore whether the coalition that elected Speakers in the early nineteenth century could in any way look like a governing coalition, or even a legislative cartel. Of course, the entirety of the evidence for these Congresses demonstrates that legislative cartels were never fully established, but some Congresses came closer to the ideal type than others. In subsequent chapters, we use this same analysis to examine the relationship between Speaker elections and floor control, finding that controlling the speakership was no guarantee of controlling the floor for the remainder of the antebellum period.

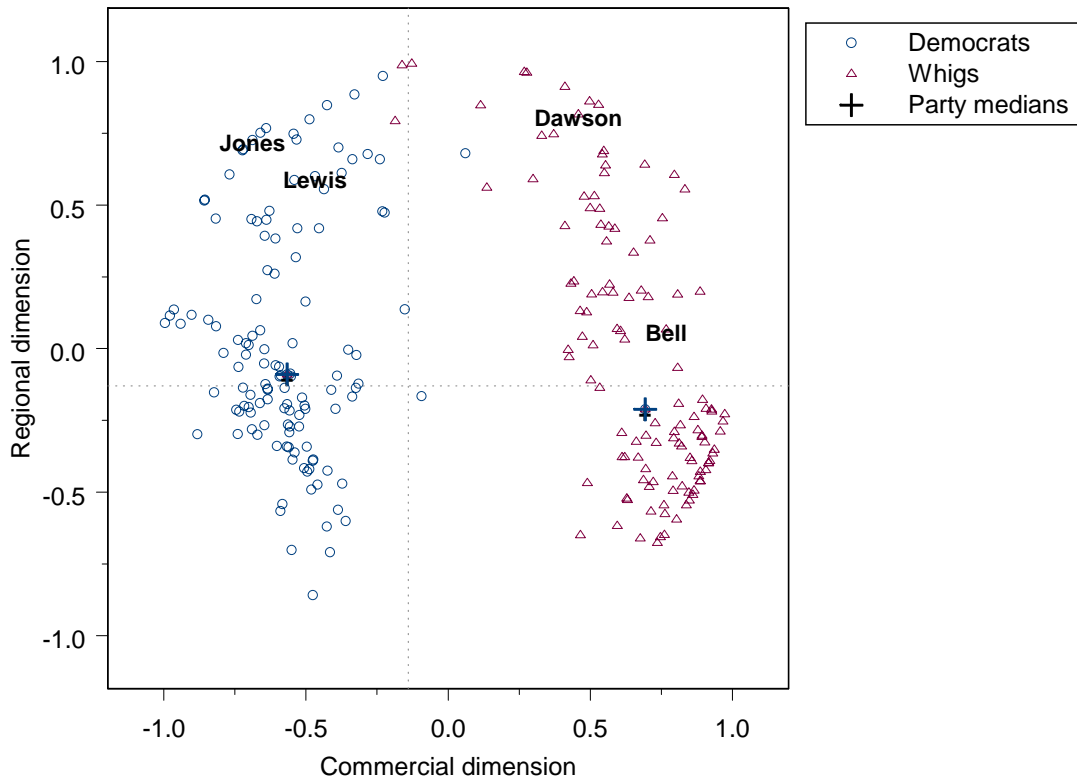
Conclusion

This chapter has examined the earliest Congresses when the House balloted in public for its officers. As irony would have it, the first time *viva voce* voting was applied to the speakership, the majority Democrats were unable to parlay it into a victory. Nonetheless, the Democrats were able to control the 26th Congress even without the speakership. In the subsequent four Congresses, a combination of factors conspired to make the election of Speakers more predictable, and having a public record of which party members failed to support the caucus candidate certainly was of use to party leadership. Still, caucuses were advisory, not binding, and party leaders found it difficult to corral members whose political instincts were intensely regional.

The events recounted in this chapter were preliminary, though, to the intensifying debate over the role of slavery in America, and the grass-roots pressure that would be brought to bear on

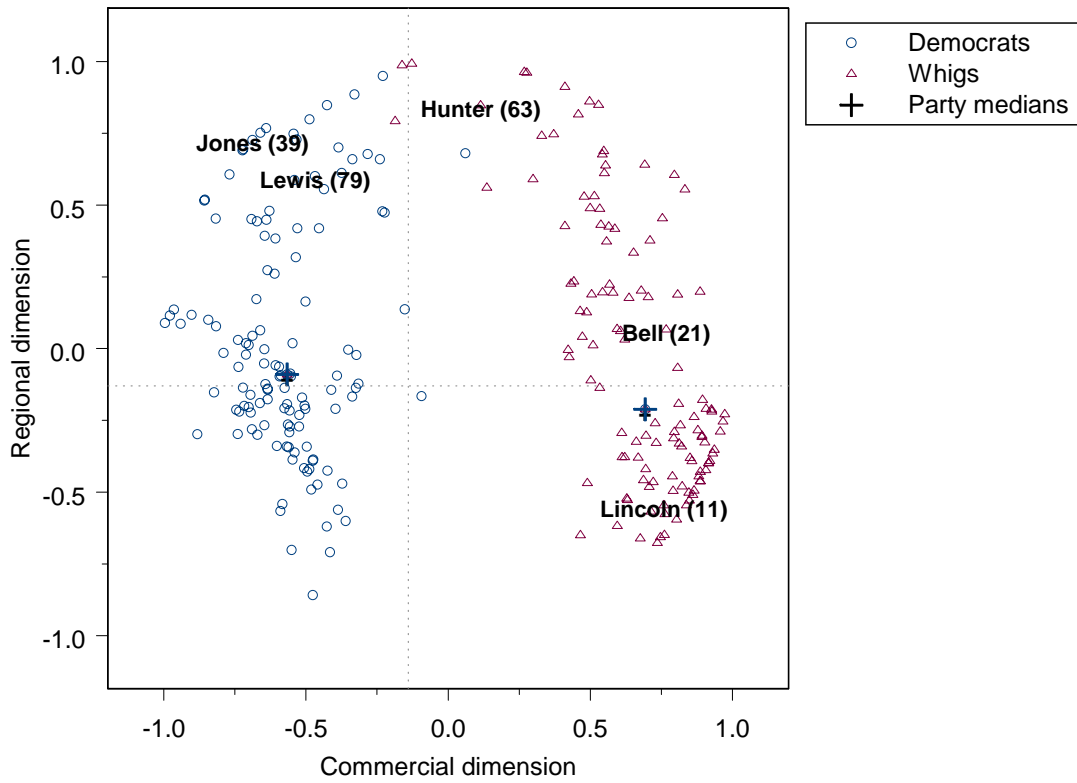
members of the House over the following decade-and-a-half. In the immediate chapters that follow, we will find that the *viva voce* mechanism actually backfired, providing information to slavery and anti-slavery forces outside the chamber that would make the work of party leaders nearly impossible.

Figure 5-1. Spatial location of major party speakership candidates, initial ballots of the 26th Congress (1839).



Note: Dashed lines indicate overall chamber medians.

Figure 5-2. Spatial location of major party speakership candidates, end of balloting on the first day, 26th Congress (1839).



Note: Dashed lines indicate overall chamber medians.

Figure 5-3. Winning and losing roll call voters under majority rule.

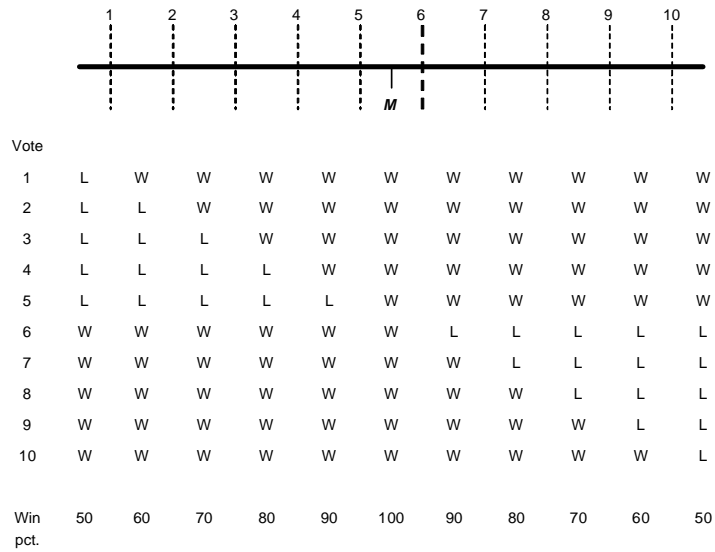


Figure 5-4. Winning and losing roll call voters under a legislative cartel that controls the agenda.

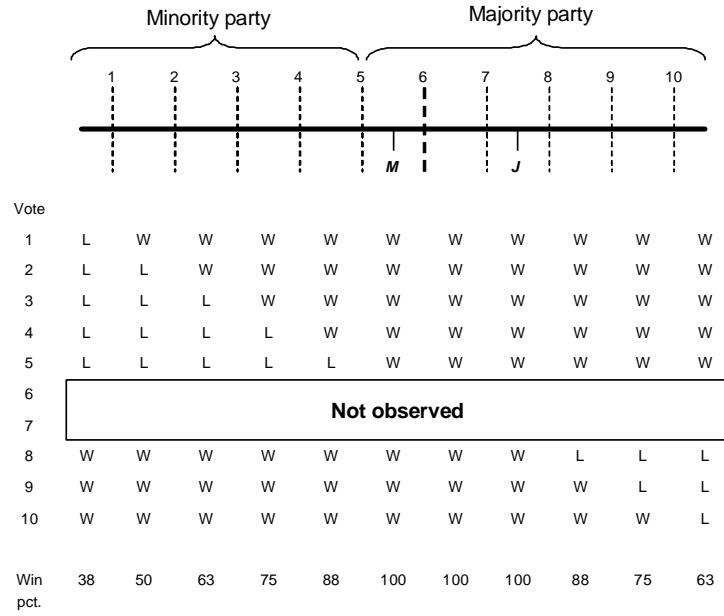


Figure 5-5. Frequency of being on the prevailing side of a roll call, as a function of ideological location and decisionmaking agenda.

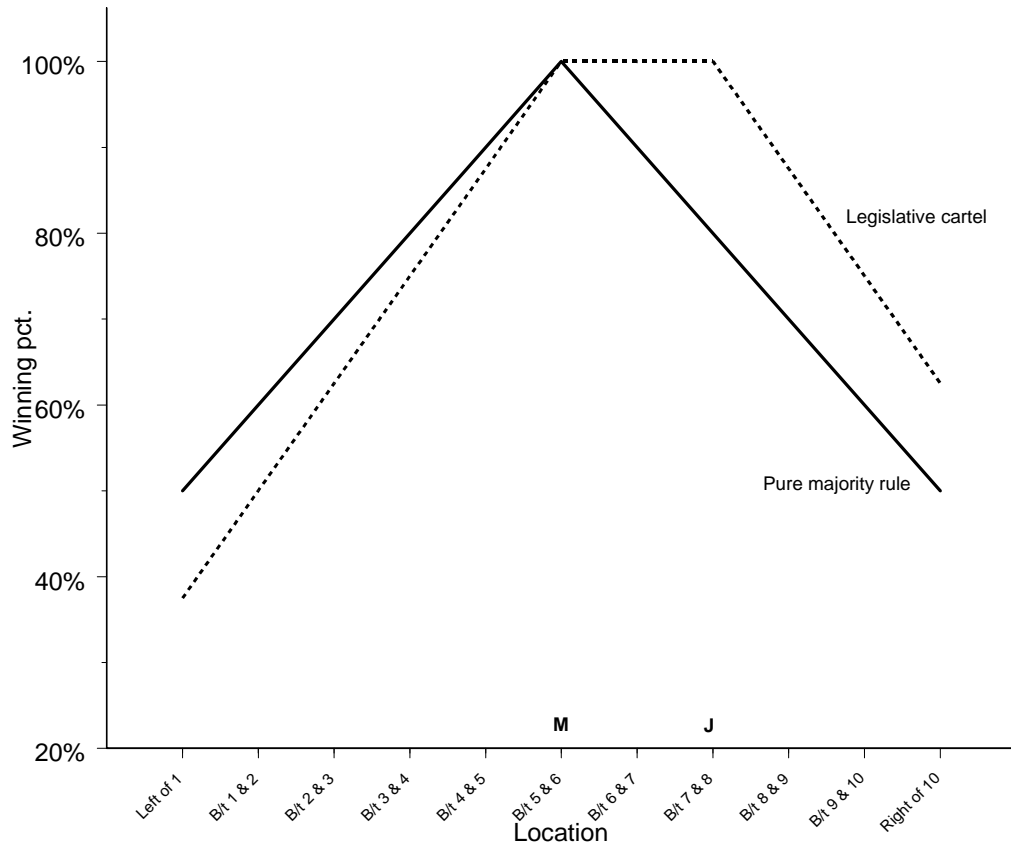
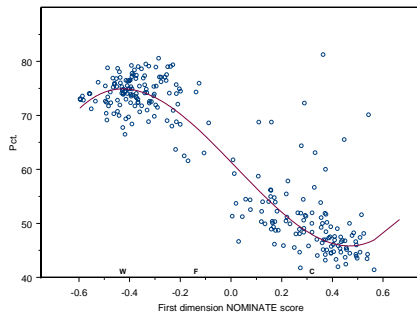
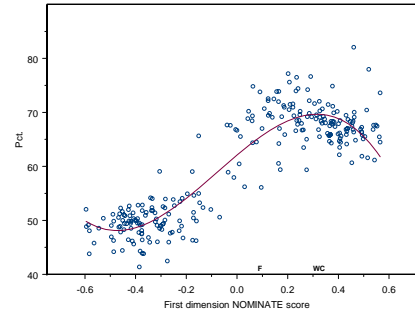


Figure 5-6. Winning percentage as a function of W-NOMINATE score.

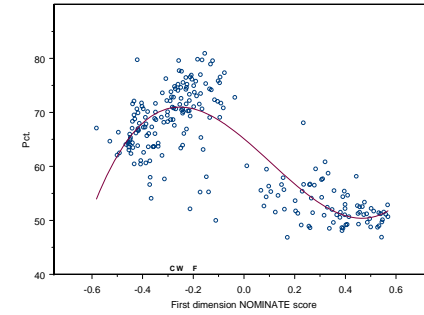
26th Congress



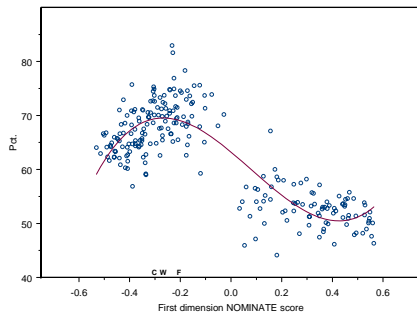
27th Congress



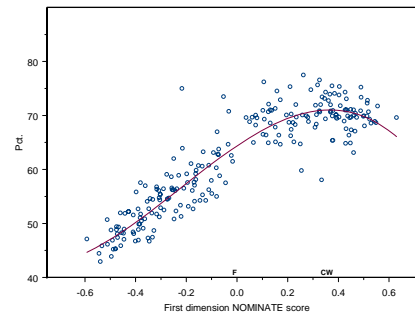
28th Congress



29th Congress



30th Congress



F = floor median; C = median of coalition that voted for winning Speaker candidate; W = estimated location of member most frequently on winning side of roll call votes.

Table 5-1. Votes for Speaker, 1st and 6th ballots, 26th Congress, by party. (Probit coefficients, with robust standard errors in parentheses)

a. Whigs only. Dependent variable = 1 if vote is for Bell, 0 otherwise.

	1st ballot	6th ballot
W-NOMINATE dimension 1	2.50** (0.88)	1.39 (0.91)
W-NOMINATE dimension 2	-0.83 (0.54)	-0.17 (0.47)
Intercept	-0.01 (0.57)	-1.82 (0.63)
N	107	103
llf	-24.14	-49.67
Pseudo R ²	.36	.05

b. Democrats only. Dependent variable = 1 if vote is for Jones, 0 otherwise.

	1st ballot	6th ballot
W-NOMINATE dimension 1	-2.89* (1.44)	-1.33 (0.71)
W-NOMINATE dimension 2	-2.33*** (0.62)	0.51 (0.28)
Intercept	0.89 (0.82)	-1.25** (0.44)
N	120	117
llf	-16.25	-70.38
Pseudo R ²	.45	.05

* $p < .05$; ** $p < .01$; *** $p < .001$

Table 5-2. House Committee Assignments, 26th Congress

Committee	Chair (Party-State)	Members	Dems	Whigs
Commerce	Edward Curtis (W-N.Y.)	9	4	5
Public Lands	Thomas Corwin (W-Ohio)	9	5	3
Claims	William C. Dawson (W-Ga.)	9	5	4
Post Office and Post Roads	James I. McKay (D-N.C.)	9	5	3
District of Columbia	William C. Johnson (W-Md.)	9	3	6
Judiciary	John Sergeant (W-Pa.)	9	3	6
Revolutionary Claims	Robert Craig (D-Va.)	9	6	3
Territories	John Pope (W-Ky.)	9	4	5
Revolutionary Pensions	John Taliaferro (W-Va.)	9	5	4
Invalid Pensions	Sherrod Williams (W-Ky.)	9	3	6
Roads and Canals	Charles Ogle (W-Pa.)	9	4	5
Patents	Isaac Fletcher (D-Vt.)	5	5	0
Public Buildings and Grounds	Levi Lincoln (W-Mass.)	5	4	1
Revisal and Unfin. Business	Luther C. Peck (W-N.Y.)	5	3	2
Accounts	Joseph Johnson (D-Va.)	5	3	2
Manufactures	John Quincy Adams (W-Mass.)	9	4	5
Agriculture	Edmund Deberry (W-N.C.)	9	7	2
Indian Affairs	John Bell (W-Tenn.)	9	4	5
Mileage	Thomas W. Williams (W-Conn.)	5	3	2
Exp. in the State Dept.	Joseph R. Underwood (W-Ky.)	5	2	3
Exp. in the Treasury Dept.	George Evans (W-Maine)	5	2	3
Exp. in the War Dept.	Rice Garland (W-La.)	5	3	2
Exp. in the Navy Dept.	Leverett Saltonstall (W-Mass.)	5	2	3
Exp. in the Post Office Dept.	Richard P. Marvin (W-N.Y.)	5	2	3
Exp. on the Public Buildings	Edward Stanly (W-N.C.)	5	2	3
Foreign Affairs	Francis W. Pickens (D-S.C.)	9	5	4
Naval Affairs	Francis Thomas (D-Md.)	9	5	4
Private Land Claims	Zadok Casey (D-Ill.)	9	4	5
Military Affairs	Cave Johnson (D-Tenn.)	9	5	4
Militia	George M. Keim (D-Pa.)	9	5	4
Elections	John Campbell (D-S.C.)	9	5	4
Public Expenditures	George N. Briggs (W-Mass.)	9	4	5
Ways and Means	John W. Jones (D-Va.)	9	5	4

Note: Conservatives James Garland (Va.) and George Hopkins (Va.) served on Public Lands and Post Office & Post Roads, respectively.

Table 5-3. House Committee Assignments, 30th Congress

Committee	Chair (Party-State)	Members	Dems	Whigs
Elections	Richard W. Thompson (W-Ind.)	9	4	5
Ways and Means	Samuel F. Vinton (W-Ohio)	9	3	6
Claims	John A. Rockwell (W-Conn.)	9	4	5
Commerce	Washington Hunt (W-N.Y.)	9	4	5
Public Lands	Jacob Collamer (W-Vt.)	9	4	5
Post Office and Post Roads	William L. Goggin (W-Va.)	9	4	5
District of Columbia	John G. Chapman (W-Md.)	9	4	5
Judiciary	Joseph R. Ingersoll (W-Pa.)	9	4	5
Revolutionary Claims	Daniel P. King (W-Mass.)	9	4	5
Public Expenditures	Thomas L. Clingman (W-N.C.)	9	4	5
Private Land Claims	John Gayle (W-Ala.)	9	4	5
Manufactures	Andrew Stewart (W-Pa.)	9	4	5
Agriculture	Hugh White (W-N.Y.)	9	4	5
Indian Affairs	Meredith P. Gentry (W-Tenn.)	9	4	5
Military Affairs	John M. Botts (W-Va.)	9	3	6
Militia	John B. Thompson (W-Ky.)	9	6	3
Naval Affairs	Thomas Butler King (W-Ga.)	9	3	4
Foreign Affairs	Truman Smith (W-Conn.)	9	3	6
Territories	Caleb B. Smith (W-Ind.)	9	4	5
Revolutionary Pensions	William M. Cocke (W-Tenn.)	9	5	4
Invalid Pensions	Henry Nes (W-Pa.)	9	4	4
Roads and Canals	Robert C. Schenck (W-Ohio)	9	3	5
Patents	John W. Farrelly (W-Pa.)	5	3	2
Public Buildings & Grounds	John W. Houston (W-Del.)	5	2	3
Revisal and Unfin. Business	John W. Hornbeck (W-Pa.)	5	3	2
Accounts	Linn Boyd (D-Ky.)	5	3	2
Mileage	Hiram Belcher (W-Maine)	5	3	2
Engraving	Lewis C. Levin (A-Pa.)	3	1	1
Library of Congress	John Quincy Adams (W-Mass.)	3	1	2
Exp. in State Dept.	Daniel M. Barringer (W-N.C.)	5	2	3
Exp. in Treasury Dept.	Joseph M. Root (W-Ohio)	5	2	3
Exp. in War Dept.	John H. Crozier (W-Tenn.)	5	2	3
Exp. in Navy Dept.	Patrick W. Tompkins (W-Miss.)	5	2	2
Exp. in Post Office Dept.	James Wilson (W-N.H.)	5	2	3
Exp. on Public Buildings	E. Carrington Cabell (W-Fla.)	5	2	3
Enrolled Bills	James G. Hampton (W-N.J.)	2	1	1

Note: American Lewis C. Levin (Pa.) served on Naval Affairs; Independent Amos Tuck (N.H.) served on Naval Affairs and Exp. in the Navy Dept.; Independent Democrat George Petrie (N.Y.) served on Invalid Pensions; and Independent Democrat Robert Smith (Ill.) served on Roads and Canals.

Table 5-4. Ideological Orientation of Important House Committees, 30th Congress

Committee	Chair	Median
Agriculture	-0.368	-0.397
Commerce	-0.370	-0.283
Territories	-0.191	-0.191
Foreign Affairs	-0.137	-0.137
Ways and Means	-0.100	-0.100
District of Columbia	0.744	-0.082
Judiciary	0.314	0.035
Military Affairs	0.820	0.204
Naval Affairs	0.731	0.347

Note: Entries represent second-dimension W-NOMINATE scores. Negative values indicate anti-slavery preferences; positive values indicate pro-slavery preferences. Intensity of preference increases as one moves toward -1 or 1.

Interquartile W-NOMINATE range: First Q = -0.439; Median = -0.082; and Third Q = 0.451

Chapter 6

Partisan Tumult on the Floor: The Speakership Elections of 1849 and 1855-56

The patina of success that surrounded the caucus/public-ballot strategy of selecting House officers would be wiped away in 1849. The cross pressures between party and constituency that had been building throughout the decade, thanks to the growing importance of the slavery issue, could no longer be managed successfully within the existing structure of the interregional two-party system. The “free soil” issue, set in motion by the Wilmot Proviso in the summer of 1846, exposed cracks in both the Democratic and Whig parties and placed more and more pressure on leaders to hold their regional blocs together. The growing tension associated with slavery extension would influence House officer choices in the 30th Congress (1847-49), when (as described in Chapter 5) two pivotal northern Whigs would not support the party’s caucus nominee, Robert Winthrop (W-Mass.), for Speaker on the basis that his views were not *sufficiently* anti-slavery. And while the Whigs avoided protracted balloting, thanks to the timely support of a non-Whig, the 1847 speakership contest would serve as a harbinger for darker events yet to come.

The four speakership elections between 1849 and 1855 (covering the 31st through 34th Congresses) would mirror the sectional tensions in the Nation. The two speakership contests that bookend this period would be protracted and divisive — in 1849, the election would require 63 ballots and two weeks to yield an outcome, while in 1855, the election would necessitate 133 ballots and two months, thus bleeding into 1856. In each case, the prior strategy of nominating a slavery moderate in caucus and electing him on the House floor broke down, due to the heightened salience of slavery that worked its way into the electorate and into the attention of the press. In both Congresses, no party had a majority and the balance of power was held by a party

with an extreme view on slavery. And the increased public awareness of the speakership choice made it virtually impossible for numerically-small minority elements of the two major party caucuses to support the regular party candidates, lest they invite the wrath of their constituents who cared most about slavery. In the end, these factors made speakership choice practically impossible and prompted an alteration in the voting rule, in both 1849 and 1856, from majority to plurality rule, before Speakers were elected.

During this time, the Second Party System would weaken and eventually collapse, as the slavery issue overwhelmed the interregional partisanship that had been in place for two decades. The Democrats would suffer a severe blow but survive, while the Whigs would tear apart along a North/South divide. New parties, the Americans and the Republicans, would emerge out of the Whigs' charred remains and compete for the right to settle alongside the Democrats in a new party system. The first institutional victory for the Republicans, a wholly sectional (northern) party, would come in the speakership election of 1855-56, when a motley group of "anti-Democratic opposition" members would coalesce around anti-slavery tenets, elect a Speaker, and establish Republicanism over Americanism as the dominant party paradigm. This would serve as a first glimpse of what would become known as the Third Party System. And, in time, the Van Burenites' strategy of securing the House organization through the mechanism of a party nominating caucus (in advance of a new Congress convening) would finally take hold in this new Third Party System, as the Nation looked forward after a bloody civil war.

A Short Digression: Sophisticated Behavior and Speakership Elections

Before proceeding to an analysis of the speakership contests in 1849 and 1855-56, a word on member intent is needed. The notion that politicians behave in a strategic or sophisticated way has been a standard element of the rational-choice paradigm for quite some time. As the notion goes, politicians, as utility-maximizing actors, will sometimes alter their voting behavior and change voting agendas to increase the likelihood of achieving their most-preferred outcomes.

Sophisticated *voting* refers to the way that actors (voters) react to a given binary voting agenda. A sophisticated voter is anticipatory, or forward-looking, in that he focuses on outcomes at the end of the game tree, rather than alternatives at any intermediate stage in the agenda. As a result, sophisticated voters will often vote for alternatives early in the agenda that they do not immediately prefer in order to “follow the path” to their most preferred outcome (Farquharson 1969). Sophisticated *agenda setting* refers to the manipulation of alternatives under consideration by the agenda setter prior to the voting stage. The placement of alternatives within the agenda—whether early or late, and in consideration against other alternatives in given stages—will have an impact on the outcome achieved *when voters vote sincerely*, that is, when voters select their most preferred alternative at *each* stage of the agenda. Moreover, the decision regarding which choices will be actual *alternatives* also falls within the rubric of agenda setting. An issue that could potentially beat all others is moot until it is actually placed on the agenda (Levine and Plott 1977).¹

1. See Ordeshook (1986) for a review of the literatures on agenda setting and sophisticated voting. Manipulation of the issue space itself may also be considered under the rubric of sophisticated agenda setting, although the term “heresthetics” tends to be applied to this practice (Riker 1986).

Speakership elections generally are determined by a form of sophisticated agenda control. During periods of two-party government, party institutions, and the party leaders who manage them, serve as effective agenda setters. Decisions regarding whom the party's speakership candidate will be are traditionally made in caucus, prior to the speakership election. Party members are allowed to fight it out behind closed doors until a candidate is selected, after which *all* members are expected to fall in line behind the given nominee on the floor. Thus, speakership elections usually boil down to a choice of two candidates along a basic partisan dimension,² with voters selecting their party's nominee and the winner emerging (rather deterministically) from the majority coalition on the first ballot.

Speakership elections during the Second Party System were a case in point. Beginning in 1839, both the Whigs and Democrats used a caucus system to select candidates, and in cases when one party had a clear advantage (as in 1841, 1843, and 1845), speakership elections were decided on the first ballot. One reason for the efficiency of the selection process had to do with the makeup of the two parties. Both the Whigs and Democrats were interregional coalitions; thus, an issue like slavery, which could drive a wedge between such sectional alliances, was a very real danger to the health of each party. As such, both Democratic and Whig party leaders prevented slavery from being a criterion in the selection of a speakership candidate by emphasizing the need to choose policy (slavery) moderates in caucus. Consequently, speakership elections would be decided along a basic partisan dimension. This was but one way

2. This is similar to Poole and Rosenthal's (1997, pp. 35, 46) explanation for the their low-dimensionality results in Congressional roll-call voting. They argue that majority party leaders manipulate the voting agenda to include only those issues that separate their party members from the opposing party's members.

in which parties served as solutions to various collective choice problems during the early-to-mid-nineteenth century.³

At times, however, the speakership selection process did not run smoothly. This was the case in 1839 and 1847, but it was *especially* apparent in the latter part of the Second Party System, when the slavery issue exploded onto the national scene and altered partisan dynamics. Third parties emerged — first the Free Soilers in the late 1840s, then the Americans and Republicans in the middle 1850s — to threaten the two-party equilibrium that had developed in speakership elections. Sometimes this was manifested as a multi-dimensional speakership race (in the 1849 election), and other times as a three-party battle along a single dimension (the 1855-56 election). Regardless, the rise of viable third parties injected instability into the standard sophisticated agenda setting process that had worked so well for so long.

However, a question arises. Since the muddled dynamics of these multi-party periods were apparent to all, sophisticated behavior was still an option that could have been exercised to cut through the instability. For example, it is commonly observed that any attempts at agenda manipulation can be overcome through sophisticated voting (Enelow and Koehler 1980; Enelow 1981). Given that so much was to be lost by not organizing, with regard to both time and policy outputs, it seems odd that lengthy speakership races would be observed. And yet, two very lengthy speakership elections in 1849 and 1855-56 transpired. Were members unable to recognize the costs of a protracted speakership battle, and thereby unable to evaluate the alternatives (i.e., candidates) in a sophisticated manner?

3. See Aldrich (1995) for other examples.

We think not. A number of accounts suggest that members of nineteenth-century Congress were as rational as members are today (Stewart 1989; Jenkins and Sala 1998). A more likely explanation would be that members were unable to behave in a sophisticated manner because of electoral considerations. This situation is described by Denzau, Riker, and Shepsle (1985, p. 1118):

Result-oriented strategic calculation and sophisticated behavior in the legislative arena may require actions that run contrary to the nominal preferences of important constituents. Although helpful in producing a final result desired by constituents, a strategic vote ... may nevertheless entail behaving in a manner that directly conflicts with the wishes of constituents. Such actions will need to be explained by the legislator. But can he explain those actions?⁴

This constituent-based explanation is especially relevant to the 1849 and 1855-56 speakership elections, contests that were quite salient and covered extensively in the press. Members of each major party, as well as members from the minor parties, understood that sophisticated voting would produce a much quicker outcome — but was it worth it? A majority-rule outcome in a three-party battle required that members from one of those parties choose a candidate of an opposing party. For members of minor parties (like the Free Soilers in 1849) or burgeoning parties (like the Republicans and Americans in 1855–56), such a solution could mean partisan destruction. For members of major parties, such a solution could mean electoral fallout in the resulting congressional elections. Either way, *some* members would have had to run the risk of losing the trust of their constituents.

Based on the evidence from the 1849 and 1855-56 elections, members felt that the position-taking benefits associated with “saving electoral face” exceeded the time and policy costs associated with an unorganized House. Inevitably, what was accomplished—voting

4. On the issue of members maintaining the trust of their constituents, also see Bianco (1994).

“correctly” on an important issue (the speakership)—appears to have been more visible to constituents than what was not accomplished—an organized House and passage of policy outputs—because in 1849 and 1855-56 *a majority never did agree on a speakership candidate*. Both speakership elections were eventually decided by a change in the selection rule, from majority rule to plurality rule, which had the effect of forcing the third-highest ranking candidate out of the race. Thus, the House was organized without any members having to incur a position-taking hit.

Sectionalism Unbound: The Speakership Election of 1849

The Speakership battle of 1849 followed the election of 1848, the first national election in which slavery proved to be a major theme. The offering of David Wilmot’s (D-Pa.) proviso in August 1846, toward the end of the first session of the 29th Congress (1845-47), can be viewed as the moment that framed subsequent events. The Wilmot Proviso put the House on record as opposing the expansion of slavery in Territories acquired from Mexico. The conclusion of the war in February 1848, during the first session of the 30th Congress (1847-49), brought the matter of slavery expansion to a head, as the issue of organizing these lands began to be pressed upon Congress. Most urgently, the citizens of California were writing a Constitution that, in the end, would prohibit slavery. The admission of California, without a matching slave state to enter alongside it, promised to upset the “balance rule” (Weingast 1996, 1998), which had provided the South with an effective veto in the Senate over legislation that restricted slavery nationally.

The House found itself unable to resolve the slavery extension issue before the first session of the 30th Congress adjourned. Several compromise bills were offered, but a variety of roadblocks emerged (Potter 1976, pp. 75-77). Hoping to regain the presidency, the Whig

majority in the House was unwilling to help the Democrats achieve a harmonious ending to “Mr. Polk’s War.” And northern House members generally were reluctant to sign off on any bill that would allow slavery a foothold in the West, for fear of upsetting the growing Free Soil coalition in the northern electorate.

Anti-slavery extension agitation grew throughout the summer and early fall of 1848, as both Democratic and Whig party leaders labored to keep Free Soil sentiment bottled up and citizens’ attention on the traditional issues that divided the parties (see Silbey 2009). Not content with working through the two major parties, anti-slavery advocates began organizing politically, and in short order a new party, the Free Soil Party, had emerged. Made up of disgruntled “Conscience” Whigs, “Barnburner” Democrats, and members of the abolitionist Liberty Party, the Free Soil Party held a convention in August 1848, and chose a presidential nominee, Martin Van Buren of New York. Van Buren, the chief architect of the national Democratic Party, was by summer 1848 a pariah. Over the previous four years, he had grown increasingly estranged from his old party — he was denied the Democratic presidential nomination in 1844, because southerners considered his conservative view on Texas annexation to be unacceptable, and his Democratic Party faction in New York (the “Barnburners”) was increasingly passed over by President Polk when allocating patronage appointments. By 1848, Van Buren was willing to kill the national Democratic Party — or, rather, kill the southern-capitulating leadership that was now controlling the party — in order to save it. Thus, he accepted the Free Soil nomination and sought to raise the slavery extension issue to a point that would topple the existing interregional duopoly that comprised the Second Party System.

In the end, after great effort, the two parties managed to keep most of their northern members from straying into the Free Soil camp. Van Buren was only able to carry 10% of the national vote and captured *zero* Electoral College votes. He did, however, receive roughly a quarter of the vote in New York, Massachusetts, and Wisconsin, and his strong showing in New York (a second place finish) may have cost the Democratic nominee, Lewis Cass (Mich.), a plurality in the state, thus throwing the election to Whig nominee, Zachary Taylor (La.).

Van Buren's showing not only affected the presidential election, but the congressional elections as well. In the elections of 1848-49, the share of the House vote won by neither the Whigs or the Democrats was 12%, up from 6% in 1846-47.⁵ Virtually all of this increase was directly attributable to the success of Free Soil congressional candidates, nine of whom were elected to the 31st Congress (1849-51).⁶ Moreover, these nine Free Soilers would be pivotal, as no party would hold a majority of House seats. The Democrats would maintain plurality control of the chamber with 113 seats, while the Whigs controlled 108 (with one American and one vacancy rounding things out).⁷

5. Election results taken from Dubin (1998). Recall that during this period there was no single national election day. Congressional elections were held over the course of nearly a year in the various states.

6. Six of the Free Soilers in the 31st Congress were rookies who replaced Whigs. Two members from Ohio, Joshua Giddings and Joseph Root, had served in the 30th Congress as Whigs; Amos Tuck, from Massachusetts, had served in the 30th Congress as an Independent.

7. These party labels come from Martis (1989, p. 103). (Later in the session, California would enter the Union and two additional House seats – controlled by a Democrat and an Independent, respectively – would be added.) As there was fluidity in electoral politics during this era, party labels of members of Congress were not always known with certainty. For example, Dubin (1998, p. 156) counts only eight Free Soilers at the opening of the 31st Congress, along with 113 Democrats, 107 Whigs, 1 American, 1 Anti-Rent Whig, and 1 vacancy. The difference in the Free Soil count between Martis and Dubin is the coding of John W. Howe (Pa.), who Martis classifies as a Free Soiler and Dubin classifies as a Whig.

This lack of a majority party in the 31st Congress would prove to be key, as the lame-duck session of the 30th Congress was unable to reach a resolution on the issue of slavery extension in the western territories. Thus, the decision would fall to the members of the 31st Congress, which made the organization of the House crucial to all sides involved.

In advance of the convening of the 31st Congress, agitation over the slavery issue continued to heat up. John C. Calhoun led a caucus of congressional southern Whigs in December 1848, intent upon forming a southern party. Ultimately the movement broke down, but the caucus meetings led to Calhoun's original "Address to the Southern People," which rehearsed northern injustices visited upon southern rights and slavery. The tone of the Address implied that any southerner who did not resist northern aggression, to the point of secession, was a traitor (Holt 1999, chap. 12). On the other side of the issue, northern anti-slavery forces expressed frustration with the slavery-extension stances of both parties, which continued to emphasize compromise in various "unionist" formulations.

Hopes for a speedy organization of the House were further dashed when the parties caucused on the evening of December 1, 1849, to decide on their nominees for Speaker.⁸ First, after some speculation that the Free Soilers might caucus with one of the two major parties—especially those like Giddings who had strong ties to the major parties—they decided to

8. Accounts of the various opening caucus proceedings can be found in *NYJC* (12/3/1849; 12/4/1849); *New York Evening Post* (12/4/1849); *Richmond Enquirer* (11/30/1849; 12/4/1849, 12/7/1849); *AA* (12/3/1849), *Daily National Intelligencer* (12/3/1849, p. 3; 12/6/1849, p. 3); *North American and United States Gazette* (12/4/1849, p. 2); and *Boston Courier* (12/6/1849, p. 2). On the speakership battle more broadly see Holt (1999, 461–472), Hamilton (1951, 243–53), and Smith (1988, 106–107).

caucus separately and support Wilmot for Speaker.⁹ Second, the Democrats caucused, choosing to nominate Howell Cobb (Ga.).¹⁰ However, roughly twenty Democrats stayed away from the caucus, presumably to avoid being bound by the caucus's decision.¹¹

Most problematic for a smooth organization of the House, or at least the most dramatic moments, were the Whig proceedings. When the Whigs caucused on the eve of the House's convening, informed speculation held that Winthrop would be easily re-endorsed by his party for the speakership. Therefore most were shocked when Robert Toombs (Ga.) arose, after the initial organization of the caucus, to offer the resolution "That Congress ought not to pass any law

9. The *Richmond Enquirer* (12/7/1849) reported that 12 to 15 Free Soil sympathizers had held three informal conversations at the National Hotel prior to the convening of the House. A pledge by these members was made "of entire fidelity to the principle of opposition to the extension of slavery under our Constitution, [and] will in no contingency support any many for Speaker of the House who will not pledge himself to cordial and effectual co-operation with them on this principle." This pledge was subscribed to by Preston King (NY), David Wilmot (Pa.), Walter Booth (Conn.), and Charles Durkee (Wisc.), who had previously been Democrats, and by Amos Tuck (N.H.), Charles Allen (Mass.), Joshua Giddings (Ohio), Joseph Root (Ohio), John W. Howe (Penn.), and William Sprague (Mich.), who had previously been associated with the Whigs. Sprague later switched his allegiance back to Winthrop. The *New York Evening Post* (12/4/1849) also claimed that George Washington Julian (Ind.) would act in concert with the Free Soilers and that Chauncey Cleveland and Loren P. Waldo, from Connecticut, would oppose both Cobb and Winthrop.

10. Southern firebreathers rallied behind Robert McLane (Md.). Cobb had strong support throughout the caucus, as did Linn Boyd. (*NYJC*, 12/3/1849). Cobb received 42 of 79 votes cast in the nominating ballot. The *New York Evening Post* (12/4/1849) reported that John L. Robinson (Ind.) nominated Cobb, Richard K. Meade (Va.) nominated W. A. Richardson (Ill.), Milo M. Dimmick (Penn.) nominated James Thompson (Ill.), and David K. Cartter (Ohio) nominated Emery D. Potter (Ohio). The results were as follows: Cobb (47), Richardson (14), Thompson (11), Potter (7). If the *Richmond Enquirer* (12/4/1849) claim that 87 Democrats were in attendance is true, then seven Democrats abstained from the nominating ballot. Because approximately one hundred Democrats were elected to the 31st House and almost all had arrived in Washington, D.C. in time for the caucus, about twenty Democrats did not attend the caucus meeting at all.

11. The Democrats also nominated John W. Forney (Pa.) for Clerk, Newton Layne (Ky.) for Sergeant-at-Arms, and Benjamin F. Brown (Ohio) as Doorkeeper. Forney was ultimately defeated for Clerk after twenty ballots.

prohibiting slavery in the territories of California or New Mexico, nor any law abolishing slavery in the District of Columbia” (*Trenton State Gazette*, 12/5/1849, p. 2).

Toombs’s motion led to a heated debate within the caucus, with the preponderance of remarks, from both north and south, doubting the wisdom of endorsing any resolution taking a position on slavery in the territories.¹² (Recall that Toombs had locked horns with Winthrop in the 30th Congress over legislation with a Free Soil provision, which led to Winthrop ordering Toombs to take his seat.) When the Toombs resolution was tabled, he led a walkout of southern Whigs, later termed the “Impracticables,” that was numbered at either five or six by the press.¹³ The caucus’s subsequent endorsement of Winthrop by acclamation was anticlimactic and tarnished.¹⁴

When the 31st Congress convened on December 3, divisions within the two major parties and the separate organization of the Free Soil party led to a badly split first ballot for Speaker, even though the Democrats and Whigs mostly held together. The first ballot is summarized in Table 6-1. The vote results proved the two major parties to be almost perfectly matched

12. The *Richmond Enquirer* (12/7/1849) report, drawing from the *New York Express* Correspondent (Horace Greeley) records the following as opposing the Toombs motion: Edward Stanley (N.C.), William Duer (N.Y.), Charles L. Conrad (La.), Daniel Breck (Ky.), Alexander Evans (Md.), Edward D. Baker (Ill.), James G. King (N.J.), James Brooks (N.Y.), Thomas L. Clingman (N.C.), George Ashmun (Mass.), Robert C. Schenck (Ohio), and Charles M. Conrad (La.). Henry W. Hilliard (Ala.), Allen F. Owen (Ga.), and Alexander Stephens (Ga.) spoke in favor of passing the resolution.

13. The *New York Evening Post* (12/4/1849) and *Boston Courier* (12/6/1849, p. 2) reported 6; the *Richmond Enquirer* (12/7/1849) and the *Daily National Intelligencer* (12/6/1849, p. 3) reported “5 or 6.” The *Courier* identified the caucus bolters as Toombs, Alexander Stephens (Ga.), Allen F. Owen (Ga.), Henry W. Hilliard (Ala.), Edward C. Cabell (Fla.), and Jeremiah Morton (Va.).

14. The Whig caucus was so consumed by the issue of opposition to the Wilmot Proviso that it did not get around to deciding on nominations for Clerk and Sergeant-at-Arms.

numerically, making the Free Soil contingent the focus of attention on both sides.¹⁵ However, subsequent events proved the Free Soilers to be anything but pivotal in a technical sense. Because they themselves were made up of an equal number of erstwhile Democrats and Whigs, efforts to side with one or the other of the major parties provided internally divisive. And as we shall see, the migration of the Free Soilers to any one candidate raised suspicions among southerners of both parties, making it nearly impossible to build a majority coalition that involved Free Soil members.

[Table 6-1 about here]

The scattering vote of both parties is almost entirely explained by divisions over slavery. On the Whig side, six of the Impracticables threw their votes toward Meredith Gentry (Tenn.), who had not even arrived on the scene to protest their action. Two northern Whigs with free soil tendencies voted for Horace Mann (Mass.). On the other side of the House the irregular Democrats also cast votes in line with their feelings on slavery, although they did not coordinate their voting to the same degree as the Impracticables. The ballots for Root, Cleveland, and Disney (Table 6-1) were cast by House members who had expressed support for the Wilmot Proviso (Wilmot himself, Thompson, and Doty); the ballots for Seddon and Orr were cast by South Carolinians.¹⁶ An additional three ballots were held on December 3, and still no majority winner was announced. And while participants realized that further balloting could be

15. The *Richmond Enquirer* (12/7/1849) reported that on the first day of the session, five Whigs, two Democrats, and one Free Soiler had not yet arrived in town. Adding these members to those actually in attendance on the opening day would have brought the partisan division even closer.

16. The *New York Journal of Commerce* (12/5/1849) correspondent counted the party votes somewhat differently, claiming that 14 Free Soilers had voted, along with 6 Impracticable Southern Whigs.

protracted, few could have predicted that a full three weeks would be necessary to elect a Speaker.

Figure 6-1 helps to summarize the voting over the three weeks as the House searched for a way around this impasse. (For a breakdown of the balloting, see Appendix 2.) Here we have graphed the number of votes needed to effect an election on each ballot, in addition to the number of votes received by the principal candidates who emerged over the period of balloting. Below the graph we have indicated where the ballots fell with respect to the three weeks, and where caucuses were held, as reported in the press.

[Figure 6-1 about here]

Until the middle of the second week of balloting, the Whigs remained firmly committed to Winthrop, and his vote total grew glacially, as one Impracticable came over to his side and a few other Whigs either arrived in town or abandoned their scattering of votes. The Democrats, however, were more active in searching out alternatives to Cobb, as his support immediately began slipping after the first ballot. Leaders began looking to the west (trans-Appalachia) for alternatives, in the hopes that a non-southerner might attract the support of either irregular Democrats or even the Free Soil members themselves. Emery Potter (Ohio) and William Richardson (Ill.), who had challenged Cobb for the Democratic endorsement in the nominating caucus, were both identified as possibilities. Supporters of their candidacies broke from the caucus's endorsement of Cobb by the middle of the first week. The caucus formally endorsed Potter as the first week of balloting came to a close.¹⁷

17. Proceedings of Democratic Caucus that endorsed Potter can be found in *NYJC* (12/6/1849 and 12/10/1849) and *NYEP* (12/6/1849).

Potter became the top Democratic vote-getter beginning with the 24th ballot (*CG*, 31-1, 12/8/1849, p. 10). And even though his vote totals rose ever-upward, they peaked at a level (78) considerably below Winthrop's (102). Southern Democrats were particularly reluctant to support Potter. While the reasons for this reluctance were never stated explicitly in newspaper accounts, it seems likely that they were hesitant to be seen as abandoning one of their own—even though Potter's past voting record on slavery was virtually identical to Cobb's.

Informal politicking over the weekend failed to rally southern Democrats around either Potter or Richardson. The Democrats then decided formally to abandon Potter, settling instead on William J. Brown (Ind.), who became the top Democratic vote-getter beginning with the 32nd ballot (and last of the day on December 10).

Brown was an inspired choice. Although "feeble in health" (*NYJC*, 12/6/1849 and 12/13/1849), he was a westerner who could also appeal to southerners. He had previously served in the 28th Congress (1843–45), but his congressional service was interrupted when he was appointed assistant postmaster general in the Polk Administration. Consequently, Brown was absent from the House when the principles involved in the Wilmot Proviso were first voted on.

In addition, in his role as assistant postmaster general, Brown had been responsible for overseeing patronage appointments. During the election of 1848, he had a direct hand in the sacking of local postmasters in western New York state who disagreed with the party's presidential nominee, Lewis Cass, on slavery. (Cass took a position he called "squatter sovereignty," which later became Stephen A. Douglas's "popular sovereignty.") Brown's efforts in New York ultimately came to naught, as Cass failed to carry the state. However, Brown

endeared himself to southern Unionists, who admired his actions in imposing party orthodoxy concerning slavery in northern locales where free soil sentiments were strong. Finally, although Indiana had pockets of free soil sentiment, Brown's own central-Indiana district was virtually devoid of it — of the 16,000 votes cast for president in 1848 from the 5th District, Van Buren received only 600.

On the morning of December 11, Brown received eighty votes on the first ballot of the day (and 33rd overall), garnering solid support from all regions (*CG*, 31-1, 12/11/1849, p. 16). By the end of the day's seven ballots, Brown's total had risen to 109, more than Cobb had ever received, and five short of an absolute majority. The election seemed in the bag. Winthrop, sensing his imminent defeat, withdrew his candidacy in an emotional speech from the floor. Winthrop's sudden withdrawal took the Whig rank-and-file by surprise. Needing to regroup, the Whigs managed to tie up the House in parliamentary knots for the rest of the afternoon. The House eventually adjourned for the evening, without taking another ballot.

Balloting resumed the next day amid rumors that Brown had consummated a deal with Free Soil members overnight. Great excitement was stirred when the third name was reached on the roll—Charles Allen, a Free Soil member from Massachusetts. Allen had been dutifully casting his ballot for Wilmot for nearly two weeks. This time he answered with the name “Brown,” confirming the rumor. Once this ballot was complete, six Free Soil members had switched their support to Brown.

If Brown's previous support had held firm, he would have been elected Speaker. However, in the midst of the balloting, three southern Democrats who had previously supported Brown — Thomas S. Boccock (Va.), James A. Seddon (Va.), and Daniel Wallace (S.C.) — threw

away their votes, casting them instead for Linn Boyd. As a result, Brown fell two votes short of a majority.

The motivations of Bocock, Seddon, and Wallace became clear when Edward Stanly (W-N.C.) gained the floor and confronted Brown directly as to whether he had made a deal with David Wilmot concerning the composition of the committees.¹⁸ After Brown's supporters equivocated in his defense, Brown himself responded, confirming that he had indeed communicated with Wilmot about the organization of the House. Wilmot then took the floor and confirmed that he had conversed with Brown (*CG*, 31-1, 12/12/1849, p. 21). After the Clerk "made an effort to restore order in the hall" of the House, Brown read from a letter which he claimed to have sent to Wilmot, the substance of which was as follows:

. . . should I [Brown] be elected Speaker of the House of Representatives, I will constitute the Committees on the District of Columbia, on Territories, and on the Judiciary, in such a manner as shall be satisfactory to yourself and your friends. I am a representative from a free state, and have always been opposed to the extension of slavery, and believe that the Federal Government should be relieved from the responsibility of slavery, where they have the constitutional power to abolish it (*CG*, 31-1, 12/12/1849, p. 22).

Brown's southern supporters sat ashen-faced as the letter was read. Pandemonium reigned on the floor. Southern Democrats and Whigs denounced this devil's pact between the Democratic candidate for Speaker and the Free Soil leader. The House adjourned without taking another ballot that day. A Democratic caucus held that night was inconclusive. The House reconvened the following day (December 13), "in a state of uncertainty, hesitation, and

18. In addition to the official proceeding in the *Congressional Globe*, accounts of this episode appear in *NYEP* (Dec. 13, 14, and 15, 1849, p. 1) and *RE* (12/14/1849). Brown's explanation appears in *AA* (12/17/1849, p. 3), *RE* (12/18/1849, p. 3), and *WU* (12/13/1849, p. 3).

confusion” (*NYJC*, 12/15/1849). The parties were in disarray. A total of 29 men received at least one vote on the 41st ballot, six receiving more than ten votes.

Both parties struggled for the remainder of the week, unable to coordinate on a single candidate. Most Democrats informally rallied behind Linn Boyd (Ky.), while most Whigs supported Edward Stanley (N.C.). Still, neither party could fall in line behind a single nominee (see Figure 5-1, ballots 40-55), and voting took on a highly regional cast in both parties, which had not happened previously. Floor proceedings also took a highly regional and acrimonious turn. A confrontation between William Duer (W-N.Y.) and Richard Meade (D-Va.) ensued, and the two nearly came to blows on the floor.¹⁹

As balloting continued into a third week, a resolution to the contest seemed no closer. Boyd continued as the Democrats’ top vote-getter, while the Whigs swung their support back to Winthrop beginning on the 48th ballot. But rifts within each party left both candidates far from a majority. As a result, proposals to settle the speakership battle in an unconventional way became more common. Throughout the previous two weeks, motions had been made to settle the affair by lot, by successive elimination of low-ranking candidates, and by plurality. Each was tabled in turn. Now, however, positions had been set in stone. Consequently, House members who preferred *any* organization of the House to continued stalemate became willing to compromise.

The opening came on the evening of December 19, when the Whig caucus adopted a resolution proposing that six Democrats join a committee of six Whigs to suggest “a mode of definitive organization of the House of Representatives, upon just and fair principles . . .”

19. See *NYEP* (12/14/1849) and *The (New York) Weekly Herald* (12/15/1849, p. 396).

(*NYJC*, 12/22/1849). The Democrats accepted the Whig invitation and appointed six members of their own.²⁰

By the time the “Conference Committee” met on the evening of December 20, the House had taken 59 ballots with no resolution in sight — the 59th ballot indicated the general disorder in the floor proceedings, as 21 different individuals received votes (*CG*, 31-1, 12/20/1849, p. 51). The committee reached no decision that evening, and it was agreed that balloting would be suspended on the following day while the committee assembled again. Eventually, a majority of the committee agreed to a plan in which the speakership battle would be settled by plurality. There would be three more ballots, in an attempt to resolve the matter by majority vote. If no majority emerged, then a final ballot would be held, in which the plurality winner would be declared Speaker. All of the Whigs on the committee supported the plan; the Democrats were split. The Whig caucus unanimously endorsed the proposal of the Conference Committee; the Democratic caucus was divided.

20. Both parties’ resolutions are reprinted in *CG*, 31-1, 12/20/1849, p. 49. The committee was composed as follows:

Whigs		Democrats	
Hugh White	N.Y.	James Thompson	Pa.
George Ashmun	Mass.	Frederick Stanton	Tenn.
Samuel Vinton	Ohio	John McClernand	Ill.
Daniel Breck	Ky.	Emery Potter	Ohio
Charles Conrad	La.	Sampson Harris	Ala.
Edward Stanly	N.C.	Thomas Bayly	Va.

Just how divided the Democrats were is subject of some confusion, because newspaper accounts varied in how they reported the Democratic reception to the plan. The *New York Evening Post* (12/24/1849, p. 1) claimed that the proposal lost in caucus on a 50-30 vote. On the other hand, the *Albany Argus* (12/25/1849) claimed that the caucus endorsed the plan “by a majority of twelve.”

There was also confusion about the implied arrangement between the parties, if any, and the motivations behind the actors. The *Albany Argus* (12/28/1849) later reported:

It is said that at least two of the whig committee, Mr. Ashmun and Mr. Vinton, had anticipated the [the ultimate election of Cobb], making no mistake in their calculation as to every vote given. But they and the whigs generally were desirous of bringing the struggle to a close, and in fact, saw little chance of electing Mr. Winthrop.

In addition, reports from the Whig caucus claimed that those in attendance assumed that the result would be the election of Cobb as Speaker in return for allowing Whigs to dominate the Finance and Foreign Affairs committees. At the same time, reports from the Democratic caucus claimed that those in attendance *there* assumed exactly the opposite would happen — Winthrop would be Speaker, but Democrats would control the most important policy committees.

In any event, it *is* known that the Democratic and Whig caucuses chose to regroup around Cobb and Winthrop, respectively. Lines were drawn for a final battle on the floor.

When the House reconvened on Saturday morning, December 22, Frederick P. Stanton (D-Tenn.) made the motion on behalf of the Conference committee. After considerable parliamentary maneuvering, the motion carried, 113–105. Most Whigs favored it (88–12); most Democrats opposed it (23–85); all eight Free Soil members voted nay. Voting also betrayed a regional structure, which is illustrated in Table 6-2. All northern Whigs and almost half of the

northern Democrats supported plurality rule, while only 2/3 of the remaining Whigs and less than 1/5 of the remaining Democrats supported it.

[Table 6-2 about here]

The structure of support for the plurality rule becomes more intriguing when we analyze the vote in a multivariate context. To do so, we estimated a probit regression in which support for the plurality rule resolution is the dependent variable and variables measuring region (South = 1); party irregularity in the support of Speaker nominees (Irregular = 1), defined here as a majority party member who refused to vote for his party's Speaker nominee on the *first* ballot; ideology (as measured by the two W-NOMINATE dimensions); and vote margin (as measured by the percentage of the vote cast for the incumbent) are the independent variables. Table 6-3 reports the results of these regressions.

[Table 6-3 about here]

In the multivariate analysis, the South, once again, was less likely to support the plurality rule motion, after controlling for other factors. Party irregularity also has a negative effect, especially among the Whigs, whose Impracticables had been key in preventing the House from organizing under the majority-vote rule. The most interesting effects, however, are the two ideological variables, measured by the first two dimensions of the W-NOMINATE scores. In this Congress, the first dimension, which “represents conflict over the role of government in the economy” (Poole and Rosenthal 1997, p. 35), was highly correlated with party (negative signs associated with Democrats), while the second dimension was highly correlated with slavery (positive signs associated with being pro-slavery). It is not surprising, given the marginals, that the first (party) dimension has a positive sign — strong Democratic partisans tended to oppose

plurality the most. It *is* surprising that pro-slavery members also favored plurality. Given the role of the pro-slavery Impracticables in complicating the Whigs' organizational caucus, one would have supposed that pro-slavery members on the whole would have seen the plurality rule as a way around their objections.

Also intriguing is the effect of electoral margin on support for the plurality rule. The effect interacts with partisanship. Marginal Democrats supported the plurality rule more than safe Democrats, whereas safe Whigs were more likely to favor the rule. This is an interesting finding that deserves further analysis, since we expected electorally marginal members of *both parties* to be more inclined to hide behind the effect of the plurality rule than electorally safe members.

The adoption of the plurality resolution set the stage for the final rounds of voting. On December 22, the House met and moved toward a conclusion. On the 60th ballot — the first of three majority-rule ballots, following the committee agreement — Cobb received 93 votes, Winthrop 88, Wilmot 9, and 26 votes scattered among ten other candidates. On the 61st ballot, Cobb picked up 2 votes, Winthrop 4, and Wilmot held steady, leaving the margin at 95-92-9, with 23 scattering among 10 candidates. (Three former abstainers now entered.) On the 62nd ballot Winthrop picked up another 3 votes, leaving him tied with Cobb at 95, with 9 votes still for Wilmot and 21 scattering. On the 63rd ballot, which was by plurality rule and thus the final ballot, Winthrop picked up four new votes but Cobb bested him with 6 new votes, resulting in a final tally of 101 for Cobb, 99 for Winthrop, 8 for Wilmot, and 12 scattering (*CG*, 31-1, 12/22/1849, p. 66).

Cobb's biggest problem came from Democrats with free soil proclivities. Ultimately, some of these members, including three from Indiana (Joseph E. McDonald, Graham N. Fitch, and Andrew J. Harlan) and three from Ohio (John K. Miller, Joseph Cable, and David K. Cartter), came to Cobb's aid, which proved to be decisive.²¹

Winthrop had exactly the opposite problem as Cobb. When plurality balloting began on the 60th ballot, Winthrop faced two sets of defectors – the Impracticables and a set of more moderate northerners. As the balloting progressed, Winthrop easily won the support of the moderate Whigs, but picked up no appreciable support among the Impracticables.²²

21. A simple probit analysis aimed at predicting which northern Democrats refused to support Cobb also illustrates the pull of Free Soil dangers. The dependent variable measures whether northern Democrats supported Cobb on the final ballot. The independent variable is the fraction of the congressional vote in the 1848–1849 elections that went to the Free Soil candidate for Congress. Here are the results:

Free. Soil pct	4.41 (1.62)
Const	-1.62 (0.17)
N	170
pseudo-R2	.07
Llf	-44.82

22. Winthrop's problems on the slavery issue are further illuminated in a simple probit analysis. The dependent variable measures whether southern Whigs voted for Winthrop on the last ballot. The independent variable is the percentage of population in the district that was black. Here are the results:

Black pct.	0.074 (0.035)
Intercept	-3.38 (1.47)

A final postscript on the organizational politics of the 31st House raises two points worth noting. First, on the Monday following his election as Speaker (December 31), Cobb announced his committee assignments (*CG*, 31-1, 12/31/1849, pp. 88-89). For the most important committees, Cobb tended to favor the appointment of southern Democrats over northern Democrats. However, he was also more willing to spread out committee appointments among all regional and partisan factions—much more so than Speaker Winthrop had done in the previous Congress.

This is illustrated in Table 6-4, which compares Winthrop's and Cobb's appointments to the three contentious committees, Judiciary, Territories, and District of Columbia. Winthrop had denied appointment to Judiciary and Territories to his southern copartisans, favoring southern Democrats when he wished for regional diversity. Winthrop's District of Columbia committee was regionally balanced. Cobb, on the other hand, spread his appointments fairly evenly among the various factions. Not only did he ensure that northerners and southerners from both regions were appointed to all three committees, he even appointed a Free Soil member (!) to these committees as well.

[Table 6-4 about here]

Second, the election for Clerk, which was the first order of business when the House reconvened in the New Year, inherited some of the contentiousness that plagued the speakership contest, extending over a week and requiring twenty ballots. (See Appendix 3 for a breakdown.)

N	15
pseudo-R2	.31
Llf	-6.95

A hint that a quick resolution would not be forthcoming was suggested when 11 different names were placed in nomination before the balloting began (*CG*, 31-1, 1/3/1850, p. 95). That said, John W. Forney, the Democratic caucus nominee, was within striking distance of a majority on multiple ballots (coming as close as two votes shy on the 2nd ballot), but could not break through. The Whigs did not produce a caucus nominee²³ – instead, they informally coordinated on current-Clerk Thomas J. Cambell (Tenn.) at the outset, before later turning to Solomon Foot (former House member from Vermont) on the 7th-15th ballots and Philander B. Prindle (N.Y.) on the 16th-17th ballots.²⁴ On the 18th ballot, the Whigs shifted back to Campbell, and he took the lead from Forney. Campbell’s vote total increased by seven votes on the 19th ballot, leaving him seven votes from election. And on the 20th ballot, Campbell gained nine additional votes, providing him with a two-vote majority and the clerkship.

Thus, the Democratic caucus nominee for Clerk was defeated, and a Whig was installed.²⁵ For the Democrats, this was bad. But the *way* the drama unfolded was even worse.

23. After failing to nominate a candidate for Clerk in early December, the Whigs met again in early January, but once again broke up the meeting without selecting a nominee. A correspondent for *The Boston Daily Atlas* (1/8/1850, p. 2) reported that “The Whigs seem to think, if the present officers hold over under the law, they are well enough off, or as well as could be expected.”

24. Note that Prindle’s first name is identified as “Orlando” in the *Congressional Globe*. See, e.g., *CG*, 31-1, 1/3/1850, p. 95.

25. The minor House offices also gave the Democrats trouble. Their caucus nominee for Sergeant-at-Arms, Newton Lane (Ky.), was not able to win a quick victory, and had his name withdrawn after the fourth unsuccessful ballot. Eventually, the Democrats turned to Adam J. Glossbrenner (Pa.) and, with the help of four Free Soilers, elected him on the eighth ballot. The election for Doorkeeper extended for 14 ballots without producing a majority winner. At that point, the House agreed to postpone further balloting for Doorkeeper *and* Postmaster until March 1, 1851 (two days before the end of the Congress). The House later postponed the elections indefinitely. This had the effect of allowing the Doorkeeper and Postmaster from the 30th Congress – Robert E. Horner (N.J.), a Whig, and John M. Johnson (Va.), a Democrat – to maintain their duties throughout the 31st Congress.

The last push that put Campbell over the top was accomplished through the efforts of Southern Democrats — specifically, eight of the votes that Campbell received on the 20th ballot were cast by Democrats from the South.²⁶ One of the Southern Democrats in question, Abraham W. Venable (N.C.), justified his (and his comrades’) actions by claiming that he had supported Forney through a majority of the ballots (which was true), but grew to believe that Forney could not win; he found Campbell to be “a gentleman and a competent officer,” and felt that he owed it to his constituents to complete the organization and allow Congress to get down to business (remarks by Venable published in the *Fayetteville Observer*, 1/22/1850, p. 3). The pragmatism expressed by Venable was not shared by many in the press covering the drama. For them, the regional impulse had trumped party, and this was a critical moment that could not be glossed over. A correspondent for the *Baltimore Sun* reported: “The House has, at last, made a Clerk by overthrowing King Caucus. The power of caucuses is pretty well ended, in the House of Representatives” (1/11/1850, published in the *Greenville Mountaineer*, 1/25/1850, p. 1). And an editorial in the *Bangor Daily Whig & Courier* stated: “The Democrats are indignant at the defeat of Mr. Forney, and confidence in caucus nominations is pretty well shaken” (1/17/1850, p. 2). In the end, southerners joined together to elect a Whig clerk.²⁷

Campbell would die in office just over three months later. Another multi-ballot affair would be necessary to select a replacement. After two days and nine ballots, James M. Young,

26. These eight Southern Democrats were William F. Colcock (S.C.), Andrew Ewing (Tenn.), David Hubbard (Ala.), John McQueen (S.C.), Joseph A. Woodward (S.C.), James L. Orr (S.C.), Abraham W. Venable (N.C.), and Daniel Wallace (S.C.).

27. For additional editorial commentary on the resolution of the clerkship battle, see *North American and United States Gazette* (1/15/1850, p. 2), *Daily National Intelligencer* (1/16/1850, p.3), and *Fayetteville Observer* (1/22/1850, p. 3).

former-Jacksonian senator from Illinois, was elected. Perhaps still smarting over the Campbell drama, the Democrats did not call a caucus for the purpose of choosing a party nominee.²⁸ Rather, an initial show of strength was conducted on the first ballot, with Young garnering more votes than any other Democratic candidate (including Forney, whose name was once again placed in nomination). Slowly, over the course of the balloting, additional votes moved Young's way, until he finally secured a two-vote majority on the ninth ballot. Despite his northern affiliation, southern Democrats were comfortable with Young — he was raised in Kentucky and was appointed Commissioner of the General Land Office by President Polk. Thus, after much drama and intra-partisan wrangling, the Democrats would control the key House officer positions for much of the 31st Congress.

Discussion. The 31st Congress was the first of a series of Congresses where an important ritual that had cemented the Second Party System became politically untenable. The parties had come together on principles that emphasized different roads to economic development and different balances of power between the states and Washington. House members desired to organize themselves to prosecute their partisan ideals. In the best of all worlds, whichever party held the majority desired to choose a Speaker who would best help achieve these partisan aims. Because this individual could be a northerner or southerner, and might also hold either moderate or extreme views on slavery, the partisans of both sides wished they could rally behind the best candidate, disregarding geography. Electoral politics prohibited that, however. Thus, as one mechanism to keep the slavery issue at bay, a second-best strategy had emerged, of selecting the best Speaker among the set of slavery moderates.

28. *The Daily Ohio Statesman* (4/22/1850, p. 3).

When slavery became a hot issue in the elections of 1848–49, even this second-best strategy was no longer a safe choice for many House members. Facing electoral agitation at home, a small number of members in both parties felt compelled to abandon their party. The close Democrat-Whig margin complicated matters further. The ensuing stalemate only drew more and more newspaper attention the House's way. And the presence of the Free Soilers as the swing bloc only heightened this attention.²⁹

The looming presence of slavery behind the balloting for Speaker in the 31st Congress is illustrated in Figure 6-2, which graphs the degree to which individual House members' support for slavery (measured by their second-dimension W-NOMINATE scores in the 31st Congress) was correlated with the support for slavery of the speakership candidates they supported (measured by the *candidates'* second-dimension W-NOMINATE scores). Here we see that in the early balloting the unified Democratic support for Cobb meant that the Democratic vote for Speaker was not determined by support for slavery. The Whig schism resulted in a greater correlation between members' preferences about slavery and the candidates they support for Speaker. As the balloting progressed, the dissolving Democratic unity rapidly led to speakership balloting that was strongly structured along pro- and anti-slavery lines. The brief rush toward Brown caused the Democrats to submerge their anti- and pro-slavery tendencies. However, when Brown's candidacy disintegrated, members of both parties spent a week simply voting for candidates within their respective parties that agreed with them on the slavery issue. This was clearly not a time to submerge one's own preferences for the good of the party. It was a time to

29. Typical of the partisan press of the day, newspapers' accounts of the Speaker's power only added fuel to the flame. Although there was plenty of contemporary evidence that Speakers had very little power to "stack" committees and dictate the course of policy, most newspapers treated the Speaker as a dictator.

position-take! The imposition of the plurality rule acted to take much of the slavery issue out of the choice for Speaker. Still, the relatively minor role that support for pro- and anti-slavery positions played in the *final* ballot for Speaker hides the fact that some sort of extra-policy structure was needed to contain temptations to take positions.

[Figure 6-2 about here]

The intrusion of slavery into the speakership contest of the 31st Congress was brought about by the actions of Robert Toombs of Georgia. Yet Toombs was a puzzling character to lead the charge on the issue, since he was one of the southerners who had earned Calhoun's ire only a year before by refusing to endorse his Southern Address and had counseled back home a measured response to northern outrages. Recent scholarship suggests the electoral context of Toombs' actions. Holt documents (1999, pp. 466–72) that Toombs found himself in deep political trouble back in Georgia due to his failure to back Calhoun. Democratic gains in recent elections had made Georgia Whigs nervous, and local elites laid some of the blame at the feet of moderates like Toombs. Therefore, it is not unreasonable to conclude that Toombs's actions, and those of his deep South followers, were intended for consumption back home.

Whether Toombs actually intended for his actions to lead to a stalemate will never be known. However, once he had taken his actions, the behavior of all southerners came under close scrutiny, making compromise impossible. The *New York Journal of Commerce* (Dec. 8, 1849) expressed the situation this way:

More than one of the six Southern Whigs who are now voting for Gentry [the Impracticable candidate] has stated that there would have been less difficulty in electing Mr. Winthrop, had there been no caucus. The slavery question would not have been lugged into the election of Speaker had not the occasion been offered, by the caucus, for its introduction. Each of those Southern gentlemen, except,

perhaps, Mr. Toombs, would have voted for Mr. Winthrop, but for this circumstance.

Turning our attention to the other side of the aisle, the Democrats also ended up with a public relations disaster, in the William Brown affair. Although Brown's later explanation of his actions are self-serving, they contain an unassailable core of Second Party System logic. Brown claimed that Wilmot never asked that the Free Soilers (or free soilers) dominate the slavery-related committees. All they asked was that they be given representation on the committees, and that the members from the major parties also include northern members with free soil sympathies.

It is reasonable to conclude that it was not the agreement between Wilmot and Brown that killed Brown's changes at the speakership, but the fact that it was written down, providing hard evidence to the southern press about Brown's perfidy. Evidence that this is so comes from the simple fact that Speaker Cobb implemented precisely the strategy that Brown and Wilmot had agreed to—Free Soilers and northern Whigs and Democrats were included on the relevant committees, and northerners held majorities on the Judiciary and Territories committees. The partisan press in the north reacted with outrage about the domination of the *Democratic* contingents of these committees by southerners, but there is no evidence that southern newspapers viewed Cobb's appointment of Free Soil members to these committees as being traitorous.

A Brief Lull: The Speakership Elections of 1851 and 1853

The inability to impose party regularity in the 31st Congress came about because unusual electoral pressures interacted with razor-thin partisan margins within the House. In the

following two Congresses the Democrats held more comfortable margins, which provided much-needed slack in the House organization process. The Compromise of 1850, which settled the slavery-extension issue in the western territories on the basis of “popular sovereignty,” was exceedingly controversial and further eroded the stability of the Second Party System. The Whig Party was hopelessly split by section, and Southern Whigs found it increasingly difficult to remain in partnership with a northern wing that had become increasingly anti-slavery. Democrats used this split to make gains in the South, capturing some Whig districts and enticing other Whigs to switch to the Democratic Party.³⁰

Prior to the convening of the 32nd Congress (1851-53), the Democratic caucus selected Linn Boyd (Ky.) for Speaker and John Forney (Pa.) for Clerk.³¹ The Whigs, in considerable disarray and facing a significant Democratic majority, made no officer nominations.³² Per the words of George W. Jones (Tenn.), during his nomination speech on the floor, Boyd was “a sound Democrat, and a tried and thorough compromise and Union man” (*CG*, 32-1, 12/1/1851, p. 5). Thus, Boyd fit the basic pattern in speakership choice over the preceding decade — he was a southerner and a regional moderate. Boyd suffered a handful of Democratic defections, primarily “ultras” from Georgia and South Carolina, but thanks to the large Democratic majority

30. Georgians Alexander Stephens and Robert Toombs, two of the intellectual leaders of the Whig Party, switched to the Democratic Party in the 33rd Congress (after taking on the Unionist label in the 32nd Congress). See Martis (1989, pp. 104-07).

31. The *New York Times* (12/1/1851, p. 1) reported that Boyd and Forney were each nominated on the first ballot; Boyd received the votes of “two thirds of the whole caucus” while Forney bested James C. Young 92-19. Additional reports indicated that a number of members left the caucus in advance of the nomination balloting, after a vote was taken on a resolution sustaining the Compromise of 1850. Further reports of the Democratic caucus activity appear in the *North American and United States Gazette* (12/2/1851, p. 2) and the *Trenton State Gazette* (12/2/1851, p. 2).

32. See *Daily National Intelligencer* (12/3/1851, p. 5) and *The Ohio Observer* (12/3/1851, p. 3).

in the House (54.5%), he was able to win a first-ballot victory, securing 118 of 231 votes cast. Still, the breakdown of the vote was slightly unnerving; with the Democrats still battling sectional tensions and the Whigs allowed to indulge in regional position-taking, twenty different men received at least one vote for Speaker. The Clerk election went considerably smoother, as Forney faced fewer Democratic defections and won a first ballot victory with 129 of 208 votes cast.³³

A final organizational matter was still to be decided in the 32nd Congress. In late-August 1852, the president approved an Act of Congress repealing the contract system in public printing that had been established in 1846. Both chambers of Congress, therefore, would return to the previous system of electing printers. And the Democrats in the House wasted no time in electing Robert Armstrong, the editor of the *Union*, to the printership. (Armstrong's *Union* newspaper would become the official organ of the Franklin Pierce Administration in the following Congress.) Armstrong secured a first-ballot victory, capturing 107 of 187 votes cast (*HJ*, 32-1, 8/27/1852, pp. 1096-97).³⁴ Thus, the Printer would once again be a valuable House officer position to contest over at the convening of a new Congress (and in the preceding caucuses).

Organizing the House in the 33rd Congress (1853-55) would be similar to the 32nd Congress, but even easier. The Democrats now controlled two thirds of the seats in the chamber (67.1%), which made the possibility of regional position-taking defection within their ranks much easier to tolerate. A brief bout of factionalism entered the Democratic caucus nomination

33. The Democratic caucus nominees for Sergeant-at-Arms (Adam J. Glossbrenner, Pa.), Postmaster (John M. Johnson, Va.), and Doorkeeper (Zadock W. McKnew, D.C.) were all elected unanimously on the House floor via resolution (*CG*, 32-1, 12/1/1851, p. 11).

34. No evidence of caucus nominations was uncovered.

for Speaker, resulting in Linn Boyd needing two ballots to achieve a majority, as the northern anti-slavery wing and the southern ultras also fielded candidates (David T. Disney [Ohio] and James L. Orr [S.C.], respectively).³⁵ Forney was nominated for Clerk on the first ballot with only minor opposition from Richard M. Young, and Robert Armstrong was nominated for Printer.³⁶ As in the previous Congress, there is no evidence that the Whigs made caucus nominations.

Boyd, Forney, and Armstrong all won easy first-ballot victories on the House floor. Boyd secured 143 of 217 votes cast, with the only Democratic defections being five ultras from South Carolina. Forney captured 122 of 200 votes cast, although some southerners defected to Richard M. Young. And, finally, Armstrong secured 126 of 218 votes cast, with some northern Democrats (the “Hards”) distributing their votes to Beverley Tucker.³⁷ The organization was complete.³⁸ Thanks in large part to the large Democratic majority, the regional impulse had been averted again. Union supporters in the press crowed about the victories, taking fairly explicit digs at the sectional agitators who emerged four years before. For example, a *New York Times* correspondent announced: “Congress has organized. The dread day is past; and all the hopes and

35. On the first caucus ballot, Boyd received 45 votes, to 37 for Disney, 35 for Orr 35, and 1 for Thomas Bocock (Va.). On the second caucus ballot, Boyd received 63 votes, to 31 for Disney and 23 for Orr. Reported in the *New York Times* (12/5/1853, p. 1) and the *Daily National Intelligencer* (12/5/1853, p. 3).

36. Forney was nominated on the first ballot with only minor opposition from James C. Young. The *Fayettesville Observer* (12/8/1853, p. 3) reported that he received 92 votes in caucus. No details about Armstrong’s caucus nomination were uncovered.

37. Armstrong would also vie for the Senate Printer position in the 33rd Congress, but lose the election to Tucker, thanks in part to the efforts of the Hards.

38. The Democratic caucus nominees for Sergeant-at-Arms (Adam J. Glossbrenner, Pa.), Postmaster (John M. Johnson, Va.), and Doorkeeper (Zadock W. McKnew, D.C.) were all elected unanimously on the House floor via resolution (*CG*, 33-1, 12/5/1853, p. 51).

predictions of those who prophesied the triumph of factions have proved idle as the wind. King Caucus still reigns and the cohesion of ‘the Democracy’ is not destroyed” (12/8/1853, p. 4).

The ease of these organizational victories may have proved ominous. Because once the 33rd Congress began conducting business, the Democrats, spurred on by the southern wing and accommodated by northern “dough faces,” like Stephen Douglas (D-Ill.), raised the slavery-extension issue yet again. With the settlement of the Western territories only four years old, a move was made to open up the old Louisiana Purchase tract north of the 36° 30’ line to slavery. This land, of course, was closed to slavery by the Missouri Compromise of 1820; now, southerners wanted the ability to bring their property (i.e., slaves) anywhere in the Union that they pleased. After a desperate struggle, the Democrats were successful in repealing the 1820 compromise, replacing it with the Kansas-Nebraska Act of 1854. The former free areas of the Louisiana Purchase would now be open to “popular sovereignty.” This decision would frame the subsequent 1854-55 elections and the House organization in the 34th Congress (1855-57).

Organization Amid Partisan Chaos: The Speakership Election of 1855-56

The Speakership battle of 1855-56 took place during a time that could best be characterized as “partisan instability.” The Second Party System was dealt a fatal blow in the previous Congress, after the passage of the Kansas-Nebraska Act. The Whig Party, critically wounded after the Compromise of 1850, finally expired after the Act’s passage revealed severe and irreparable regional rifts. The Democratic Party, while remaining intact, was also feeling the strains of the time, as anti-slavery members in the north openly rebelled against the leadership’s pro-slavery agenda (Potter 1976; Sewell 1976). All of this adversity was felt in the legislative process:

institutional party ties began breaking down, shifting coalitions became the norm, and voting in the 33rd Congress can best be characterized as “chaotic” (Poole and Rosenthal 1997, p. 30).

As a result of this partisan instability in Congress, along with the many partisan and sectional battles over the issue of slavery during the previous decade, a general “anti-party” mood began affecting the mass public. This coincided with the emergence of a new, salient issue in 1854, nativism. A growing nativist movement was spreading throughout the nation in response to the large influx of immigrants (principally Catholics) from Ireland and Germany. This wave of immigration altered the nation’s demographic makeup significantly, as Anbinder (1992, p. 8) states: “by 1855, immigrants outnumbered native-born citizens in Chicago, Detroit, and Milwaukee, and the immigrant population would soon surpass the native in New York, Brooklyn, Buffalo, Cleveland, and Cincinnati.” Native-born Protestants were appalled at the extensive connections that Catholic immigrants seemed to possess with members of local and state courts, as well as with their carousing on Sundays.³⁹ More to the point, however, the governing Protestant population feared that these new immigrant groups would turn their numerical majorities into political majorities and thus sought to limit their political participation (Billington 1938).

Nativism and the general anti-party mood meshed with anti-slavery sentiment in the North to produce a dynamic and divisive electoral environment in 1854—55.⁴⁰ A new series of candidates emerged and campaigned on a combination of anti-immigrant, anti-Catholic, anti-liquor, and anti-slavery positions. When the electoral dust cleared, this new “opposition” or

39. Temperance activists were determined to destroy the “immigrant liquor interest” and succeeded in passing a number of state-level prohibition laws (Potter 1976; Tyrell 1979).

40. A wholly nativist movement was also moderately successful in the South.

“anti-administration” group won a majority of seats to the 34th Congress, reducing the Democrats to minority status. At first glance, a successful “anti-party revolution” seemed to have been completed.

The stability of this new anti-administration majority, however, was largely artificial. That is, while most anti-administration candidates ran under “fusion” labels, thereby adopting a range of different issue platforms, most were wedded to *particular* issues. This new majority was composed of two types: Americans (or Know Nothings) and Republicans (or Anti-Nebraskans).⁴¹ The Americans were a mysterious, decentralized organization, claiming adherents in the both the North and South. Their meetings were held in secret, and members of the order, when confronted, disclaimed knowledge of its existence. While they supported anti-slavery tenets (in the North), Americans were concerned primarily with the issue of nativism (Anbinder 1992). The Republicans, on the other hand, were a sectional party, composed of former Free-Soil Democrats and Whigs from the North. While they were not beyond appealing to nativist contingents in order to secure victory, Republicans were concerned first and foremost with the issue of slavery (Potter 1976; Sewell 1976; Gienapp 1987).

Prior to the opening of the 34th Congress (1855-57), neither the Republicans nor the Americans were well-organized coalitions. Each group, however, made attempts to unify. In June 1855, the Americans assembled in Philadelphia to establish a national party platform. The

41. The fusion movement, along with the secret nature of the Know Nothing society, made it difficult to identify clear partisan attachments for new House members. The *Congressional Globe*, which traditionally listed party labels for members at the opening of each session, failed to do so for the 34th House, and historians’ attempts at party identification have not produced a consistent view. Martis’s (1989, pp. 33–34) discussion on this point is especially instructive. This muddled state of affairs is summarized nicely by Mayer (1967, p. 30): “When the votes were counted . . . the Democrats knew that they had lost, but nobody knew who had won.”

convention's platform committee drafted a fourteen-section creed to clarify and consolidate the group's positions on nativism and slavery. Few delegates objected to the first eleven sections, which dealt specifically with issues of nativism; however, a major dispute arose around the twelfth section and its statement on slavery. The leadership's position was to "abide by and maintain the existing laws upon the subject of slavery, as a final and conclusive settlement of that subject," thus implicitly accepting the provisions of the Kansas-Nebraska Act.⁴² Many northern members who were elected in part on anti-slavery rhetoric rejected this plank and called for the reestablishment of the Missouri Compromise. They were, however, outnumbered by southern pro-slavery members and conservatives from the North (Anbinder 1992, pp. 167-72). This rift on the issue of slavery crippled attempts to nationalize the American organization, as many northern anti-slavery delegates walked out of the convention, rather than accept the pro-slavery plank (Harrington 1939, p. 188; Van Horne 1967, p. 209). Additional attempts at reconciliation in the days prior to the convening of the 34th Congress proved elusive, as a general American caucus to discuss speakership candidates could not be organized. Instead, northern and southern factions met separately.⁴³

The Republicans also had a difficult time organizing. Republican leaders Horace Greeley and Joshua Giddings saw an opportunity in the breakup of the national American coalition over slavery. Believing the House to be composed of a majority of anti-slavery representatives, they decided to frame the upcoming speakership election as a ratification or rejection of the "Slave Power," as expressed by the Kansas-Nebraska Act. Greeley and Giddings

42. Excerpt taken from the convention minutes, as quoted in Anbinder (1992, p. 167).

43. *New York Times* (11/29/1855, p. 1; 11/30/1855, p. 1; 12/1/1855, p. 4; 12/3/1855, p. 4).

called for a party caucus to select a suitable Republican (anti-slavery) candidate, in an attempt to marshal the anti-slavery forces. Their call, however, went largely unanswered, as fewer than half of those members opposed to the extension of slavery attended the caucus (Harrington 1939, pp. 188-89; Hollcroft 1956, p. 445; Silbey 1989, pp. 5-7). As a result, the caucus made no nominations; as the opening of the 34th Congress neared, informal politicking suggested that the two strongest Republican candidates were Lewis D. Campbell (Ohio), a former Whig and American who left the latter party after the adoption of “section twelve,” and Nathaniel Banks (Mass.), a former Democrat and American.⁴⁴

Despite the Republicans’ failure, slavery would become the major issue on which the election would be decided. Ironically, the *Democrats* organized their campaign for the speakership on the basis of slavery, by selecting William A. Richardson (Ill.) as their caucus nominee.⁴⁵ The choice of Richardson was in keeping with the Democratic strategy of choosing a regional moderate as their speakership nominee. Richardson had also been the Democratic point-man in the House on the Kansas-Nebraska legislation in 1854, and thus was viewed as an optimal choice by party leaders: he was a supporter of slavery extension, which appealed to Southern members, as well as a close associate of Stephen Douglas and a friend to many Northern members (Harrington 1939, p. 190; Gienapp 1987, p. 244).

44. *New York Times* (12/1/1855, p. 4; 12/3/1855, p. 4); *North American and United States Gazette* (12/3/1855, p. 2).

45. *New York Herald* (12/2/1855; 12/3/1855); *Daily National Intelligencer* (12/3/1855, p. 3); *North American and United States Gazette* (12/3/1855, p. 2). The *Intelligencer* reported that the Speaker nomination (and nominations for all offices, for that matter) was unanimous. *The Baltimore Sun* (11/30/1855, p. 2) reported that “It is understood that the democrats have resolved to vote first and last for their caucus nominees, refusing all coalitions with other parties.”

Yet, the Democrats made a crucial blunder. Like Greeley and Giddings, Democratic leaders also viewed the splintering of the American coalition as a potential windfall and began a discourse with southern (pro-slavery) Americans several weeks prior to the caucus. Resulting discussions were positive, suggesting to many political observers that a pro-slavery union on a speakership candidate was likely (Hollcroft 1956, p. 445). Good judgment gave way to arrogance, however, as Democratic leaders came to believe that the southern Americans would not vote for an anti-slavery candidate and tried to bully them into supporting Richardson. Thus, when their nominating caucus opened, the Democrats unanimously accepted a resolution denouncing the Know Nothing organization,⁴⁶ and Democratic leaders privately informed southern American leaders that “very frankly ... they had two choices, either to surrender, lock, stock, and barrel to the Democrats, or to the Republicans,” but offered them nothing in return for their allegiance (Overdyke 1968, p.164). Quite predictably, the southern Americans bristled at the Democrats’ attempt at arm twisting and vowed to remain united behind a candidate sympathetic to the nativist cause.

On December 3, 1855, the speakership election commenced.⁴⁷ The first ballot was an indication of how disorganized the new anti-Democratic coalition really was, as seventeen different candidates received votes. Campbell was the leading Republican vote-getter with 53, followed by Banks with 21. The Americans split their votes between former-Whigs Humphrey Marshall of Kentucky (30 votes) and Henry M. Fuller of Pennsylvania (17 votes), while the Democrats coalesced behind Richardson (74 votes). Yet, all candidates fell far short of a

46. See *New York Tribune* (12/3/1855); *New York Herald* (12/3/1855).

47. Vote data for all speakership votes used in this analysis are taken from the *Congressional Globe* 34-1, 12/3/1855, pp. 3-337.

majority (113 votes). Over the next day and a half, eight additional ballots were taken, with no meaningful difference in results.⁴⁸ (See Appendix 2 for a ballot-by-ballot breakdown.)

On December 5, Marshall took his name out of consideration, which left the southern Americans, after scattering their votes for several ballots, to coalesce around Fuller, the only major American candidate left in the race (Harrington 1939, p. 194; Lientz 1978, pp. 84-85). This consolidation was no accident, as Fuller had met with southern Americans and assured them of his support of the Kansas-Nebraska Act.⁴⁹ This drove some additional anti-slavery Americans into the Republican camp, but also had the effect of slowly solidifying the bulk of the American coalition (southerners and pro-slavery northerners) behind one candidate.⁵⁰ Fuller's "popular sovereignty" stance also established him as a moderate on the slavery issue, by placing him between the Republican and Democratic positions.

Campbell continued to be the top Republican vote-getter throughout the balloting on December 5, but could not muster more than 81 votes. Yet, a change was not made. As the *New York Times* (12/6/1855, p. 1) reported: "The present determination of the Republicans is to press Campbell's cause until he is elected, or until they are satisfied that he cannot be." After six

48. On the evening of Dec. 3, the Republicans met in caucus to discuss coordinating behind a single candidate, but an arrangement was not reached (*NYT*, 12/4/1855, p. 1).

49. According to Horace Greeley, "Fuller is understood to have answered some questions put to him by the Missouri delegation respecting slavery in Kansas, in such a manner as to have secured their good will" (*NYTrib*, 12/6/1855), while the *New York Times* (12/6/1855, p. 1) reported that Fuller had declared that he was "in favor of the admission of Kansas into the Union either with or without Slavery" (see also *NYH*, 12/7/1855). Others were less kind in their assessment of Fuller. Edwin Barber Morgan, a Republican member from New York, referred to Fuller as "the most consummate [dough face] that has taken the stand in years" (Hollcroft 1956, p. 454).

50. Many of Marshall's supporters would scatter their votes among a variety of southern ex-Whigs for the next day and a half, before moving to Fuller near the end of the balloting on December 7.

additional ballots on December 6, Campbell's vote total fell to 46, spurring Republican leaders to act. That evening, an informal anti-slavery caucus was organized, and members agreed that Campbell's candidacy was dead. They agreed to support Campbell for two additional ballots the following day, after which they would settle on Banks as their sole candidate.⁵¹ Campbell was informed of this decision, so that he might withdraw gracefully from the race at the observed time (Harrington 1939, pp. 192-93; Hollcroft 1956, p. 449). As planned, on December 7, Republicans supported Campbell on the first two ballots (the 22nd and 23rd overall), driving his vote total to 75, after which Campbell withdrew⁵² and members began to move to Banks.⁵³ Thus, four days and 27 ballots into the contest, only three viable candidates remained in the field: Richardson the Democrat, Banks the Republican, and Fuller the American.⁵⁴

With Campbell out of the way, Banks made his move. Even before he had become the sole Republican candidate, Banks had begun to create a large lobbying network within the

51. Banks was chosen, rather than other potential candidates, "because of his eminent fitness, and in response to the necessity for recognition of the Democratic element in the Republican movement" (*NYT*, 12/6/1855, p. 1).

52. Campbell's exit would not be graceful, however. As he announced his withdrawal, he suggested that other anti-slavery candidates were less than devoted to the cause and willing to cut deals to achieve election (*CG*, 34-1, 12/7/1855, p. 11). Nor was his subsequent behavior less tempered. As Harrington (1939, p. 193) states, "For the duration of the contest [Campbell] brooded on his defeat and frequently, quite obviously in spite, voted against his antislavery-extension colleagues."

53. Some former Campbell supporters moved to Banks immediately, while others scattered their votes on the remaining four ballots taken on December 7. By the first ballot on December 8, however, all former Campbell voters had moved to Banks.

54. That evening, the American members caucused, but little was achieved, as the slavery question continued to divide them. As a result, they adopted no new strategies and sufficed to continue supporting Fuller (*NYT*, 12/8/1855, p. 1).

Congress, cajoling members and making promises to them in return for their votes.⁵⁵ Given his new position as Republican top-dog, these promises now seemed more credible, and it showed in his vote totals. By the end of the balloting on December 8, Banks stood at 100 votes, twelve short of a majority. His total crept up to 107 votes on December 10, only six votes short of a majority at one point, but could move no higher. This appeared to be the maximum that the Republican coalition could muster, without further help from American members who had previously espoused anti-slavery beliefs. The Republicans were aware of this; as Edwin Barber Morgan (N.Y.) remarked:

We are much excited at the course of the Know Nothings of our state who have had and now hold the power to elect a free Northern man for Speaker over Slave masters of the South. [Bayard] Clark, [William] Valk, [Thomas] Whitney, [Solomon] Haven and [John] Wheeler have had it in their hands on Saturday and today and yet the rascals refuse. What can be said of them at home and what can the *free soil and honest Know Nothings* say of them? (Hollcroft 1954, p. 450).⁵⁶

Realizing that they held the election in the balance, some anti-slavery Americans offered to throw their support behind an anti-slavery (but pro-nativist) candidate other than Banks. Two names were suggested: former-Democrat John Wheeler of New York⁵⁷ and former-Whig

55. According to Harrington (1930, p. 195), “Banks representatives made offers of committee posts, and there was even talk of bribery. Banks had a slippery lobby agent, S.P. Hanscom, who did most effective work.”

56. The *New York Times* (12/11/1855, p. 1) singled out these same five New York members, along with John Williams from New York, Edward Ball, John S. Harrison, and Oscar F. Moore of Ohio, and George G. Dunn and Harvey D. Scott of Indiana, as individuals elected on anti-slavery platforms who promised, but subsequently refused, to vote for Banks. Several days later, a *New York Times* editorial was even more direct: “If John Wheeler, of this city, and ten or a dozen others from different States, could be convinced that they will not be Speaker in any event, the House would be organized without difficulty” (12/15/1855, p. 4).

57. Wheeler was never a serious candidate among Republicans. Edward Barber Morgan put it simply: “John Wheeler, poor dunce, has the maggot in his head that he can be Speaker. Of course no other man ever dreamed of it, and it makes an ass of him” (Hollcroft 1954, p. 450).

Alexander Pennington of New Jersey.⁵⁸ Pennington wielded a fair amount of support within the Republican ranks, and a move was made in caucus to support him in place of Banks. A sizeable pro-Banks majority voted them down, however, and Banks continued as the official nominee of the anti-slavery forces.⁵⁹

As detailed in Figure 6-3, this Banks-Richardson-Fuller equilibrium proved to be quite robust, as little change occurred in the candidates' vote totals over the next six weeks. Moreover, a simple, one-dimensional spatial model, in which slavery represents the substantive dimension, explains a large percentage of the variance in voting. Specifically, using "common space" W-NOMINATE scores (or CSW-NOMINATE scores, hereafter), a variant of W-NOMINATE scores, we are able to generate ideal points for all House members and the three speakership candidates on the primary dimension of choice, which Poole and Rosenthal (1997, p. 40) characterize as a slavery dimension.⁶⁰ A distribution of the House membership along with

58. While Pennington had supported Banks on previous ballots, his anti-slavery credentials were questioned by some. According to Edward Barber Morgan, "It is ascertained that many of the Southern National Know Nothings have only been waiting for us to run [Pennington] up, that they might jump on and elect him. A man is judged by the company he keeps" (Hollcroft 1954, p. 451).

59. See *NYT* (12/15/1855, p. 1), *NYTrib* (12/15/1855), and *NYH* (12/15/1855). The *New York Times* reported that 62 of 69 members present agreed to continue supporting Banks.

60. CSW-NOMINATE scores were developed by Poole (1998), and are based on a procedure that generates a *single* set of ideal-point estimates for each member serving in a given *set* of congresses. These common space scores are necessary because, to conduct our analysis, we need an ideal-point estimate for Nathaniel Banks, the eventual Speaker of the 34th House. Because speakers do not typically vote, the "regular" W-NOMINATE score for Banks is based only on a handful of votes. Rather than incorporate this noisy score, we use the common space technique to take advantage of Banks' voting record in the 33rd House, when he was a normal member. In all, the common-space technique incorporates votes from the 33rd through 37th Congresses, the period in which the first W-NOMINATE dimension is characterized by slavery (Poole and Rosenthal 1997, pp. 40, 95-100). Moreover, the CSW-NOMINATE scores have face validity, as they correlate at a very high rate with the regular W-NOMINATE scores: 0.98 across all five congresses, and 0.982 in the 34th House, specifically. For a lengthier discussion of the

the locations of Banks, Richardson, and Fuller appear in Figure 6-4. We then examine a typical ballot during this time – a good example is the 51st ballot, on December 13, in which Banks, Richardson, and Fuller tallied 105, 75, and 33 votes, respectively (*Congressional Globe*, 34-1, 12/13/1855, p. 24). We find that a one-dimensional spatial model correctly classifies 193 of the 213 individual vote choices, or 90.6%.⁶¹ Of the 20 incorrectly classified votes, only *two* were inconsistent with spatial preferences, i.e., either predicted-Banks voters selecting Richardson or predicted-Richardson voters selecting Banks. Rather, most of the errors fell near the two cut-points between the three candidates: predicted-Fuller voters selecting Richardson, predicted-Richardson voters selecting Fuller, predicted-Fuller voters selecting Banks, or predicted-Banks voters selecting Fuller.

[Figures 6-3 and 6-4 about here]

As nativism was instrumental to the electoral emergence of the Americans and partly responsible (through fusion) to the electoral emergence of the Republicans, we examine whether it also affected members' vote choices for Speaker by incorporating a second CSW-NOMINATE dimension. According to Poole and Rosenthal (1993, pp. 21-22), the second NOMINATE dimension in the 34th House, while weak relative to the first dimension, “appears to capture the nativist sentiment of the time, because it tends to separate members of the American Party from the rest of the House.” In fact, we find that a two-dimensional analysis, in which both slavery and nativism are accounted for, performs *less well* than a simple one-dimensional analysis where slavery is the relevant dimension. Looking again at the 51st ballot, a two-dimensional spatial

common-space estimation, its application to the 34th House, and additional diagnostics, see Jenkins and Nokken (2000, pp. 106-08).

61. This analysis ignores nine members who scattered their votes.

model correctly classifies 186 of the 215 individual vote choices, or 86.5%, which is a 4.7% (or 10 vote) falloff from the one-dimensional model. Moreover, the two-dimensional model performs poorly in *precisely* the domain that we would have expected it to improve classification, that is, with Fuller voters. Stated differently, the addition of a dimension to account for nativism should better explain votes cast for Fuller, the American candidate; yet this is not the case. The two-dimensional model correctly classifies only 10 of the 33 votes cast for Fuller, compared to 18 of 33 for the one-dimensional model. These results suggest that nativism had little or no effect on the speakership election, and that the slavery issue, by itself, was the driving force behind members' vote choices.

Thus, after several weeks of balloting, the parties' positions were fleshed out. Despite pressures to settle on a "compromise" candidate, both the Republicans and Americans strove to elect one their own. In lieu of that outcome, both preferred to maintain the electoral gridlock and prevent the House from organizing: each party's continued existence was at stake, and a wholesale concession could have been fatal (Silbey 1989, pp. 4-7).⁶² Leaders on both sides also felt that the incumbent Democratic administration stood to lose more from an unorganized House; thus, each would gain in relative terms (Hollcroft 1956, p. 452). Moreover, if both Republicans and Americans believed that members of the other two parties would continue to vote sincerely, then each could continue casting ballots for their most preferred alternative and guarantee their second best outcome (given that each group was pivotal).

62. In letters and newspaper columns, Republicans vowed to oppose the "Slave Power" even if it meant balloting until March 4, 1857, the end of the congressional term. See Harrington (1939, p. 196); Edward Barber Morgan to Henry and Richard Morgan, December 10, 1855, in Hollcroft (1956, pp. 450, 452); Charles Sumner to Theodore Parker, January 20, 1856, in Palmer (1990, pp. 441-42).

The Democrats also wanted to elect one of their own, but felt pressure to avoid a lengthy gridlock. Since they controlled the presidency and the Senate, they were anxious to pursue a partisan agenda. If they could not capture the speakership, they preferred to have either a Republican- or American-controlled House rather than an unorganized one; from their established position, vote trades and compromises were better than no legislative outputs at all. However, they also felt that the American and Republican organizations were shaky and could not hold out indefinitely. Thus, they were torn by conflicting pressures: settle now and guarantee a moderate stream of policy outputs, or settle later and receive a lottery payoff, i.e., a possible unorganized House and no policy outputs, or a possible unified Democratic organization — after one of the other parties collapsed — and a large stream of policy outputs. Based on actual events, the Democrats appear to have chosen the lottery, believing, it seems, that the likelihood of a collapse was high enough to warrant pursuing the risky strategy.

The Democrats underestimated their adversaries' resolve. The balloting continued through the rest of December 1855, and into January 1856, with little change in the relative positions of the candidates (see Appendix 2).⁶³ Between ballots, several alternate methods of deciding the speakership contest were offered, such as proposals for continuous sessions, resignations of all current candidates, elections of temporary speakers, curtailment of debate, and most notably the substitution of a plurality rule in place of the standard majority rule.⁶⁴ All failed. On January 24, 1856, the Democrats replaced Richardson as their speakership candidate with James Orr (S.C.), an unabashed opponent of nativism, but the difference proved to be

63. A good deal of pairing occurred during this time, suppressing the overall vote totals.

64. For examples, see *Congressional Globe* 34-1, pp. 34, 72, 139, 149, 235, 241.

negligible. As the month was coming to a close, the Americans and Republicans were still holding fast, and the Democrats were at the end of their rope. President Pierce, once confident that an extended struggle would result in either the Americans or Republicans caving and a Democrat elected Speaker, was growing frustrated with the deadlock and believed that an unorganized House was becoming a distinct possibility (Harrington 1939, pp. 197-200). Anxious to send his message to Congress and perceiving little expected payoff from further delay, he urged Democratic House leaders to bring the contest to a close.

Alexander Stephens (Ga.), a chief Democratic floor leader, would attempt to do Pierce's bidding. Moreover, he envisioned a way to end the contest *and* elect a Democrat, via the passage of a plurality rule. To that point, a plurality rule had been proposed repeatedly by the pro-Banks forces, as they believed their man, as the top vote-getter, would be the logical beneficiary. The Democrats and Americans had generally opposed a plurality rule for these same reasons. However, as the contest moved into February 1856, Stephens now saw how a plurality rule could lead to a Democratic victory and began to fashion a plan.

Stephens recognized that should a plurality rule pass, a Democrat could only be elected with the assistance of the American coalition. However, after their organization was unanimously denounced by the Democratic caucus, the Americans had refused to support a Democratic candidate. Stephens' solution was simple: the Democrats would select a new candidate who had *not* participated in the caucus and thereby had *not* denounced the American organization. The selection was William Aiken (S.C.), an avowed supporter of slavery who did not attend the Democratic caucus and had not committed himself (on record) against the Americans. Stephens felt that the ploy would be successful:

From my knowledge of the House, its present tone and temper, knowledge of Aiken and the estimation he was held in by several scatterers, I believed he would beat Banks . . . I sounded out some of the Western Know Nothings—Marshall and others—and found that they could be brought into it.⁶⁵

Next, Stephens spoke to Fuller and his northern supporters and reportedly effected an agreement.⁶⁶ Finally, he persuaded several Democrats to switch their votes to support a plurality rule, thereby insuring its passage. With that, all of Stephens' ducks appeared to be in a row.

Unfortunately for Stephens, on February 1, two Democrats, Williamson R. W. Cobb (Ala.) and John Kelly (N.Y.), acted prematurely, moving that Aiken be declared Speaker *before* the plurality rule had been passed. Their motion failed 103 to 110 (*CG*, 34-1, 2/1/1856, pp. 334-35), but more importantly, it alerted the pro-Banks forces to Aiken's candidacy and thereby cost Stephens the element of surprise. Shortly thereafter, the House adjourned, allowing all parties to close ranks in anticipation of a conclusion. The Republicans, who had pushed for a plurality rule for many weeks, were now concerned; despite the failed motion to elect Aiken, he *still* managed 103 votes, which was many more than Richardson or Orr could muster. Aiken did this by drawing in a number of Americans who had been supporting Fuller as well as some members who had been scattering their votes.

The following day, Samuel A. Smith (D-Tenn.) offered a plurality resolution of the 1849 form — three additional majority-rule ballots would be cast, and if no outcome was generated, then a fourth plurality-rule ballot would be held — which passed on a 113-104 vote (*CG*, 34-1, 2/2/1856, p. 335). As arranged by Stephens, twelve Democrats had joined with the pro-Banks

65. Diary entry, Alexander H. Stephens, February 1, 1856, in Johnston and Brown (1878, pp. 305-06).

66. See *NYTrib* (Feb. 6, 1856).

coalition to secure passage. The Republicans sensed impending doom and tried first to rescind the plurality motion, and then to force adjournment, but were voted down 102-116 and 84-133, respectively (*CG*, 34-1, 2/2/1856, p. 336).⁶⁷ Stephens then introduced Aiken as the new Democratic candidate, setting the stage for an electoral showdown.

The first majority-rule ballot (the 130th overall) saw Banks capture 102 votes, Aiken 93, Fuller 14, while 6 members scattered. Twenty of Fuller's prior supporters (from the 129th ballot) defected to Aiken: all 20 of these members were closer to Aiken than to Banks in a one-dimensional spatial analysis. This breakdown remained virtually the same on the next two majority-rule ballots (the 131st and 132nd overall), with Fuller and Aiken losing one vote a piece. Finally, the plurality-rule vote was at hand. Prior to the start of the balloting, Fuller announced that he was withdrawing from the race (*CG*, 34-1, 2/2/1856, p. 337). Whether this was part of a larger deal cut earlier with Stephens is unclear. Regardless, all of the ingredients seemed to be in place for the remaining Fuller voters to move to Aiken.

The plurality vote, however, did not go as the Democrats had planned. When the ballots were counted, Banks had defeated Aiken 103 to 100, with eleven votes scattering. Seven southern Americans who had previously supported Fuller switched to Aiken, providing him with

67. Additional attempts to rescind the plurality rule and to force adjournment (both of which failed) were made by *southern Democrats* (*CG*, 34-1, 2/2/1856, p. 337). These southerners might not have been privy to Stephens's plan, or perhaps southerners generally saw the danger of anything less than a majority — and maybe even a supermajority — in deciding important questions of institutional design. In the 31st Congress, for example, the press emphasized the opposition of southern Democrats to plurality voting. They were barely holding on to their peculiar institution, and if it became any easier for anti-slavery forces to prevail, it was all over, as far as they were concerned. Thus, even those southerners who believed that they would win under plurality rule still opposed it on principle, that is, they were unwilling to support a voting mechanism that would give them their man *in the short term*, understanding that it would be detrimental in the long term.

his final tally. However, six Americans from the Mid-Atlantic region — Jacob Broom (Pa.), Bayard Clarke (N.Y.), Elisha D. Cullen (Del.), Henry Winter Davis (Md.), William Millward (Pa.), and Thomas R. Whitney (N.Y.) — continued to support Fuller on the plurality ballot.⁶⁸

Three of these six — Broom, Clarke, and Whitney — along with one other American who abstained on the plurality ballot — William Valk (N.Y.) — had previously supported Aiken on the February 1 motion. Democrats were livid at this intransigence and first threatened, then begged, these Americans to reconsider (Richardson 1939, p. 202). But it was to no avail. Stephens' carefully arranged plan had failed.

Analyzing the final speakership ballot spatially, we find that members' spatial positions on the slavery issue (i.e, their first-dimension CSW-NOMINATE scores) predict their final votes for Speaker nearly perfectly. Focusing only on those members who voted for either Aiken or Banks, a one-dimensional spatial model correctly classifies 198 of the 203 votes, or 98.5 percent.⁶⁹ Only five errors are uncovered, and all are of the predicted-Banks-but-selecting-Aiken variety. (Four of these five errors represent members who had previously been supporting Fuller.) As in previous ballots, the addition of a second dimension leads to a poorer spatial fit: only 170 of the 203 votes (83.7 percent) cast for Aiken or Banks are classified correctly.

To further evaluate our one-dimensional spatial model's performance, we compare it to a simple baseline: a regional model in which members from slave states vote for Aiken while

68. Each of these six sincerely preferred Fuller to either Aiken or Banks.

69. Of the eleven scatters on the final vote, six were Fuller supporters, four cast votes for Lewis Campbell, and one, John Hickman (D-Pa.), voted for Daniel Wells (D-Wisc.). Our one-dimensional spatial model predicts four of the six Fuller voters, all four of Campbell's voters, and Hickman to be closer to Banks than to Aiken. Thus, if these eleven members would have voted for one of the two major candidates, a sincere spatial voting model would not predict a change in the outcome; in fact, Banks would be predicted to win by a larger margin.

members from free states vote for Banks. The regional model performs quite well, correctly predicting 185 of the 203 votes, or 91.1 percent. The one-dimensional spatial model, however, improves the fit considerably, as measured by the proportional reduction in error (PRE) between the two models (see Poole and Rosenthal 1997, pp. 29-30).⁷⁰ The PRE is $(18-5)/18 = 0.722$, indicating that the spatial model provides a 72.2 percent improvement in fit over the regional (baseline) model. The use of ideology, then, substantially improves classification, because it picks up members from free states who supported slavery, a dynamic that is not captured by a regional model.⁷¹

Why did the six Americans stick with Fuller, even after he had dropped out of the race? Electoral considerations would be the obvious answer. Supporting a pro-slavery Southern Democrat might have been too difficult to explain to their Mid-Atlantic constituents. For example, according to Richardson (1939, p. 202), one of these six Fuller voters, when asked at the time of the vote to switch to Aiken to save the Union, replied, “I’ll be ----- if I do!” Horace Greeley made the same point in his *New York Tribune* column: “These [six Fuller voters] could not afford to elect Mr. Aiken—that, in dealing a blow to us ‘black Republicans,’ they would utterly demolish themselves and their National American party. So they held off and let Mr. Banks be elected” (reprinted in *The Mississippian*, 2/27/1856, p. 2). Thus, for these six members, continuing to position-take by supporting Fuller was a safer strategy.

70. The PRE provides a measure of how a given model improves upon a simple baseline. The $PRE = (\text{Baseline Classification Errors} - \text{Ideological Model Classification Errors}) / \text{Baseline Classification Errors}$.

71. All eighteen of the regional model’s classification errors were one-directional, i.e., members from free states who voted for Aiken. The list includes one from Maine, three from New York, one from New Jersey, one from Iowa, three from Pennsylvania, two from Indiana, three from Illinois, one from Michigan, one from Wisconsin, and two from California.

Discussion. The speakership battle of 1849 signaled an end to the parties' attempts to keep speakership elections "under wraps" by keeping slavery off the agenda. Yet, a brief period of peace followed. This was due in large part to the disappearance (in any meaningful sense) of the Whig Party, leaving the Democrats to select a slavery moderate as Speaker to foster partisan harmony. Thus, while the issue of slavery replaced "general economics" as the primary dimension of conflict during the early 1850s, it did not come into play in speakership selection because of the (essentially) one-party politics of the time.

In 1855, with the rise of two new parties, the Americans and Republicans, instability was once again at hand. Despite the fact that slavery was now the primary issue dimension, a speakership choice could not be made because of *non-slavery* considerations. That is, Americans could not abandon their nativist constituents back home and instead support either the Republican or Democratic candidate. To do so would encourage a definite electoral backlash. Thus, the American leadership decided to espouse a moderate slavery agenda, split the vote three ways, and hope that either the Republicans or Democrats would see them as the compromise solution. In the end, this strategy failed, as the passage of the plurality rule forced the third-highest vote-getter out of the race (Fuller, the American candidate) and the American members toward one or the other of the two camps.

The beneficiary of the plurality rule, and the scattering of the American voters, was the Republican party, in part because a pivotal group of Americans could not bring themselves to support Aiken, the Democratic speakership candidate. And once elected, Nathaniel Banks, the Republican speakership candidate, worked to organize the House around anti-slavery tenets. (This will be explored in detail in the next chapter.) While the American Party would remain in

existence until the Civil War, its numbers slowly diminished as the Republicans rose to become the second major party alongside the Democrats.

Conclusion

Scholarship examining antebellum political institutions has emphasized the practices that sought to create a credible commitment to interregional coalitions. Most notable of these mechanisms has been the “balance rule” governing the admission of states and the selection of national tickets (Weingast 1996, 1998; Aldrich 1995). Another mechanism, which has gone largely unappreciated until now, was the attempt to manage the slavery policy dimension of speakership choice, by first hiding the speakership vote from public view and then (after *viva voce* voting was instituted) selecting slavery moderates as nominees in the party caucuses.

Probably because speakership selection was a biennial event driven by the most popular of national political events, House elections, mechanisms that attempted to maintain the Second Party System within the House were inherently unstable. They were vulnerable to the electoral dynamics that produced congressional majorities in the first place.

This chapter has described the tension between “Farquharson and Fenno,” first identified by Denzau, Riker and Shepsle (1985), between 1849 and 1855. The rising popularity of new parties in congressional elections (like the Liberty, Free Soil, and American parties) made politicians in both major parties wary of drawing the ire of constituents who might be sympathetic to these insurgent messages. The narrow margins in congressional races of this period made the appeals of the more radical parties especially perilous.⁷² In addition, the high

72. One interesting detail that illustrates the electoral peril during this time emerges by examining New England congressional elections. During most of the period covered here, the states of Maine, Massachusetts, New Hampshire, and Vermont required congressional

temperature of national politics dramatically expanded the size of the congressional electorate. During the 1850s, the number of voters in congressional elections grew by nearly 50%.⁷³ This expanding electorate also certainly increased the peril associated with making the “wrong” political decisions.

The electoral peril that parties in the Second Party System faced also provided opportunities, as the political universe was changing, new avenues for coalitional organization emerged, and the initial claimant in February 1856 was the new Republican Party. But was the victory of the speakership a fluke? Or could the new anti-slavery coalition hang together,

candidates to receive a *majority* of votes cast in order to be elected to Congress. Failure of any candidate to receive a majority would result in another election a few months later. There was no formal process to eliminate minor candidates, so a series of run-off elections could, in theory, continue forever. Of the 248 congressional elections held in New England from the 26th to the 36th Congress, 56 (23%) were decided in run-offs, requiring in one case eight ballots to finally elect a House member. In virtually all of these affairs, the spoilers were anti-slavery candidates who picked up a handful of votes—just enough to keep the top vote-getter from receiving a majority.

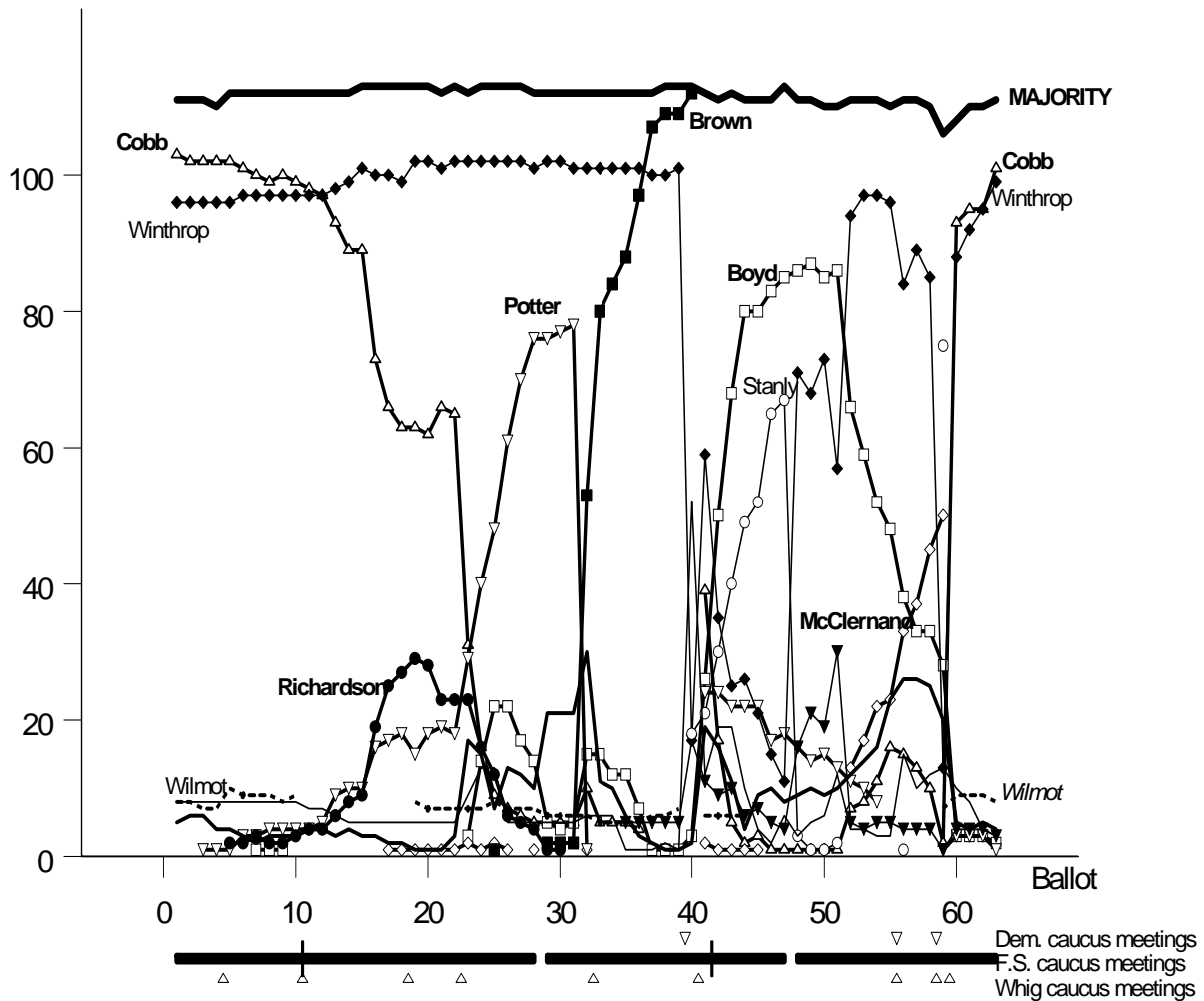
73. Combining the on-year off-year surge-and-decline phenomenon with the admission of new states makes estimating the growth of the congressional electorate in the 1850s less than precise. Here are the raw numbers (Dubin 1998):

Election years	Congress	Total cong. votes	Election years	Congress	Total cong. votes
1840–41	27	2,272,094	1850–51	32	2,574,021
1842–43	28	2,222,260	1852–53	33	3,152,708
1844–45	29	2,732,222	1854–55	34	3,293,774
1846–47	30	2,406,131	1856–57	35	3,942,338
1848–49	31	2,766,883	1858–59	36	3,882,241

Between the off-year elections of 1850–51 to 1858–59, the total electorate grew by 50.8%. Between the on-year elections of 1848–49 to 1856–57, the total grew by 42.4% Notice also the lack of a significant decline in turnout for the off-year elections of 1850–51 and 1854–55.

organize the House, and aspire to be a major institutional and electoral party? And if a purely sectional party like the Republicans could achieve major party status, could Van Buren's vision of rigid party discipline in House organizational matters be accomplished? That is, without the bugaboo of slavery affecting party-building activities, could organizational coordination become a reality? The following two chapters take up all of these questions. Suffice to say that, on issues of party development and organizational decision-making in the House, *much* would change in the next decade.

Figure 6-1. Summary of 31st Congress speakership balloting.



Legend: **Democratic candidates** are indicated with wide solid lines and labeled with **bold** names. **Whig candidates** are indicated with narrow solid lines and labeled with regular-type names. The scattering vote for both parties is indicated with the solid line with no name label. The **Free Soil candidate** is indicated with a dotted line and labeled with an *italicized* name.

The dark solid lines below the graph indicate the three weeks during which balloting proceeded. (Week 1: Mon. Dec. 3, 1849–Sat. Dec. 8, 1849; Week 2: Mon. Dec. 10, 1849–Sat. Dec. 15, 1849; Week 3: Mon., Dec. 17, 1849–Sat. Dec. 22, 1849). The open triangles pointing downward indicate recorded Whig caucuses (Dec. 11, 18, 19). The open triangle pointing upward indicate recorded Democratic caucuses (Dec. 3, 4, 6, 7, 10, 12, 18, 19). The vertical lines indicate recorded Free Soil caucuses (Tue. Dec. 4 and 13).

Figure 6-2. Correlation between support for slavery and speakership vote, 31st Congress.

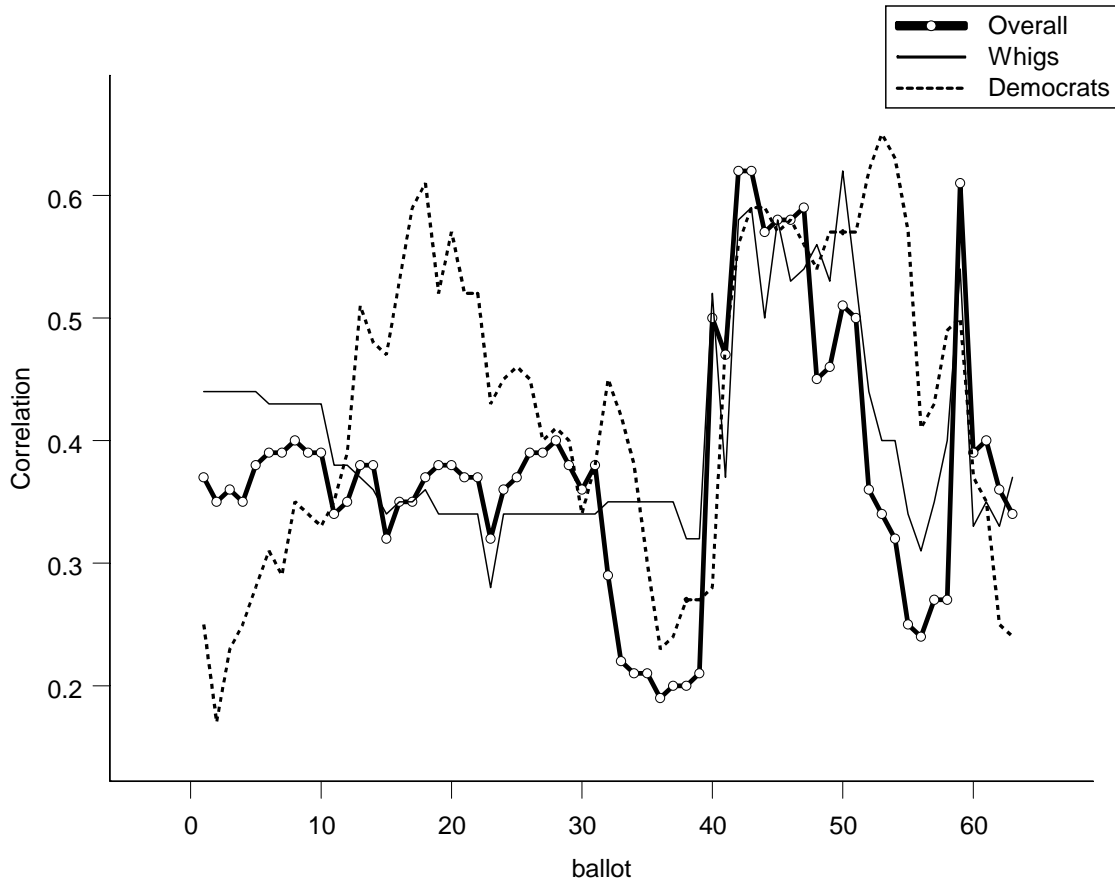


Figure 6-3: Summary of 34th Congress speakership balloting.

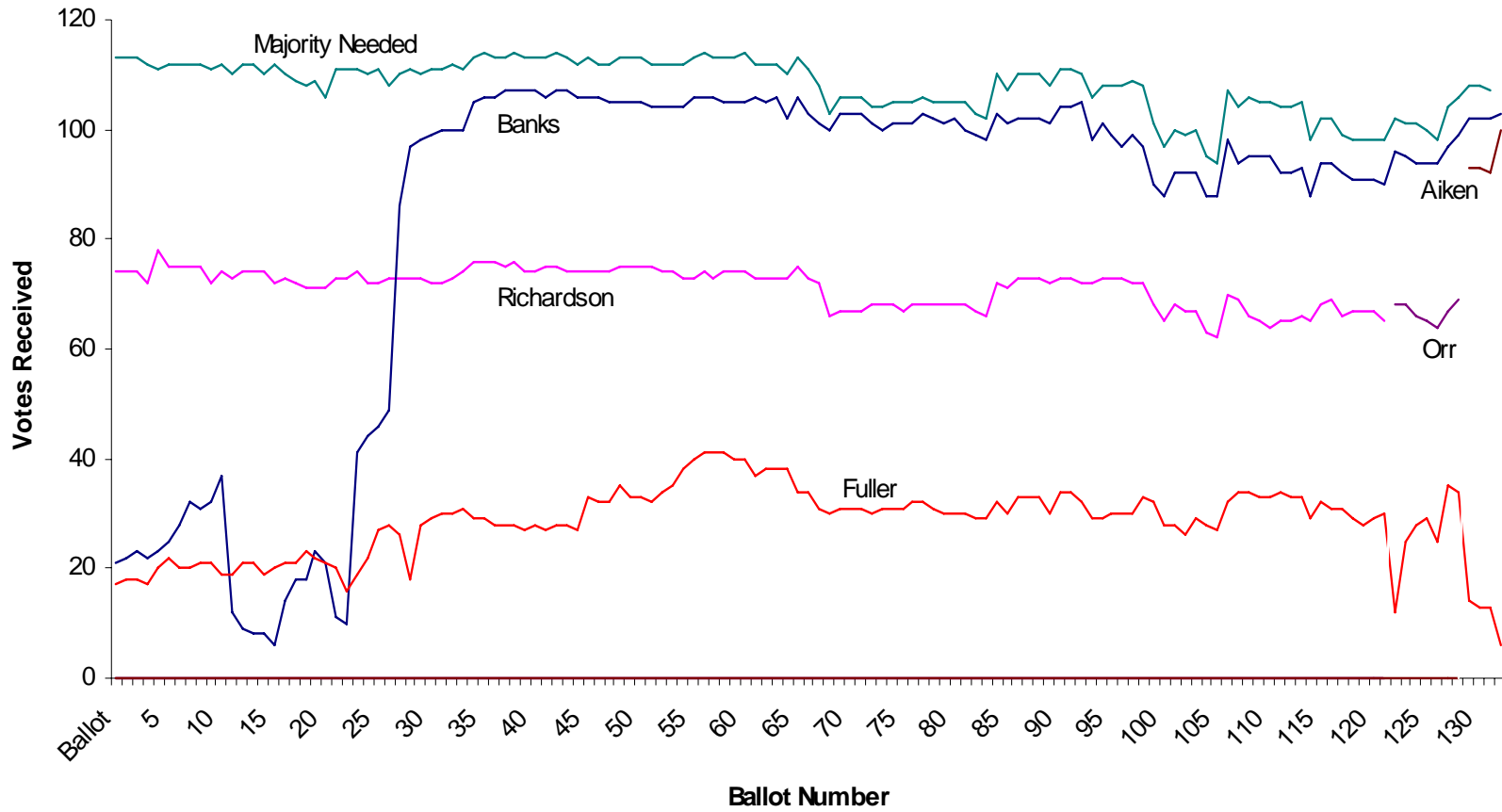


Figure 6-4: One-Dimensional Spatial Distribution of House Members and Speakership Candidates, 34th Congress

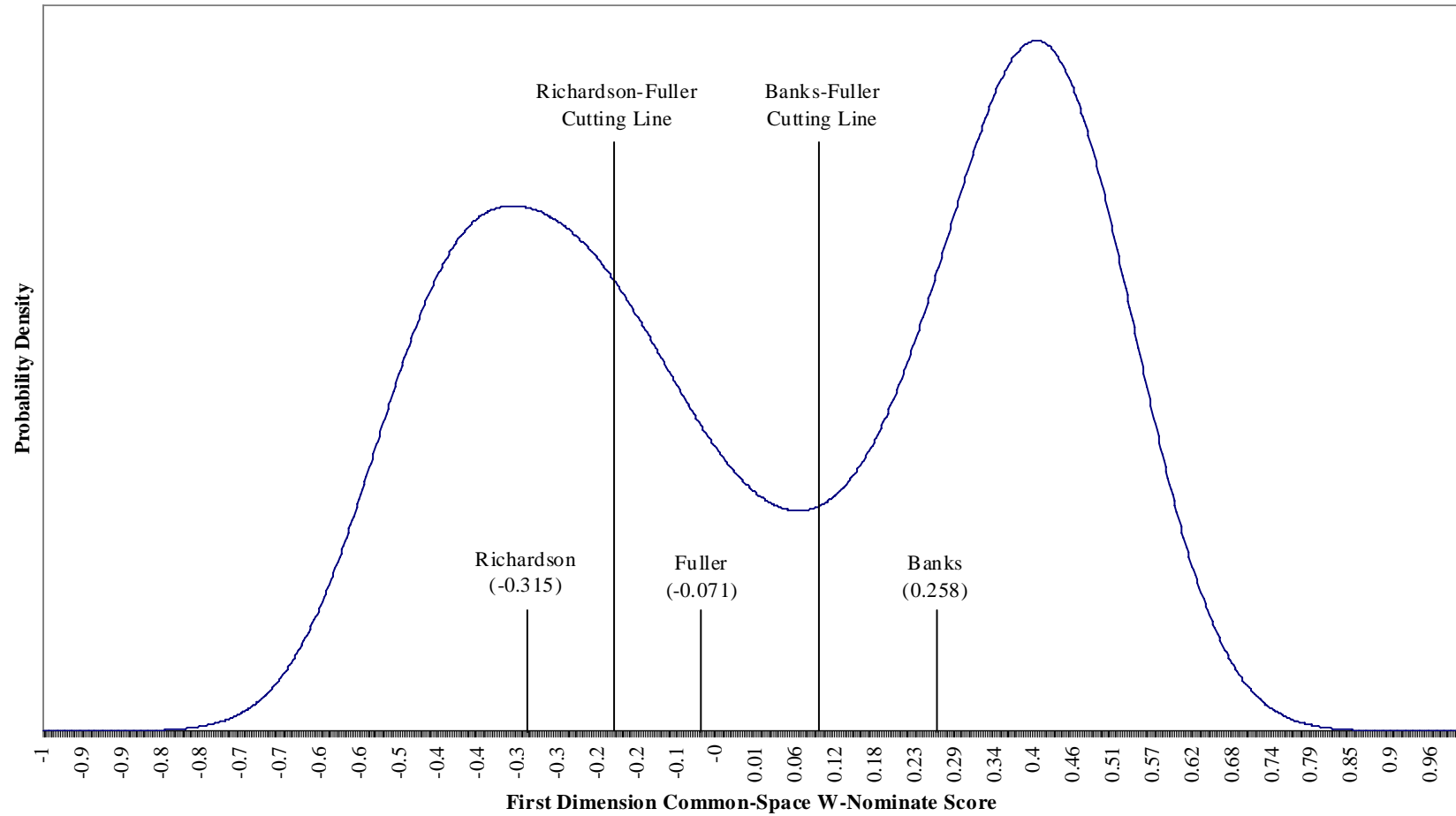


Table 6-1. First ballot for Speaker, 31st Congress (1849).

	Party				Total
	Dem.	Whigs	F.S.	Amer.	
Howell Cobb (Ga.)	102				102
Chauncey Cleveland (Conn.)	1				1
David Disney (Ohio)	1				1
James L. Orr (S.C.)	1				1
Joseph Root (Ohio)	1				1
James A. Seddon (Va.)	1				1
James Thompson (Penn.)	1				1
Robert Winthrop (Mass.)		95		1	96
Horace Mann (Mass.)		2			2
Meredith Gentry (Tenn.)		6			6
David Wilmot (Penn.)			8		8
Total	108	103	8	1	220

Table 6-2. Regional support for plurality election of Speaker. Note: Entries are the fraction favoring plurality election. (*N*'s in parentheses.)

	North	West	South	Total
Dem.	.40 (20)	.19 (32)	.16 (56)	.21 (108)
Whig	1.00 (62)	.67 (12)	.69 (26)	.88 (100)
Total	.85 (82)	.32 (44)	.33 (84)	.53 (208)

Table 6-3. Vote on conducting ballot for Speaker under plurality rule, 1849 (Robust standard errors in parentheses.)^a

	Party		
	All	Democrats	Whigs
South	-1.68*** (0.46)	-2.02*** (0.62)	-0.34 (0.81)
Irregular	-1.17* (0.53)	-0.55 (0.68)	-3.13*** (0.63)
W-NOMINATE 1st dimension (party/economics)	2.02*** (0.29)	1.93 (1.12)	13.74*** (3.39)
W-NOMINATE 2nd dimension (slavery)	1.47*** (0.33)	1.34** (0.50)	4.97*** (1.27)
Election percentage	-1.63 (0.86)	-3.50* (1.64)	5.15 (2.98)
Constant	1.47** (0.58)	2.74** (1.02)	-6.46** (2.43)
N	206	97	100
pseudo-R ²	.50	.23	.71
Llf	-71.45	-42.02	-11.11

* $p < .05$; ** $p < .01$; *** $p < .001$

^aDependent variable is ICPSR Study number 9822, 30th Congress, roll call number 26, probit coefficients

Table 6-4. Comparison of Winthrop's committee appointments (30th Congress) with Cobb's (31st Congress).

	Winthrop				Cobb				
	N. Whig	S. Whig	N. Dem.	S. Dem.	N. Whig	S. Whig	N. Dem.	S. Dem.	F.S.
Judiciary	5	0	2	2	2	1	2	3	1
Territories	5	0	2	2	2	1	2	3	1
DC	3	2	2	2	2	2	1	3	1

Chapter 7

The Speakership and the Rise of the Republican Party

The election of Nathaniel Banks as House Speaker in the 34th Congress, after two months of wrangling and 133 ballots, served notice that the Republican Party had risen to the top of the anti-Democratic fallout of the mid-1850s. While multiple issues characterized the “opposition” movement after the passage of the Kansas-Nebraska Act in 1854, slavery extension dominated all others by late-1855, dictating the speakership balloting and allowing the Republicans to seize control of the House’s top position. But Banks’s election was simply the “first Northern victory”; organizing the House and building a lasting coalition, two crucial steps in the Republican Party’s development, still lay ahead.

While a general anti-Nebraska sentiment tied them together, the Republicans were in fact a hodge-podge collection of members from defunct and tertiary party backgrounds. An inspection of the coalition that elected Banks reveals an assortment of former-Whigs, former-Democrats, former-Americans, former-Free Soilers, and anti-Democratic newcomers. Banks himself was a former-Democrat who was elected to the 34th Congress as an American. Thus, while a single issue allowed the Republicans to capture the speakership, a broad partisan persona was missing. To govern and maintain a national presence, Republican leaders would need to integrate members of these different groups and establish a clear partisan agenda.

In the end, the Republicans would exhibit some growing pains. The election of House officers and the distribution of committee assignments in the 34th Congress was by and large quite successful, although the party’s inability to elect a Printer was damaging in the short-term. Policymaking in the 34th Congress was difficult, and the residual American presence hampered the Republicans’ electoral fortunes in the elections of 1856-57, costing them control of the

House in the 35th Congress. However, the Republican organization persevered, and the burgeoning power of the slavery issue helped the party build and maintain internal unity. Controlling a plurality of House seats in the 36th Congress, the Republicans would have their resolve tested yet again in the speakership election of 1859, another lengthy multi-ballot affair. Emerging victorious, the Republicans would complete the chamber organization and lay claim to House control for the next decade and a half.

The Organization of the 34th House

After a rousing victory on the 133rd ballot, Nathaniel Banks found himself at the head of a burgeoning party organization. And while some like Thurlow Weed assumed Banks's election meant that "the Republican Party is now inaugurated... [and] can work with a will," there were still hurdles to be overcome.¹ Specifically, the remainder of the House organization would need to be completed — the additional officers would need to be elected and the standing committees would need to be assembled. Thus, with little time to savor their initial success, Banks' victorious coalition would quickly be put to the test.

The Election of House Officers

After Banks was sworn in on February 2, 1856, the House adjourned, reconvening two days later to elect a Clerk. William Valk (A-N.Y.) offered a resolution that William Cullom (Tenn.) be declared Clerk. Cullom was experienced in House politics, having served as a Whig in the 32nd and 33rd Congresses, before running unsuccessfully for reelection to the 34th Congress as an American. As a result, Cullom became the American candidate for Clerk and

¹ Thurlow Weed to Banks, February 3, 1856. Quoted in Harrington (1939, pp. 204-05).

was also tapped as the choice of the Republicans, due mainly to his opposition to the Kansas-Nebraska legislation while a member of the 33rd Congress (*NYTrib*, 2/5/1856, p. *; *CT*, 2/6/1856, p. 2). James Orr (D-S.C.) offered a tabling motion that failed 101-113, thanks to a coalition of Americans and Republicans, and the resolution electing Cullom was adopted on a 125-89 vote (*CG*, 34-1, 2/4/1856, p. 354). Cullom was then sworn in amid “manifestations of approval in the galleries” (*NYT*, 2/5/1856, p. 4).

Cullom’s election was lauded by most Republican media outlets, and was spun in such a way to emphasize the party’s broadest possible appeal. For example, the *New York Times* (2/8/1856, p. 1) reported:

The election of Mr. Cullom shows conclusively that this North is not sectional, but can seek merit south of Mason and Dixon’s line, and give it substantial recognition when found. It shows, too, that the North is magnanimous, and not willing to retaliate the sectionalism of the South, but ready, on the contrary, to stand by the men of the South who are true to correct principles.

More radical Republican media outlets were not as pleased with Cullom’s election. For example, the *National Era* (2/14/1856, p. 26) argued that despite his vote against the Kansas-Nebraska legislation while in Congress, Cullom had subsequently supported the Twelfth Section of the Philadelphia [American] Convention — in effect agreeing to “abide by and maintain the existing laws upon the subject of slavery, as a final and conclusive settlement of that subject” — and thus implicitly accepted the provisions of the Kansas-Nebraska Act.² In effect, the *National Era* argued that Cullom was more American than Republican, and chafed at the Republicans’ willingness to cooperate with the Americans.

² Twelfth section excerpt taken from convention minutes, as presented in Anbinder (1992, p. 167).

The clerkship having been decided, next up was the election of a Sergeant-at-Arms. At this point, a problem surfaced. Mathias Nichols (R-Ohio), a Banks supporter and former free-soil Democrat, moved a resolution that Adam J. Glossbrenner, the incumbent Sergeant-at-Arms and a Democrat, be reelected. Republicans quickly moved adjournment, which passed 114–99 over Democratic opposition, so that they might regroup, discuss nomination strategies, and settle on a slate of candidates for the remaining House officer positions. An anti-Administration caucus of Republicans and Americans was called for that evening, with John Pettit (R-Ind.) serving as chairman, and upwards of ninety members attended. By the end of the meeting, a set of caucus nominations was generated: French S. Evans (D.C.) for Sergeant-at-Arms; Nathan Darling (N.Y.) for Doorkeeper; Robert Morris (Pa.) for Postmaster; and Oran Follett, editor of the *Ohio State Journal*, for Printer (*NYT*, 2/5/1856, p. 4; *NYTrib*, 2/5/1856, p. 4; *National Era*, 2/7/1856, p. 22).

This slate suggested that the compromise movement between Republicans and Americans was not restricted to Cullom's candidacy. Evans, Darling, and Morris were, or had been at one time, Americans, and Follett, while a Republican, was reported to have cooperated with the American movement previously in Ohio (*National Era*, 2/7/1856, p. 22; 2/14/1856, p. 26).

The following day, February 5, the House reconsidered Nichols' resolution to declare Glossbrenner Sergeant-at-Arms of the 34th Congress. Thomas Flagler (R-N.Y.) proposed tabling the resolution, and yeas and nays were called. Flagler's tabling motion was defeated 96–108, as several Republicans defected and voted with the Democrats. The main question

(Nichols' resolution) was then considered, which passed 103– 98 (*CG*, 34-1, 2/5/1856, pp. 358-59). Thus, Glossbrenner, the incumbent Democratic Sergeant-at-Arms, was reelected.

What of French S. Evans, the Anti-Administration caucus nominee for Sergeant-at-Arms? Again, the evidence suggests that he was a compromise candidate, pushed by the Americans and accepted by the Republicans. Yet, his nomination, as the *New York Times* (2/8/1856, p. 1) suggested, “was of at least doubtful propriety.” While his American affiliation was clear, his broader background was sketchy. Some contended that he was firmly opposed to slavery extension, others that he supported the pro-slavery Twelfth Section of the American national platform. This latter possibility induced many Republicans to ignore the caucus bond and either sit out the Sergeant-at-Arms votes or support Glossbrenner's candidacy on principle.

After Glossbrenner was sworn in, John Sherman (R-Ohio) offered a resolution that Nathan Darling be declared Doorkeeper of the House for the 34th Congress. Humphrey Marshall (A-Ky.) moved to table the resolution, and yeas and nays were called. Behind a united coalition of Republicans and northern Americans (along with some southern Americans), the tabling motion was defeated 87– 118, and Sherman's resolution was subsequently passed 119– 85. Darling was thereby elected and immediately sworn in (*CG*, 34-1, 2/5/1856, p. 359).

James Campbell (R-Pa.) then offered a resolution that Robert Morris be declared Postmaster of the House for the 34th Congress. John Phelps (D-Mo.) moved to table the resolution, which failed by a slim margin, 105– 108. Campbell's resolution then passed, 108– 97, and Morris was elected and immediately sworn in (*CG*, 34-1, 2/5/1856, p. 359). The narrowness of Morris' victory harkened back to a disagreement in the anti-Administration

caucus, when a number of Republicans lobbied for the reappointment of the current Postmaster, John M. Johnson, who “while a decided Democrat of Virginia birth [had] heartily condemned the Nebraska bill” (*NYTrib*, 2/8/1856, p. 4).³ Several Republicans subsequently defected from the caucus agreement and voted for Phelps’ tabling motion, then abstained on Campbell’s resolution.

Finally, after adopting the House rules of the previous Congress at the request of Thomas Clingman (D-N.C.), the House considered the election of a Printer. John Bingham (R-Ohio) offered a resolution that Oran Follett be declared Printer of the House for the 34th Congress. After a brief confusion regarding points of order, the House adjourned, and Bingham offered his resolution again the following day (February 6). However, Clingman raised a point of order, noting that the House rules stipulated that officer elections, except those involving House members, must involve previous nominations, thereby disqualifying an election by simple resolution such as that offered by Bingham. Speaker Banks pondered Clingman’s argument, agreed with the logic, and ruled Bingham’s resolution out of order (*CG*, 34-1, 2/6/1856, p. 372).⁴

³ According to Horace Greeley, “Had [Johnson] not received the nomination of the [Democrats]. I think that he may have obtained that of [the Republicans] and been triumphantly reelected” (*NYTrib*, 2/8/1856, p. 4).

⁴ Prior to Clingman gaining the floor, John Carlile (A-Va.) raised a similar point of order, specifically that the House could not declare a Printer by resolution, and cited a section of an Act of Congress from August 26, 1852: “*And be it further enacted*, That there shall be elected a public printer for each House of Congress, to do the public printing for Congress for which he or they may be chosen.” Carlile claimed that the word “elected” in the Act required the House to conduct an actual vote. However, in this case, Speaker Banks ruled that this was a question not for the Chair, but for the House as a whole, to decide. See *CG*, 34-1, 2/5/1856, p. 360.

Clingman's rules-adoption move the previous day was therefore strategic, done to preclude the subsequent Republican-American resolution to elect a Printer.⁵

In the blink of an eye, the Republicans found themselves outflanked. As a result, nominations for Printer were made, seven in all, before voting commenced. (See Appendix 4 for a breakdown of the voting.) The first ballot resulted in no majority winner, as twelve different candidates split 195 votes, with Oran Follett the top vote-getter with 80. A second ballot was then taken, with similar results: eleven candidates split 191 votes, with Follett leading with 77. A third ballot followed suit: ten candidates split 189 votes, with Follett on top with 74. Finally, Thomas Flagler (R-N.Y.) moved adjournment, which passed by a 66-50 teller vote (*CG*, 34-1, 2/6/1856, pp. 373–74).

A glance at these votes reveals a pattern similar to that of the speakership race. Once candidate nominations for Printer were allowed and made, the anti-Administration caucus nominee, Oran Follett, fell prey to partisan division, as Americans withdrew their support and rallied behind several candidates, principally Robert Farnham and Nathan Sergeant. A reporter for the *New York Times* summarized the contest as follows: “The best judgment I can form tonight is that Follett cannot get above eighty votes, unless he can harmonize two opposing interests” (2/7/1856, p. 8).

⁵ The Democrats had attempted twice before to adopt the rules of the previous House, but each time they were ruled out of order by Speaker Banks. The first attempt was made by John Millson (D-Va.) shortly after the Clerk's election (*CG*, 34-1, 2/4/1856, pp. 354-55), while the second attempt was made by Clingman immediately before the Sergeant-at-Arm's election (*CG*, 34-1, 2/5/1856, p. 358). Thus, it seems that once the Democrats observed the anti-Administration strategy of election via simple resolution, they intended to split the Republican-American coalition on each officer election. Their inability to expedite the rules adoption, however, likely cost them the Doorkeeper and Postmaster positions.

The Printer election was picked up the following day (February 7). Lewis Campbell (R-Ohio) opened by moving to reconsider the resolution by which the Printer election had been decided.⁶ George Washington Jones (D-Tenn.) responded by offering a tabling motion, which failed by a 82– 95 vote. The question on the motion to reconsider was then taken, when Jones called for the question to be divided, specifically to inquire whether the election of Printer should be postponed. Amazingly, it passed, 102– 81, with most Republicans and Americans supporting postponement. The anti-Administration coalition of Republicans and Americans was clearly disorganized. Recovering, Campbell backpedaled and proposed postponing the matter until the following Monday, after which a lengthy and scattered argument ensued. Finally, adjournment was moved, which passed 87– 82, due mostly to Republican support (*CG*, 34-1, 2/7/1856, pp. 381-86).

⁶ Campbell is vague on his intentions here, but his previous comments during the debate on February 6 may suggest that he envisioned altering the rules of the House so as to allow the selection of Printer to proceed by resolution (see *CG*, 34-1, 2/6/1856, pp. 372– 73). In addition, Campbell was acting strangely during the course of the balloting; on more than one occasion he moved to postpone further votes until an appropriation to buy wood for the poor in the District of Columbia could be secured (see *CG*, 34-1, 2/7/1856, p. 381; 2/11/1856, pp. 388– 89). Van Horne (1966, pp. 216, 218– 19, 273 *fn* 76) argues that Campbell’s motion to reconsider and his discussion of relief for the poor were strategic, specifically that Campbell was attempting to slow the proceedings and thus postpone the election of a Printer until the following week, which would give Cornelius Wendell, the Democratic candidate, enough time to secure the necessary votes for election. Campbell’s subsequent motion on February 7 to postpone matters until the following Monday is thus consistent with this argument. Regarding motives, Van Horne contends that Campbell blamed Follett for his speakership defeat; according to Campbell, while Follett had initially played the role of his “manager,” by working to build a coalition around his candidacy, Follett came to realize that both a Speaker and Printer could not emerge from the same region (in this case, the West). Thus, Follett undercut Campbell’s candidacy and convinced him to withdraw, so that Banks, a candidate from the Northeast, could take the speakership. This would allow Follett a greater chance of winning the printership and its accompanying six-figure profit. Follett, while not acknowledging much of Campbell’s story, did blame Campbell for his defeat in an editorial in his newspaper, the *Ohio State Journal* (Feb. 21, 1856).

The confusion on the floor stemmed largely from a Republican-American conflict. To that point, Republicans had compromised considerably with the Americans, supporting former (or current) Americans for the positions of Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster. Now, the Republicans were attempting to secure election of a Republican for Printer, apparently without offering sufficient considerations to the Americans.⁷ As Horace Greeley stated:

... it is to be hoped some satisfactory arrangement may be made by which the friends who have heretofore acted together may be kept united. The present division of strength is solely attributable to mismanagement at the outset, and to an attempt to disregard influences which are now found to be potential in determining the result (*NYTrib*, 2/9/1856, p. 4).

Greeley then went on to urge Republicans to compromise: “This patronage is too valuable to be engrossed by any single individual, and the system heretofore practiced by both parties, of conferring it upon a particular organ or party pet, will hardly be repeated again.”

The battle was joined once more on February 11. Lewis Campbell again pushed for reconsideration of the initial decision on the Printer vote, but was ruled out of order by Speaker Banks.⁸ Balloting for Printer then proceeded — the fourth overall — with no resolution: 173 votes were cast for twelve candidates, with Follett the top vote-getter with 68. A fifth ballot was then taken, again with no majority winner; however, on this occasion, the leading candidate was

⁷ The *National Era* (2/14/1856, p. 26) provided some background on this Republican-American disagreement involving Follett, from their coverage of the anti-Administration caucus on February 4: “Mr. Follett, of Ohio, got the [anti-Administration caucus] nomination by one majority, and ... the opposition to him then bolted.”

⁸ According to Banks: “The vote by which the resolution before the House was adopted has been once reconsidered; and under the rule a second reconsideration is precluded” (*CG*, 34-1, 2/11/1856, p. 389.)

Cornelius Wendell, the Democratic nominee, with 74 votes. Warner Underwood (A-Ky.) then proposed a resolution that the Printer election be determined by plurality rule, but was ruled out of order. A sixth ballot was then taken, again with no resolution: 167 votes were cast for eleven candidates, with Wendell leading with 71 votes (*CG*, 34-1, 2/11/1856, pp. 388–90).

The printership slowly slipping away, the Republican sought to regroup, with Benjamin Stanton (R-Ohio) moving that further balloting be postponed until the following day. After a somewhat lengthy debate, postponement was defeated 81–87, with the Democrats combining with many Americans to stymie the Republicans. Samuel Galloway (R-Ohio) then moved adjournment, which was defeated 71–87 by a similar coalition of Democrats and Americans. Underwood then moved to suspend the rules, so that a plurality rule could be proposed, but the two-thirds necessary was not achieved. Finally, Alexander Stephens (D-Ga.) again moved adjournment, which passed without a recorded vote (*CG*, 34-1, 2/11/1856, pp. 390–91).

The course of events was clearly frustrating for the Republicans. Their attempt to elect a Republican Printer was failing, and Oran Follett, having just arrived in Washington, was adamantly opposed to bargaining for the votes of the Americans (*NYT*, 2/15/1856, p. 1). Horace Greeley opined: “In this contest everybody is out for himself, and what is called ‘the cause’ figures very subordinately to the pocket” (*NYTrib*, 2/13/1856, p. 5). Republicans met in an informal caucus that evening, but could not agree on a change of strategy. As the *New York Herald* (2/13/1856, p. 4) reported, the Republicans “are determined not to yield. The Printer, by right, they say, belongs to them, and they will not withdraw Mr. Follett.”

The next day, February 12, the House returned to the Printer election. A seventh ballot was taken, with no resolution: 164 votes were cast for ten candidates, with Wendell leading the

way with 69. An eighth ballot was then tried, again with no majority winner: 163 votes were cast for nine candidates, with Wendell the top vote-getter with 65. A ninth ballot was attempted, again with no resolution: 162 votes were cast for eleven candidates, with Wendell leading with 62 (*CG*, 34-1, 2/12/1856, pp. 396-97). The House then adjourned for the day.

That evening, and into Wednesday morning, the Republicans met and discussed various options (*NYT*, 2/13/1856, p. 1; *NYH*, 2/13/1856, p. 4; Feb. 2/14/1856, p. 4; *NYTrib*, 2/14/1856, p. 4). Some members wanted to drop Follett; others pledged to stand behind him to the end. Follett's vote total had declined steadily during the balloting, from a high of 80 on the first ballot to a low of 54 on the ninth, and most recent, ballot. As a result, he grew tired of the affair and asked his supporters to withdraw his name. In the end, no new caucus nominee was selected, although some members announced that they would attempt to coordinate behind a new candidate. The *New York Times* (2/13/1856, p. 1) predicted a Wendell victory, and bemoaned the events leading up to it: "This deplorable result will be in consequence of the strange folly of the Opposition working at cross purposes."

When the House convened at twelve o'clock, the first order of business was the Printer election. A tenth ballot was taken, still with no majority winner, as 160 votes were divided among eleven candidates. However, a resolution was closer, as Cornelius Wendell captured 73 votes, eight short of a majority. By contrast, Oran Follett's vote total continued to dwindle, to 36 overall, as some Republicans flocked to Joseph J. Coombs, a new candidate nominated by Aaron Harlan (R-Ohio) prior to the vote. Sensing impending doom, Benjamin Stanton (R-Ohio) asked leave to report a resolution that would postpone the Printer election until December, but was ruled out of order by Speaker Banks. An eleventh ballot was then taken, and when all votes

were counted, Wendell was declared the winner with 91 of 160 votes cast. Speaker Banks then officially declared him House Printer for the 34th Congress, which “was greeted with applause from the galleries” (*CG*, 34-1, 2/13/1856, p. 410).⁹

How did Wendell capture the printership? According to Horace Greeley, the deed was accomplished via side-payments: “somebody has made a ‘good thing of it,’ in Congressional parlance ... a good many pockets have been lined” (*NYTrib*, 2/15/1856, p. 4).¹⁰ The chief target of these accusations was the southern Americans.¹¹ By the *last* ballot for Printer, eighteen Americans who had supported Henry Fuller throughout much of the speakership balloting had joined Wendell’s coalition — whereas, at the *outset* of the balloting for Printer, *none* of these eighteen supported Wendell, but rather divided their votes among several American candidates. But accusations were also directed at Republicans, in two regards. First, nine members who had supported Banks for Speaker voted for Wendell. Second, thirty-eight other Banks supporters sat out the final vote for Printer, in effect lowering the threshold for a majority-rule victory.

⁹ This enthusiasm was not shared by all. As the *New York Herald* (2/14/1856, p. 4) reported: “Our army in Flanders never swore half so much as did some Republicans when it was announced that Wendell was elected printer.”

¹⁰ For a similar perspective, see *NYH*, 2/14/1856, p. 4.

¹¹ In this regard, *The American Organ*, a Washington-based newspaper sympathetic to the American cause, stated:

It has been currently reported during the last few days that Mr. Wendell had promised a portion of the proceeds of the public printing to some Southern Americans, to be dispensed by them in the establishment of a press [in Washington], to sustain the notions and opinions of the Southern branch of the American party, and to keep up the other presses now advocating those opinions elsewhere (excerpted in the *NYH*, 2/16/1856, p. 4).

Summing up the loss of the Printer, Greeley stated succinctly: “the most important part of the patronage belonging to the House was voted away for the benefit of a few desperate adventurers and venal borers of Congress.”

Thus, the election of House officers was complete for the 34th Congress. After their capture of the speakership, the Republicans had decidedly mixed results filling out the rest of the officer positions. Lacking a chamber majority, they combined with the Americans to nominate a set of compromise candidates. This anti-Administration coalition was able to elect a Clerk, Doorkeeper, and Postmaster, but were rolled by the Democrats in the election of a Sergeant-at-Arms and a Printer. The latter defeat was devastating, as the Printer was an extremely influential position for mass party building. Without its control, the Republicans were unable to disseminate the party message by expanding and underwriting state and local Republican presses throughout the nation. In the end, the Republicans were unwilling to share the Printer with the Americans, preferring to control it completely or not at all.

The Appointment of the Standing Committees

Having filled out the rest of the officer corp, the House then proceeded to the announcement of standing committee assignments. Here, then, was the Republicans’ great opportunity — while their lack of a House majority limited their influence in the various officer elections, only one person, the Speaker, controlled the appointment of standing committees. If the Republican Party was to reap the benefits of controlling the speakership, it was up to Nathaniel Banks to make it happen, by organizing the various standing committees in an ideological fashion around anti-slavery tenets.

To expedite the Republican agenda, Banks should have done two things when appointing committees. First, he should have awarded committee chairmanships to his supporters, that is, those members who supported his speakership election. Committee chairs had tremendous powers over the policy agenda *within* committees; any policies not conducive to a chair's tastes would not be debated. Second, Banks should have stacked committees, especially important policy committees, with his supporters, thereby increasing the likelihood that an anti-slavery agenda would be advanced.

Examining members' votes on the final speakership ballot, we find that Banks disproportionately appointed allies to committee chairs.¹² As Table 7-1 indicates, twenty-seven of 34 House committees were chaired by Banks voters, which implies that committees were quite reflective of Banks and the emerging Republican Party.¹³ An examination based on CSW-

¹² Our contentions conflict with those of Silbey (1989), who argues that Banks could not organize the House effectively because he had too many factions to placate; consequently, he was forced to balance competing interests, which prevented him from building an anti-slavery coalition. To support his thesis, Silbey claims that Banks appointed a significant number of non-Republicans to committee chairs. By Silbey's count, only eleven Republicans received chairmanships, while the other twenty-six chairs were divided among Whigs, Americans, Democrats, and various hybrids. Based on these figures, Silbey (1989, p. 11) claims: "The final distribution of committee chairmanships . . . hardly reflected secure Republican hegemony."

We base our claim on a different accounting of party labels, one we consider to be more informative for this analysis. As discussed previously, partisan-affiliation data for anti-Administration House members during this period was far from reliable, given the changing partisan dynamics and fluid nature of fusion-based electoral politics. Because we argue that the Republican Party began as an ideological coalition in the House — specifically, an anti-slavery coalition — that evolved into a partisan coalition during the 34th Congress, members' votes for speaker and their CSW-NOMINATE scores should be regarded as more reliable measures of partisanship. See Jenkins and Nokken (2000) for additional discussion.

¹³ Aiken voters were given six chairs, while Jacob Broom, a Fuller voter, was given the remaining chair. Most of these committees were executive oversight or housecleaning committees, with no obvious connections to the slavery issue.

NOMINATE scores supports these findings: in twenty-three of thirty-four cases the chair's ideal point was actually *to the right of Banks* (0.258), suggesting that *strongly* anti-slavery members were favored in conferring committee leadership roles. In all, twenty-eight of thirty-four committee chairmanships went to members closer ideologically to Banks than to Aiken, labeled "Banks supporters" in the table.

[Table 7-1 about here]

A glance at the various committee chairs also reveals Banks's attempt to recognize important members of the Republican Party. For example, Lewis Campbell, an early party front-runner for Speaker, was given the chairmanship of Ways and Means, establishing him as the prime Republican floor leader in the House. In addition, the ex-Whig Alexander Pennington, who at times garnered substantial support in the Republican caucus during the speakership balloting, was provided with the chairmanship of Foreign Affairs. Finally, Joshua Giddings, one of the intellectual leaders of the Republican Party and perhaps the prime-mover in caucus, was given the chairmanship of Claims and the second position (behind ex-Free Soil Democrat Galusha Grow) on Territories, the committee that would take the lead in all matters of slavery extension (or prohibition).¹⁴

An examination of House committee compositions, illustrated in Table 7-2, reveals a similar story: relying again on CSW-NOMINATE scores, we find that Banks voters, while only constituting a plurality of the chamber (103 of 234 seats), controlled majorities on 18 of the 34

¹⁴ Horace Greeley suggested that Giddings' placement in the second spot on Territories was strategic, "because of the bugbear he has been represented" (*NYTrib*, 2/18/1856, p. 6). Rather than fan the flames of Southern discontent, Banks selected the ex-Democrat Grow (who was "solid" on the slavery issue) for the top spot.

standing committees. Focusing on anti-slavery preferences more generally, we find that Banks supporters comprised majorities on 27 of the 34 standing committees.

[Table 7-2 about here]

We also examine the eight standing committees in the House that Silbey (1989, pp. 12-13) identifies as the “key” policy committees in the 34th Congress: Ways and Means, Commerce, Public Lands, Judiciary, Manufactures, Agriculture, Foreign Affairs, and Territories. First, we find that six of the eight committees were comprised of Banks voters. More broadly, all eight committees consisted of pro-Banks (i.e., anti-slavery) ideological majorities.¹⁵ Finally, all eight committees were chaired by Banks voters. Thus, Banks distributed his plurality coalition quite efficiently, staffing the most important House committees with anti-slavery advocates.

Taken as a whole, Banks’s committee assignments were seen as a significant victory for the Republican Party. As the *New York Herald* (2/15/1856, p. 4) reported: “The anti-slavery element is the governing power of the House committees.” The *Washington Union*, the main Democratic Party media organ, was more strident in its analysis: “Mr. Banks selects as the heads of those Committees to which are to be confided questions immediately material to the people of the South ... the most offensive and the most reckless fanatics of the Free States” (reprinted in the *NYTrib*, 2/16/1856, p. 5).

Voting Behavior

¹⁵ Relying again on past party affiliations, Silbey (1989, pp. 12-13) argues that none of these eight committees possessed a Republican majority.

Having won the speakership, struggled to fill out the remainder of the officer corp, and secured control of all major standing committees, the Republicans now faced the task of operating as a legislative voting coalition. After receiving the President's message in mid-February 1856, nearly three months after initially convening, the House began official legislative proceedings. The question would be: Did the group of Banks voters have the "legs" to operate as a party? Specifically, could a one-issue coalition of politicians from an assortment of prior partisan backgrounds work together in a consistent and cohesive way?

The answer to these questions would be "yes," thanks mostly to the dominating effect that the "Kansas issue" would have on the attention of the House for the remainder of the 34th Congress. After the passage of the Kansas-Nebraska Act in 1854, the Kansas Territory was established. In the Spring of 1855, a pro-slavery territorial legislature was selected, thanks in part to the votes of pro-slavery Missourians (termed "Border Ruffians"), who streamed into Kansas on election day and stuffed the ballot boxes. Anti-slavery Kansans, and newly arrived anti-slavery emigres, rejected the legislative elections as fraudulent, and set up their own rival territorial legislature. For the remainder of 1855 through early 1856, the situation was tense, as the "legitimate" government tried to crack down on the anti-slavery insurgents. As a result, pro- and anti-slavery militias were formed and marched across Kansas, resulting in isolated cases of violence, terror, and killing. These images were portrayed in graphic detail under the banner of "Bleeding Kansas" by anti-slavery newspapers in the North, such as Horace Greeley's *New York Tribune*.

Thus, during the lengthy speakership battle, newspaper reports on the situation in Kansas helped keep the slavery extension issue front and center, which in turn kept the Republican

coalition together. Moreover, after the organization of the House was completed, Kansas helped the Republicans segue into governing, as the President's message focused on law and order in Kansas and the first issue on the legislative agenda was the contested election case involving Kansas' delegate seat. By May, three separate, but related, events solidified Kansas' hold on both the Congress and the nation: (1) the sack of Lawrence, an anti-slavery stronghold, by the Border Ruffians; (2) the caning of Senator Charles Sumner (R-Mass.) on the Senate floor by Rep. Preston Brooks (D-S.C.), after Sumner's "Crime Against Kansas" speech; and (3) the Potawhattamie Massacre, wherein the anti-slavery zealot John Brown murdered five pro-slavery Kansans. For the rest of the session, the slavery extension issue, symbolized by the happenings in and related to Kansas, permeated congressional debate. While many had hoped that the Kansas-Nebraska Act of 1854 would put the slavery-extension issue to rest once and for all, it in fact had the opposite effect — it established the preeminence of the slavery extension issue, by reorganizing partisan politics in a strictly pro-slavery/anti-slavery fashion.

Thanks to the Kansas issue, the House Republicans were able to move from being a narrowly-organized ideological coalition to a partisan coalition in short order. This ideological-partisan development can be examined further by comparing the spatial location of the Banks coalition in the 34th Congress with the spatial location of House Republicans in the 35th, 36th, and 37th Congresses, using the first-dimension DW-NOMINATE score as the common metric.¹⁶ If the Republican Party truly began as an ideological coalition, organized around anti-slavery tenets, then the spatial location of Banks voters in the 34th Congress should correspond well to

¹⁶ Here, we are comparing densities, as well as means and variances, across Congresses, so a dynamic measure like DW-NOMINATE is warranted.

the spatial location of Republicans in succeeding Congresses. Density plots for the Banks coalition (34th Congress) and the Republican Party (35th through 37th Congresses) appear in Figure 7-1. As the plots indicate, the Banks coalition and the three sets of Republicans overlap nicely on the right side (anti-slavery end) of the DW-NOMINATE spectrum. Summary statistics, which appear in Table 7-3, tell a similar story.¹⁷ These results suggest that the ideological coalition that selected Banks for Speaker in the 34th Congress and the Republican Party of the 35th through 37th Congresses occupied the same space along the slavery dimension. Thus, what began simply as an ideological coalition became a partisan coalition that was organized along ideological lines.

[Figure 7-1 and Table 7-3 about here]

Interlude: The 35th Congress

While they made the most of their institutional rise to prominence in the 34th Congress, the Republicans still only possessed a plurality of the House, and their mass-party engine was in its infancy. As a result, the Democrats took advantage of their established mass-party linkages to bounce back in the 1856-57 elections and regain majority control of the House in the 35th Congress. Their electoral success bridged North and South, as the Democrats captured 56 seats in the free states and 75 in the slave states, compared to only 25 and 57, respectively, in the 1854-55 elections (Martis 1989, pp. 108-10).¹⁸ While a casual observer might interpret these results as

¹⁷ Results from means and variance tests (*t* and *F* tests) indicate that there are no significant differences between (a) the Banks coalition and any of the three sets of Republicans and (b) any two of the three sets Republicans.

¹⁸ There were 234 House seats in the 34th Congress and 237 in the 35th Congress. The 56 Democratic free-state seats in the 35th Congress include two seats in Minnesota and one in

evidence that the Democrats had survived and overcome the fallout from the Kansas-Nebraska Act, this was not the case. In fact, their electoral success in the North was somewhat illusory, as many of their victories were due to three-party races in which Republicans and Americans split the anti-Democratic vote. Of the 56 free seats that the Democrats won in the 1856-57 elections, only 37 were won by outright majorities (Dubin 1998, pp. 176-79).

After their initial success in the organization of the 34th House, the Republicans were faced with a dilemma — they could continue to cooperate with the Americans and work to maintain their momentum, or they could pull back, distance themselves from the nativist issue, and focus on emphasizing their true message, slavery-extension politics. The decision would be made during the presidential convention season in 1856. The Americans met first, in February, and struggled in their attempt to organize, as the slavery issue divided party members. After lengthy and contentious politicking, the southern wing of the party emerged victorious by passing a plank supporting the Kansas-Nebraska Act. Many northern Americans, keen to the growing anti-slavery sentiment in the free states, refused to accept the plank and withdrew from the convention. The remaining American delegates selected ex-President (and ex-Whig) Millard Fillmore as their Presidential nominee. Fillmore had been instrumental in the passage of the Compromise of 1850 and was considered acceptable by southerners; as a result, he was viewed as a “dough face” by northern anti-slavery advocates.

In June, the northern Americans met shortly before the Republican convention to select their own candidate. They chose Nathaniel Banks as their nominee, hoping that it would lead to a fusion effort with the Republicans. However, the Republicans had other ideas. First, Banks

Oregon, both of which had recently entered the Union.

rejected the American nomination, severing his ties to the party and reasserting his support of the Republican cause. Second, the Republicans chose John C. Frémont as their Presidential nominee; this was a thumb in the eye to the Americans, as Frémont was a former Democrat with strong anti-slavery beliefs, who also happened to have strong ties to Catholicism.¹⁹ The northern Americans then scrambled to fuse in some fashion with the Republicans, suggesting American William Johnston, a former Governor from Pennsylvania, as a Vice-Presidential candidate. But, again, they were rebuffed by the Republicans, who selected instead former-Whig William L. Dayton, a former senator from New Jersey with no connections to the American Party. The northern Americans then tried to put together their own Frémont-Johnston ticket, but Johnston refused their nomination. In the end, they were left with the decision to support either Frémont and the Republicans or Fillmore and the southern Americans.²⁰ Bowing to northern public opinion, they grudgingly supported Frémont.²¹

While Frémont would go on to lose to James Buchanan in the November 1856 Presidential election, the Republicans had clearly made some inroads. Frémont won eleven northern states, losing only the free states of California, Illinois, Indiana, New Jersey, and

¹⁹ Frémont's father was a French Catholic; in addition, Frémont's marriage ceremony was presided over by a priest, and his daughter attended a Catholic school (Anbinder 1992, p. 224).

²⁰ While the Republicans made no overt entreaties to the Americans, they instituted a convention platform that was intentionally ambiguous on nativism. This was intended to serve dual purposes: (1) it was an implicit "olive branch" to the Americans, providing them with enough of a face-saving excuse to reject Fillmore and support Frémont, and (2) it was an attempt also to reach out to the mass of German-Protestant immigrants, who were considered to be up-for-grabs in election. See Gienapp (1987, p. 336).

²¹ For a description of the events surrounding the American and Republican conventions, as well as the failed Republican-American fusion, see Potter (1976, pp. 254-58), Gienapp (1987, pp. 305-46), and Anbinder (1992, pp. 206-19).

Pennsylvania to Buchanan, whereas Fillmore, the southern American candidate, could only capture the state of Maryland. Thus, the Republicans had clearly emerged as the second major party to stand alongside the Democrats. But their refusal to coordinate with the northern Americans on a presidential ticket was costly in the short term. Specifically, the northern Americans refused to disband their weakening organization, vowing to compete with the Republicans for the anti-Democratic vote across a number of the free states in the 1856–57 congressional elections. In effect, this meant that the Republicans would have to kill off the northern Americans before vying directly with the Democrats for national preeminence. As a result, the Republicans had to implicitly cede control of the House in the 35th Congress to the Democrats, while they were doing away with the Americans. As mentioned previously, the Democrats wound up winning 19 free-state seats with a simple plurality, thanks to Republican-American electoral jockeying.

Nevertheless, the Republicans viewed the 1856-57 congressional elections as a success. They captured 91 House seats in their first organized foray as a mass party, and they dominated their electoral battles with the Americans, sweeping them completely from the free states.²² Moreover, in those states in which the Americans did not field candidates — Connecticut, Indiana, Maine, Michigan, Minnesota, New Hampshire, Rhode Island, Vermont, and Wisconsin — allowing Republican candidates to go toe-to-toe directly with Democratic candidates, the Republicans performed quite well, winning 28 of 39 seats (Dubin 1998, pp. 176– 79). From the Republicans' perspective, then, refusing to fuse with the Americans, while building their

²² The Americans controlled 14 House seats at the outset of the 35th Congress: two in Georgia, two in Kentucky, one in Louisiana, three in Maryland, two in Missouri, one in North Carolina, and three in Tennessee (Martis 1989, p. 110).

organization completely around the slavery issue, had paid dividends, and it was just a matter of time before control of the House was once again within their grasp.

The politics of the 35th Congress would suggest to the Republicans that their time would come quickly. Once again, the issue of slavery extension dominated the congressional proceedings, highlighted by two events. First, the Supreme Court handed down a decision in *Dred Scott v. Sanford* (1857) that polarized the pro- and anti-slavery factions even more. The Court ruled that the Missouri Compromise of 1820 was unconstitutional, in that Congress possessed no right under the Constitution to rule on the question of slavery in the territories. Broadly interpreted, the Court's ruling suggested that slavery was a constitutional right, which could not be abridged (short of adopting a Constitutional amendment). This enraged the anti-slavery advocates and, given that five of the six Justices supporting the decision either were or had been slaveholders, elicited further cries as to the existence of a "Slave Power" conspiracy.

Second, the situation in Kansas intensified, as the pro-slavery Kansas legislature organized a constitutional convention (boycotted by the anti-slavery advocates in the territory) at Lecompton to prepare for statehood. In December 1857, after some political twists and turns, a Constitution was produced, and the people of Kansas were given the option to vote for it either with or without slavery. Charging fraud throughout the electoral process, the anti-slavery Kansans refused to participate in the referendum, leading to a landslide for the pro-slavery side. Thus, Congress simply needed to ratify the Lecompton Constitution and Kansas would enter the Union as a slave state. This led to a major struggle for the next several months in Congress between pro- and anti-slavery members. Eventually, the Senate approved the Lecompton Constitution, but the House did not, instead passing a substitute that would require resubmission

of the constitution to the people of Kansas for an up-or-down vote. This substitute was eventually adopted by a joint House-Senate conference committee, and the people of Kansas had their chance to approve or reject the Lecompton Constitution. On August 2, 1858, by an overwhelming margin — 11,300 to 1,788 — in a vote devoid of corruption, the Lecompton Constitution was rejected, and with it, Kansas' statehood. As a result, Kansas would remain a Territory until 1861, when it would enter the Union as a free state.

The battle over the Lecompton Constitution was especially damaging to the House Democrats. Much like the Kansas-Nebraska proceedings four years earlier, Southern Democrats had placed enormous pressure on the northern wing of the party to support their pro-slavery position, and many northern House members subsequently buckled and voted for the Lecompton Constitution. But their support was not enough to gain its passage. Nonetheless, northern voters were incensed, and, similar to the aftermath of the Kansas-Nebraska proceedings, the northern wing of the Democratic Party would be punished severely in the 1858-59 congressional elections. When the dust had cleared, the Democrats' share in the free states would drop from 56 seats to 26 seats, leaving them with a total of 92 seats in the upcoming 36th House.²³ The Republicans benefitted considerably from this anti-Democratic backlash, capturing 113 seats.²⁴ Yet, they were

²³ These 92 seats include 7 members who Martis (1989, p. 112) codes as “Independent Democrats.” By and large, this was an electoral label used to sidestep explicit positions on the slavery issue; however, in Congress, these members behaved as regular Democrats, and we code them as such.

²⁴ The 92 Democratic seats and 113 Republican seats represent the share at the convening of the 36th House, before contested election cases would be heard and the state of Kansas would be added to the Union. See Martis (1989, p. 112).

short of a majority, thanks to the electoral success of two minor parties: Americans (24 seats)²⁵ and Anti-Lecompton Democrats (8 seats).²⁶

As a result, by late-1859, the future of the House organization in the 36th Congress was very much in doubt. No majority party, and several different parties, meant that a number of outcomes were possible. Much would be determined by the election of a Speaker.

The Speakership Election of 1859-60

Politicking for the House speakership began well in advance of the convening of the 36th Congress on December 5, 1859.²⁷ Various possible combinations involving the Americans and Anti-Lecompton Democrats with either the Republicans and Democrats were speculated freely (*NYT*, 11/21/1859, p. 1; 12/3/1859, p. 4; 12/5/1859, pp. 1, 4). Yet, as the party caucuses were held

²⁵ Martis (1989, pp. 35, 43) breaks these 24 members into two groups: Americans and Opposition. The Opposition group (19 members) was located entirely in the soon-to-be Confederate states, and combined southern Americans and former-Whigs in a fusion alignment. For simplicity, and because all 24 members participated in an American caucus prior to and during the speakership battle, we label them all as Americans for the remainder of this analysis.

²⁶ Several differences exist between the major party codes in Martis (1989, p. 112) and those presented in the *Congressional Globe* (36-1, 12/5/1859, pp. 1–2). The *Globe* lists 109 Republicans, while Martis counts 113. The discrepancies are Luther Carter (N.Y.), George Briggs (N.Y.), John T. Nixon (N.J.), and John L. N. Stratton (N.J.), all of whom are listed as Americans in the *Globe*. According to Dubin (1998, p. 182), Carter and Briggs were elected on a Republican-American fusion ticket, while Nixon and Stratton were elected as Republicans. Finally, the *Globe* lists all Democrats as one group, 101 in total. The one member discrepancy between the *Globe* and Martis' total of 100 (broken into three distinct groups) is Samuel H. Woodson (Mo.), who is listed as an Opposition (southern American) by Martis. Dubin (1998, p. 182) agrees with Martis in coding Woodson as an American. As a result, we incorporate Martis' party codes throughout the remainder of this analysis.

²⁷ The Speakership election of 1859-60 is covered in varying levels of detail in the following works: Nixon (1872); Rhodes (1902, pp. 418-28); Crenshaw (1942); Nichols (1948, pp. 270-76); Nevins (1950, pp. 116-24); Hicken (1960); Henig (1973); Potter (1976, pp. 386-91); Bensel (1990, pp. 47-57). The most comprehensive examination of the election, however, is an unpublished paper by Bensel (1985).

in the days before December 5, it seemed clear that each party would enter the speakership election with an eye toward surveying the political landscape before joining any coalition. The Democratic nominee was Thomas S. Bocock (Va.), a political moderate in the Jeffersonian mold, who easily defeated John Phelps (Mo.) 40–17 with five votes scattering in a caucus vote on December 3 (*NYT*, 12/5/1859, p. 1). The Republicans met, but announced no official nominee, deciding instead to coalesce around the top vote-getter on the first speakership ballot. The leading candidates would be John Sherman (Ohio), a mainstream Republican with strong business ties, and Galusha Grow (Pa.), a favorite of the Radical element of the party (*CT*, 11/21/1859, p. 2; *NYT*, 12/3/1859, p. 4; 12/5/1859, p. 1, 4). The Americans and Anti-Lecomptons floated several possible nominees, but left little etched in stone, planning instead to use their numbers strategically as opportunities permitted.

After the roll of members-elect was called on December 5, the Clerk — former-Democratic House member James C. Allen (Ill.) — called the House to order and proceeded to the election of a Speaker (for a breakdown of the balloting, see Appendix 2).²⁸ The first ballot was taken without producing a winner. With 116 votes required for a majority, Bocock led the balloting with 86 votes, followed by Sherman and Grow with 66 and 43 votes, respectively. Alexander Boteler (Va.) was the chief vote-getter among the Americans with 14. Twenty-one additional votes were scattered among twelve different candidates (*CG*, 36-1, 12/5/1859, p. 2). Based on the aforementioned Republican caucus agreement, Sherman — the top Republican vote-

²⁸ For the entire congressional proceedings on the speakership election, see *CG*, 36-1, 12/5/1859 through 2/1/1860, pp. 1-655.

getter — became the party’s official nominee, as Grow bowed out, announcing that he had no wish “to retard the organization of the House” (*CT*, Dec. 6, 1859, p. 1).

Before a second ballot was taken, John B. Clark (D-Mo.) gained the floor and attempted to remark on the slate of candidates for speaker. After a period of debate, which stretched into the following day, as to whether Clark’s comments were in order, the House Clerk (as presiding officer) allowed him to have his say (*CG*, 36-1, 12/5/1859, p. 3).²⁹ Clark raised a point regarding the fitness of Sherman to lead the chamber, citing his signature (among those of 68 Republicans in total) on a document supporting the publication and distribution of a compendium by the southern writer Hinton R. Helper. Clark’s concern focused specifically on a portion of Helper’s compendium, an abridgment of his 1857 work, *The Impending Crisis of the South: How to Meet It*, which was a stinging indictment of the southern slave economy.³⁰ More threatening to southern aristocrats, however, was Helper’s focus, which was to pit poor southern whites against white slaveholders, arguing that the average southern farmer could not compete effectively against the slave labor employed by the plantation owner. In effect, Clark argued that Helper was attempting to foment a class-based revolution among the white inhabitants of the South. For members of the southern elite, this was akin to treason, especially at a time when they felt their way of life was under siege — John Brown’s failed raid of the Federal armory at Harper’s Ferry, Virginia, was only months old, and his hanging occurred less than a week earlier on December

²⁹ Specifically, the Clerk would not rule on the point of order, deciding instead to “submit it to the House for their decision” (*CG*, 36-1, 12/5/1859, p. 3). Not having the votes either to proceed to another ballot or to adjourn, the Republicans were forced to indulge Clark.

³⁰ For more on Helper and the effects of his *Impending Crisis* book, see Brown (2006).

2.³¹ Moreover, they believed the Republicans, especially those members who were associated with Helper, were a party to it. Clark claimed that Sherman was among those implicated, thanks to his formal tie to Helper's compendium, and therefore was not fit to serve as Speaker of the House.³²

Dion (1997, p. 93) contends that Clark's ability to gain the floor and introduce the "Helper issue" at a time when "the Republicans were within shouting distance of a majority" was not an accident. Rather, House Clerk John C. Allen used his position as presiding officer prior the organization of the 36th House to recognize Clark and thus steer the politics of the speakership election down a path that was disadvantageous to the Republicans. (This would not be the only time that Allen's decisions as *de facto* presiding officer were questioned on partisan grounds.)

Not surprisingly, Clark's remarks sparked a lengthy debate on the true intentions of the "Black" Republicans, that is, whether their organization intended not only to oppose slavery extension in the Territories but also to stamp out slavery where it already existed — and, moreover, whether they would turn a blind eye to slave revolts in the South, should they arise. Sherman responded to these accusations, by insisting that he had not read Helper's *Impending Crisis* book nor did he remember signing his name in support of Helper's compendium (but took responsibility, nonetheless); moreover, regarding the more extreme accusations, he stated he "would not trespass on a right of a single southern citizen; and I defy any man to show anywhere a word that I have uttered that would lead to a different conclusion" (*CG*, 36-1, 12/6/1859, p. 21).

³¹ For a description of the events of Brown's failed raid, and the implications that were wrought, see Potter (1976, pp. 356-84).

³² For a transcript of Clark's remarks, see *CG*, 36-1, 12/6/1859, pp. 15– 18.

Nevertheless, the deed was done, as the Democrats had achieved their intended goal: prolonging the speakership contest. By taking advantage of the lingering John Brown hysteria, the Democrats used the Helper affair to paint Sherman and the Republicans more generally as radical abolitionists, hellbent on “purifying” the nation. This “radicalization” prevented the Anti-Lecomptons and Americans from joining a Republican-led alliance, lest they open themselves to attack in subsequent elections.³³

The second ballot, taken on December 7, was thus a precursor to the long struggle that lay ahead. Per their caucus agreement, the Republicans began coalescing around Sherman, who received 107 votes, nine short of a majority. Bocoock was second with 88 votes, while the Americans moved their support to John A. Gilmer (N.C.), who received 22 votes. Fourteen additional votes (cast mostly by Anti-Lecomptons) scattered among ten other candidates. This would roughly be the pattern over the next ten days and eight ballots, as Sherman remained in the lead, increasing his total to as many as 111 votes, four shy of the total necessary for election, with Bocoock holding firm in the mid-80s, the Americans coalescing behind Gilmer before returning to Botetler, and the Anti-Lecomptons (and a few major-party members) scattering their votes.³⁴ Yet, without further support from non-Republicans, Sherman could not capture a majority.

³³ That the Democrats raised the Helper issue during the speakership election was not a major surprise. The Republicans’ alleged support of the *Impending Crisis*, and its revolutionary message, was a hot topic in Washington nearly a week before the Congress convened (see *NYT*, 12/1/1859, p. 1). Moreover, when Clark was just beginning to raise the issue, Republican leaders knew exactly what he intended, as Benjamin Stanton (R-Ohio) attempted to move a quick adjournment. Thaddeus Stevens (R-Pa.), however, saw the inevitable: “I hope the gentleman from Ohio will not move to adjourn. These things must come out, and they might as well come out now” (*CG*, 36-1, 12/6/1859, p. 3).

³⁴ Vote totals fluctuated across the various ballots, due to various members pairing.

Despite the Democrats' continued attacks on Sherman, the Republicans were intent to stick with him as their candidate. Their strategy was to ignore the slings and arrows of the Democrats and focus on maintaining their internal cohesion, until that point when additional members would come to Sherman's side. Three Anti-Lecompton members, John B. Haskin (N.Y.), John Hickman (Pa.), and John Schwartz (Pa.), joined the Republican coalition on the 5th ballot, inching Sherman to within four votes of victory, but no additional votes were immediately forthcoming.³⁵ The Democrats, on the other hand, were actively trying to build a cross-party coalition. They had approached the Americans about coordinating around either Bocoock or Gilmer, should a sufficient number of votes be first concentrated on one or the other for a joint coalition to effect a majority, but were rebuffed (*NYT*, 12/12/1859, p. 1).³⁶ They also placed

³⁵ One constant frustration for the Republicans was George Briggs (N.Y.), who was elected on a joint Republican-American fusion ticket. Yet, in the speakership balloting, he proved to be more American than Republican, supporting Gilmer and other American candidates rather than Sherman.

³⁶ While the Democrats were initially denied in their request to fuse around Gilmer, they would be put to the test several days later, on December 16, 1859. In the first ballot that day, the 7th overall, the Republican delegations from Pennsylvania and New Jersey switched to Gilmer, driving his vote total to 36. The *New York Times* (12/17/1859, p. 8) contended that this was a strategic ploy by the Republicans to embarrass the Democrats and potentially court a few southern Americans:

Mr. Gilmer was to receive thirty votes before being dropped, to enable him and his friends at home to charge the Democracy with preventing a Southern organization, by refusing to unite on him when he had a sufficient vote to elect. For this purpose the loan of a few votes [from the Republicans] for one ballot was easily negotiated...

The Democrats, confused by the situation and wary of the motives of the Republican defectors, stuck to Bocoock. On the next ballot, the Republican defectors returned to Sherman. A subset of this group of Republicans, along with most Americans, went back to Gilmer on December 22, on the 18th ballot, but the Democrats once again refused to move from the Democratic candidate (at that point, John Millson).

increased pressures on the Anti-Lecompton Democrats, invoking party ties and responsibilities, in an attempt to bring them in line. Finally, several Democrats, led by John J. McRae (Miss.), Martin J. Crawford (Ga.), and Otho R. Singleton (Miss.) raised the possibility of disunion, should a Republican of Sherman's ilk be elected.

On December 19, a twelfth ballot was taken, with little change in the voting. Bocoock then gained the floor and announced his withdrawal from the contest. This left the Democrats scattered, as no replacement had been agreed upon. As a result, for the next few days, they divided their votes among several Democratic candidates, including John S. Phelps (Mo.), William Barksdale (Miss.), Miles Taylor (La.), and John A. McClernand (Ill.), as well as American Alexander Boteler (Va.). The Republicans doggedly stuck to Sherman, who still fell at least four votes short of a majority. The Democrats' last gasp before the Christmas holiday was to coordinate behind John S. Millson (Va.), but he could get no more than 95 votes. Several members of the American coalition, led by Emerson Etheridge (Tenn.) and Joshua Hill (Ga.), declared that they could not vote for Millson, or any other Democrat, who had supported the Lecompton policy advocated by President Buchanan and the Administration Democrats.

After Christmas, more ballots were taken, raising the total to 24, without a decision. Republicans continued to support Sherman, who was still four votes shy of victory, while the Democrats tried out Horace Maynard (A-Tenn.) and Charles Scott (D-Calif.), with little success. The New Year began in a similar way: ten ballots were taken between January 4 and 11, with no

Later events would suggest that the Republicans who moved to Gilmer were not doing so as a ploy to embarrass the Democrats, as the *NYT* contended; rather, their actions were directed at the Republican leadership, with the message being that Sherman should be replaced with a more moderate candidate. (For a discussion of the "conspiracy theories" surrounding the Republican defectors, see Bensel 1985, pp. 57-61.)

majority. The Republicans remained united behind Sherman, pushing him within three votes of a majority on six different occasions, while the Democrats alternated between McClelland, Clement Vallandigham (D-Ohio), and Andrew J. Hamilton (D-Tex.). And, as before, the Americans settled in behind Gilmer, while the Anti-Lecomptons scattered their votes.

At this point, the Republicans attempted to end the stalemate using a procedural tool of the recent past, plurality rule. In fact, a plurality rule had been raised much earlier in the session, on December 9, by Anti-Lecompton member John Hickman. At that time, Hickman's resolution, which was identical in form to the rule used to end the speakership battles in the 31st and 34th Congresses, was embroiled in a procedural quagmire involving questions of order and precedence (*CG*, 36-1, 12/9/1859 and 12/10/1859, pp. 87–90), and it was subsequently forgotten as the House proceeded to continue balloting for Speaker. On January 13, William Pennington (R-NJ) tried to resuscitate the plurality rule, but encountered the same set of difficulties that Hickman faced. Specifically, the Clerk ruled that Pennington's plurality-rule resolution was out of order, because precedence was given to the current order of business, which, until disposed of, was the election of a Speaker by the standard House rule (i.e., majority rule). In order for Pennington's resolution to be considered, unanimous consent would need to be given, which several Democrats indicated sternly would not happen (*CG*, 36-1, 1/13/1860, pp. 444–47). In effect, the Democrats, with the Clerk's help, were able to stonewall to prevent a plurality rule from being considered. Three additional attempts were made to alter the voting rule — a proposal for a more simple plurality rule and two proposals for a system of run-off elections — but they too were nipped in the procedural bud (*CG*, 36-1, 1/17/1860 and 1/25/1860, pp. 484–93, 579–80).

Two weeks of acrimonious debate finally led to a return to voting, as four ballots were had on January 25 and 26, 1860, once again with no result. The Republicans remained steadfastly behind Sherman, while the Democrats were divided, some returning to Bocoek and others joining a coalition of Americans behind William N. H. Smith (A-N.C.). Smith was “a new member, unobtrusive and quite unknown to his fellow members; but his colleagues represented him to be a gentleman of character, intelligence and worth, firmly a whig, elected as an American, and hostile to the administration” (Nixon 1872, p. 213). At this point, matters started to come to a head. The Americans and Democrats began to confer in private regarding Smith’s candidacy, and an informal agreement was reached wherein the Democrats would swing *en masse* to Smith if the Americans could first coordinate on him with their entire coalition (Nixon 1872, p. 214).

The drama would unfold on January 27, on the 39th ballot.³⁷ After the roll had been called through, it was clear that Smith’s vote total had increased — from 33 votes on the previous ballot to 63 votes, thanks to the addition of a number of Democrats as well as six Republicans, George Briggs (N.Y.), Benjamin F. Junkin (Pa.), William Millward (Pa.), Edward Joy Morris (Pa.), George W. Scranton (Pa.), and John T. Nixon (N.J.). At that point, Robert Mallory (A-Ky.) gained the floor and stated:

I feel myself called upon, at this stage of the proceeding, to announce the fact that we have now received enough votes for our nominee for the Speaker’s chair to insure his election by the aid of the vote of the Democratic party of this House. I now announce to gentlemen upon the Democratic side, to the House, and to the country, the fact that, in view of this state of the case, we will present Mr. Smith, of North Carolina, again as our candidate for the Speakership upon the next ballot. Every member of our party has voted for him. That was the condition precedent, I understand, prescribed by gentleman upon the other side of the House to obtaining their votes. Even now, if they will rise in their places before the result is

³⁷ For details, see *CG*, 36-1, 1/27/1860, pp. 611–21.

announced, and change their votes, they may make Mr. Smith, of North Carolina Speaker of this House, and the Republican party will thereby be defeated. Let the country know the fact (*CG*, 36-1, 1/27/1860, p. 611).

This opened the flood gates, as a wave of Democrats heeded Mallory's call and began changing their votes. After 51 Democrats had switched their votes in favor of Smith, the unthinkable for Republicans had come to pass: Smith had a bare majority. This is illustrated in Table 7-4, which documents three stages of voting on the 39th ballot: the first pass through the roll, the breakdown after the 51 switchers, and the final tally.

[Table 7-4 about here]

But this bare majority was unofficial, as the Clerk had not yet calculated and announced a final tally. At that point, John Sherman rose and cast a vote for only the second time during the balloting, voting for Thomas Corwin (R-Ohio).³⁸ This increased the number of votes to 228, which effectively raised the bar for victory to 115. In quick succession, three of the Republicans who had been supporting Smith — Junkin, Scranton, and Morris — switched their votes (to Sherman, Corwin, and Corwin, respectively), leaving Smith with 111, four votes shy of victory. Two additional Democrats — Clement L. Vallandigham (Ohio) and Samuel S. Cox (Ohio) — then switched their votes to Smith, but an additional Republican — Nixon — who had been supporting Smith switched to Pennington. This left the final tally at Smith 112, Sherman 106, Corwin 4, with 6 votes scattering. In the end, Smith was left three votes short of a majority.

Immediately after the Clerk read the final tally, William Winslow (D-N.C.) moved to proceed to another ballot. John Hickman (AL-Pa.) countered by moving to adjourn. The Democrats saw that they had the momentum and wished to finish off the Republicans. During the

³⁸ Sherman had cast a vote for William Pennington (R-N.J.) on the first speakership ballot.

lengthy switching on the 39th ballot, a number of Democrats put pressure on the several scattering members — regular Democrats William S. Holman (Ind.) and William Allen (Ohio) and Anti-Lecompton Democrats Garnett B. Adrain (N.J.) and John G. Davis (Ind.) — to support Smith (*NYT*, 1/28/1860, p. 1; Nixon 1872, pp. 215–16).³⁹ They felt that they could gain their support on another ballot. The Republicans, on the other hand, were stunned by the proceedings and sought to regroup. As Samuel Curtis (R-Iowa) remarked: “I wish to say, Mr. Clerk, that our ranks are a little confused just at this time [laughter]; and we are disposed to insist on an adjournment ... we ought to have a little time to consult together” (*CG*, 36-1, 1/27/1860, p. 621).

After some heated discussion, the House considered the possibility of a full weekend adjournment, offered by Thaddeus Stevens (R-Pa.), and a roll call was taken. The result was 114–111 in favor of the extended adjournment (*CG*, 36-1, 1/27/1860, p. 621). The roll call broke down substantially along party lines, with Republicans voting 109–1 in favor, Democrats and Americans voting 0–85 and 1–23, respectively, in opposition, and Anti-Lecomptons split 4–2. Joining the Republicans (except for George Briggs of New York) in support of adjournment were Henry Winter Davis (A-Md.), Garnett Adrain (AL-N.J.), John Haskin (AL-N.Y.), John Hickman (AL-Pa.), and John Schwartz (AL-Pa.). The House would therefore reconvene on January 30, with the weekend provided to each side to firm up their troops.

To what degree did members’ preferences on the issue of slavery extension explain this vote? Similar to previous analyses, we can use CSW-NOMINATE scores to examine this

³⁹ Also, after Nixon’s vote switch, and prior to the final tally being announced, a short discussion of the voting dynamics around Smith began, led by Lawrence M. Keitt (D-S.C.). William M. Dunn (R-Ind.) angrily raised a point of order, charging “that these gentlemen are purposely delaying the declaration of this vote that they many have time to *manipulate* the tender-footed Democrats on the other side” (*CG*, 36-1, 1/27/1860, p. 619).

question. A simple probit model (not reported) that incorporates just the first CSW-NOMINATE dimension, which taps slavery-extension preferences, explains 213 of the 215 individual vote choices, or 99.1 percent.⁴⁰ (Adding a second dimension provides no additional explanatory power.) This represents a proportional reduction in error (PRE) of 0.982 over the standard naive-unanimity model and 0.5 over a basic partisan model, wherein Democrats and Americans are predicted to oppose Republicans and Anti-Lecomptons.⁴¹

How did Smith's near-victory come about? The evidence points to a ruse perpetrated by a small band of conservative Republicans from the Mid-Atlantic states.⁴² These members, five in all — Benjamin F. Junkin (Pa.), William Millward (Pa.), Edward Joy Morris (Pa.), George W. Scranton (Pa.), and John T. Nixon (N.J.) — took advantage of the brewing deal between the Democrats and Americans to drive Sherman, whom they believed could not win, from the speakership race. As Nixon (1872, p. 214) recounts:

The friends of Pennington felt that at length their time had come and prompt action was taken. Those Republicans who persisted in adhering to Sherman were formally notified that, unless he were withdrawn, in accordance with his express wishes, in favor of either Pennington or Corwin, enough votes would be given to Smith on the next ballot, from Pennsylvania and New Jersey, added to the American and Democratic vote to elect him Speaker, and upon them must rest the responsibility of allowing the organization upon any other than a Republican basis. The notice was received by some of these gentleman as a harmless menage rather than a faithful warning...

⁴⁰ The two errors were Garnett Adrain (AL-N.J.), who voted “yea” but was predicted to vote “nay,” and Edward Bouligny (A-La.), who voted “nay” but was predicted to vote “yea.”

⁴¹ The partisan model explains 211 of the 215 individual vote choices, or 98.1 percent. The errors were George Briggs (R-N.Y.), Horace F. Clark (AL-N.Y.), and John G. Davis (AL-Ind.), who voted “nay” but were predicted to vote “yea,” and Henry Winter Davis (A-Md.), who voted “yea” but was predicted to vote “nay.”

⁴² The term “conservative Republican” here refers to those members with more Whiggish backgrounds who were moderate (i.e., not Radical) on the slavery-extension question.

These five Republicans made good on their promise on the 39th ballot by voting for Smith. This provided the cushion necessary for the Democrats to believe that they could organize the House by switching their support to Smith. As Smith's vote total inched up steadily, Republican floor leaders grew concerned. Eventually, they became frantic and pleaded with the five Republican mavericks to switch away from Smith; after some negotiation, they agreed that Sherman would step down as the party nominee. This agreement was alluded to by Edward Joy Morris on the House floor, during his subsequent switch away from Smith:

Understanding, sir, that there is a disposition on the part of the Republican party to change front, and to present another candidate, one of two gentlemen equally distinguished for their eminent services to the country, for their nationality of opinion, and for their soundness upon the great issues which divide the country, in my opinion, I will, for the present, withhold my vote from Mr. Smith, of North Carolina, and cast it for Mr. Corwin (*CG*, 36-1, 1/27/1860, p. 618).⁴³

⁴³ Nixon (1872, p. 215) states that when confronted by Republican members to change his vote, he replied "that the vote will stand as recorded until Smith's election, unless Sherman was withdrawn as the Republican candidate." He goes on to recount the dynamics of Sherman's eventual withdrawal (215-16):

Owen Lovejoy, of Illinois, a genial and upright gentleman of strong convictions, and who had heretofore been most tenacious in adhering to Sherman, came to the writer's seat, pale with excitement and trembling with emotion, and made the appeal, 'For God's and the Country's sake change that vote.'
 'Never, Sir,' was the reply, 'except upon on condition.'
 'What is the condition?'
 'That Sherman is withdrawn as a Candidate.'
 'It shall be done.'
 'You answer for yourself, and that is not satisfactory.'
 'What would be satisfactory?'
 'John Sherman's pledge of personal honor from his own lips that his name shall not be voted for, after today, for Speaker.'
 Lovejoy hastened to find Mr. Sherman, and shortly returned exclaiming, 'Sherman gives the pledge.'

It is unclear whether Nixon made these statements on his own, or as a representative of the group in which acted. His account suggests the former, placing his particular actions and his

Prior to the House adjournment on January 27, Sherman announced that a conference of all those who had been supporting him would meet at noon on the following day. The conference was cordial, but a number of members expressed anger toward the “cabal of five” that placed the Republicans so close to disaster. Some felt that Sherman was still electable, and only required the Republicans to wait out their opposition. But, in the end, Sherman urged harmony, and a persuasive argument was made for realigning behind William Pennington (N.J.), who would likely be able to attract three additional Anti-Lecompton members, Garnett B. Adrain (N.J.), Jeter R. Riggs (N.J.), and John H. Reynolds (N.Y.); Republican maverick George Briggs (N.Y.); and American Henry Winter Davis (Md.), all of whom had refused to support Sherman in the prior balloting (*NYT*, 1/30/1860, p. 1; *CT*, 2/2/1860, p. 2; Nixon 1872, pp. 216-17). Pennington, former Governor of New Jersey, was in his first House term; he was an ex-Whig who was moderate on the slavery question, opposing the Lecompton Constitution and slavery extension in the Territories but also supporting adherence to the laws of the land, like the Fugitive Slave Act. And, perhaps most important for securing the remaining necessary votes, Pennington was not a signatory of the Helper compendium. While a distinct conference nomination was not made,

subsequent vote switch at the very heart of the emerging drama. However, this does not square with the evidence. First, Junkin, Scranton, and Morris all switched from Smith before Nixon did, and Morris alluded to the agreement regarding Sherman’s withdrawal during his switch. Second, Nixon seems to indicate that his vote switch was pivotal to Smith’s coming up short — claiming that had he not changed his vote, John G. Davis was prepared to switch to Smith, which would have provided Smith with a bare majority. The proceedings in the *Congressional Globe* suggest otherwise — prior to Nixon’s switch, Smith had 113 out of 228 votes cast. Even if Nixon had stuck with Smith *and* Davis had proceeded to switch his vote to Smith, Smith would still have needed one more vote to reach 115 (a bare majority). While the broad strokes in Nixon’s account largely ring true, it seems that he exaggerated his individual role in the highly-charged episode.

there was an understanding that Republicans would coalesce around Pennington on the first ballot.

Reconvening on January 30, the House proceeded to ballot for Speaker. Before the voting began, Sherman officially bowed out of the contest, asking each of his partisans to “cast his vote in favor of any one of our number who can command the highest vote, or who can be elected Speaker of this House” (*CG*, 36-1, 1/30/1860, p. 634). That person would be William Pennington, who reached 115 votes on the 40th ballot, with William N. H. Smith totaling 113 and six votes scattering. Pennington was thus left three votes short of a majority. Two additional Anti-Lecomptons, Garnett B. Adrain (N.J.) and John H. Reynolds (N.Y.), voted for Pennington, while three other members who had been courted by Pennington’s friends, Jeter R. Riggs (AL-N.J.), George Briggs (R-N.Y.), and Henry Winter Davis (A-Md.), held back, casting their votes for John G. Davis, Smith, and Smith, respectively. In addition, regular Democrats William S. Holman (Ind.) and William Allen (Ohio) along with Anti-Lecompton Democrat John G. Davis (Ind.) were pressured to support Smith, but decided instead to continue scattering their votes (*NYT*, 1/31/1860, p. 1). Finally, Pennington and Smith also cast ballots, scattering their votes.

The House proceeded immediately to a 41st ballot, with nearly the same result, except that Pennington and Smith abstained from voting. This left Pennington again with 115 votes, but now only two votes short of a majority. A third ballot was then taken, the 42nd, overall, with much the same result — Pennington and Smith once again finished with 115 and 113 votes, respectively. However, on this ballot, Pennington had actually reached 116 votes at one point, as Jeter Riggs had initially supported him. Yet, when neither Henry Winter Davis nor George Briggs would come around to Pennington, Riggs switched his vote to John McClermand (Ill.)

before the results were announced (*CG*, 36-1, 1/30/1860, pp. 635-36). The House then adjourned for the day.

That evening, the Democrats met in caucus and decided to drop Smith as their nominee and select a Democrat from the Northwest who was sympathetic to the Anti-Lecompton position, in hopes of keeping Riggs, and perhaps Adrain and Reynolds, from voting with the Republicans (*NYT*, 1/31/1860, p. 4). Their choice was John McClernand (Ill.), a regular Democrat who had opposed the Lecompton Constitution. And while McClernand was able to hold Riggs in the Democratic fold the next day, January 31, as well as pull in the wayward scatterers Allen, Holman, and John G. Davis, he could not command the former Smith coalition to hold firm. The 43rd ballot saw McClernand manage only 91 votes, as the Americans, angry at the abandonment of Smith, and the South Carolina Democrats, angry over the choice of a Lecompton opponent as the new Democratic nominee, scattered their votes. Moreover, Pennington raised his total to 116, finally securing the vote of Henry Winter Davis (*CG*, 36-1, 1/31/1860, p. 641). George Briggs, however, did not support Pennington, but promised to vote for him the following day, should Davis remain firm in his convictions (*NYT*, 2/1/1860, p. 1).

The next day, February 1, a 44th ballot was taken, and Briggs was true to his word — Henry Winter Davis maintained his vote for Pennington, and Briggs in turn swung over his vote. This gave Pennington 117 votes, a bare majority with 233 votes being cast. Thus, nearly two months after it began, the speakership battle had come to an end (*CG*, 36-1, 2/1/1860, p. 650).

To what extent did the speakership endgame come down to a choice over preferences on the question of slavery extension? To answer this question, we focus on the battle between Pennington and Smith, which was in many ways the climax of the eight-week speakership battle,

as well as the closest thing to a two-person race. Examining the 228 members who supported either Pennington or Smith on the 40th-42nd ballots, we find that a simple spatial model incorporating only members' first-dimension CSW-NOMINATE scores performs quite well, explaining 220 of the 228 individual votes, or 96.5 percent. The eight errors are all of the same type: cases of predicted-Pennington voters in fact voting for Smith.⁴⁴ Six of these eight were Americans who chose to vote for their party member and thus forego their sincere preferences.

In addition, the spatial model allows us to examine a counterfactual, by isolating those eight members who were courted so heavily during the final days of the contest — Garnett B. Adrain (AL-N.J.), John H. Reynolds (AL-N.Y.), Jeter R. Riggs (AL-N.J.), George Briggs (R-N.Y.), Henry Winter Davis (A-Md.), William S. Holman (D-Ind.), John G. Davis (AL-Ind.), and William Allen (D-Ohio) — to determine whether their actions were in fact pivotal to the outcome. Actual and predicted votes for these eight members are presented in Table 7-5. Recall, in fact, that Adrain and Reynolds voted for Pennington; Briggs and H. W. Davis voted for Smith; and Riggs, Holman, J. G. Davis, and Allen scattered their votes. This produced a 115–113 advantage for Pennington and prolonged the speakership race. However, if each of these eight members would have voted for *either* Pennington or Smith based on their sincere preferences, all else equal, this would have produced a 116–116 tie. Further, if all members voted their sincere preferences, but H. W. Davis continued to support Smith due to party loyalty (as both were

⁴⁴ Pennington's NOMINATE score was 0.146, while Smith's was -0.282. Pennington's moderate stance on slavery generally placed him at the left-most end (i.e., nearest to the Democrats) of the Republican distribution: specifically, of the 113 Republicans, he was the fourth from the left.

Americans), then Smith would have squeaked by with 117 votes, a bare majority. Thus, what these members chose to do (and not to do) clearly affected the outcome.

[Table 7-5 about here]

Finally, we can examine the motivations of the “cabal of five” — Benjamin F. Junkin (Pa.), William Millward (Pa.), Edward Joy Morris (Pa.), George W. Scranton (Pa.), and John T. Nixon (N.J.) — who forced Sherman out of the race. When switching from Sherman to Smith, did they behave sincerely? The spatial breakdown in Figure 7-2 illustrates the situation. When confronted with the choice of Smith (-0.282) or Sherman (0.336), the five Republican switchers were not behaving sincerely, as Millward (0.145), Nixon (0.177), Morris (0.213), Scranton (0.226), and Junkin (0.240) *all* sincerely preferred Sherman to Smith. Their act, then, was strategic; in effect, they were playing a game of “chicken” with the rest of the Republican party, by demanding that a more moderate Republican candidate be chosen, lest they vote for Smith and generate an anti-Republican House organization.⁴⁵ As Smith’s vote total increased steadily, thanks to a wave of Democratic switching, Sherman and the rest of the Republicans blinked; Sherman subsequently pulled out, and Pennington (0.146) emerged as the new party candidate. From the five switchers’ perspective, Pennington was more to their liking — each sincerely preferred him to Sherman — and was also better positioned to attract the remaining Anti-Lecompton votes necessary for a Republican victory.

[Figure 7-2 about here]

⁴⁵ This group of five, along with some others, attempted a similar game of chicken earlier in the balloting, twice moving their votes to John Gilmer (on the 7th and 18th ballots), but both times the Democrats stuck to their party candidate. See footnote 36 for more details.

The Remaining Organization

While a majority of Republicans did not get their first preference, with Sherman dropping out of the race, they managed to avoid a calamity by electing Pennington. Thus, on the whole, their first goal — electing a Republican speaker — was achieved. Once the speakership was resolved, the Republicans then turned their attention to organizing the remainder of the House. After adopting the rules of the previous House, the chamber adjourned until February 3. First up would be the election of the residual officers.

The Election of House Officers

On the evening of February 2, the Republicans met in caucus to discuss their candidates for the remaining House officers. While no official nominees would be determined, members quickly agreed that John W. Forney (Pa.) and Henry W. Hoffman (Md.) would serve well as Clerk and Sergeant-at-Arms, respectively.⁴⁶ Forney was a former Democratic regular who had served as House Clerk in the 32nd and 33rd Congresses (and had overseen the organization of the 34th Congress). Having recently (and acrimoniously) split with the Buchanan administration on the slavery issue, he now presented himself as an Anti-Lecompton Democrat, opposing slavery extension in the Territories while maintaining moderate positions on slavery more generally, such as adherence to the Fugitive Slave Act (*NYT*, 2/10/1860, p. 1; *Saturday Evening Post*, 2/11/1860, p. 6; *National Era*, 2/16/1860, p. 1). Hoffman, an American former-House member with close

⁴⁶ Forney had been in the running for the clerkship even before the House convened, as his slavery positions, and his ability to deliver the votes of Anti-Lecompton members in the speakership contest, were considered attractive by the Republican Party (*NYT*, 12/3/1859, p. 4; 12/5/1859, p. 4). Moreover, it was believed that the movement of Anti-Lecompton members John B. Haskin (N.Y.), John Hickman (Pa.), and John Schwartz (Pa.) to Sherman on the 5th ballot was done at the behest of Forney.

ties to Henry Winter Davis, was a strict supporter of the Union. While serving in the 34th Congress, he was the only slave-state member to support the expulsion of Preston Brooks for his attack on Charles Sumner. For this, he was viewed warmly by many Republicans (*NYT*, 2/3/1860, p. 1; *CT*, 2/13/1860, p. 2). No firm opinions emerged regarding candidates for the other officer positions.

Upon reconvening on February 3, the House turned first to the election of the Clerk. In addition to Forney, the Democrats nominated James Allen, the House Clerk of the 35th Congress who (many claimed) had worked to prevent the Republicans' speakership victory, while the Americans nominated Nathaniel G. Taylor. Forney emerged victorious on the first ballot, receiving 112 of the 221 votes cast, while Allen captured 77, Taylor 23, and 9 votes scattered (*CG*, 36-1, 2/3/1860, p. 662-63). Every Republican who participated in the ballot voted for Forney, along with seven Anti-Lecompton members, five (Adrain, Haskin, Hickman, Reynolds, and Schwartz) who had supported Pennington and two (Clark and Riggs) who did not.⁴⁷ With Forney's many business and publishing ties in Philadelphia, New York, and Washington, the Anti-Lecompton members were confident that they would benefit greatly from a friend in the Clerk's office. And, given Forney's antipathy toward Buchanan and his allies, any Administration ties to the Clerk's office, either through positions or contracts, would likely be terminated.⁴⁸

⁴⁷ The eighth Anti-Lecompton member in the House, John G. Davis (Ind.), voted for Allen.

⁴⁸ The *Chicago Tribune* (2/13/1860, p. 2) reported "Forney will be obliged to retain four or five of the oldest clerks, but all the others, some twenty in number, will have to walk the plank." Moreover, the *New York Times* (2/6/1860, p. 8) reported: "Mr. Buchanan declares his purpose to provide for every man Col. Forney discharges from office. The war between these gentlemen will be to the knife."

The House then moved to the election of a Sergeant-at-Arms. In addition to Hoffman, the Democrats nominated Adam J. Glossbrenner, the incumbent Sergeant-at-Arms. Again, only one ballot was necessary, as Hoffman emerged victorious with 114 of 213 votes cast (*CG*, 36-1, 2/3/1860, p. 663). Glossbrenner could only muster 92 votes, as all participating Republicans voted for Hoffman, along with a majority of Americans and Anti-Lecomptons.⁴⁹ Hoffman's Republican support was an explicit courtesy to the Americans, especially to Henry Winter Davis, whose vote for Pennington was critical to his subsequent victory.⁵⁰ Moreover, defeating Glossbrenner was a symbolic victory for the Republicans, as they failed to prevent his reelection in the 34th Congress when they ostensibly controlled the House organization. It was an indication of their maturity as a party.

The Republican caucus met again on February 5, and additional nominations were made: George Marston (N.H.) for Doorkeeper, and Josiah M. Lucas (Ill.) for Postmaster. The caucus agreed that the Speaker, Clerk, and Sergeant-at-Arms had all come from the Mid-Atlantic states (New Jersey, Pennsylvania, and Maryland, respectively), and that a wider geographic reach was needed to fill the remaining two positions. Thus, New England (New Hampshire) and the Northwest (Illinois) would be rewarded (*NYT*, 2/6/1860, pp. 4, 8). The next day, February 6, both Marston and Lucas would be elected on the first ballot — the former winning 110 of 207 votes

⁴⁹ A second American candidate, a Mr. Underwood, tallied seven votes, mostly from Americans from the Deep South.

⁵⁰ Davis had initially wanted Hoffman to be made Clerk of the House, having met with Horace Greeley on the matter before the speakership balloting had convened (Henig 1973, p. 8). However, given the larger role that the Anti-Lecomptons played in Pennington's election, Davis was satisfied with the subsequent offer of Sergeant-at-Arms.

cast, and the latter 108 of 210 — thanks, once again, to unified Republican support, along with a majority of Anti-Lecomptons and a smattering of Americans (*CG*, 36-1, 2/6/1860, pp. 685-86).

The Printer would be a tougher nut to crack. Given its substantial patronage potential, the Democrats made it clear that they would fight relentlessly before giving it up. Moreover, there were also obstacles in the form of Republicans, principally Benjamin Stanton (Ohio), who wished to cut ties with the sorts of corruption that laced the body politic of the Buchanan Administration.

As Stanton stated on the House floor:

I have ... talked a great deal about [corruption in the public printing] upon the stump, and have attributed it as one of the instances of the political corruption of this Administration which the Republican party called up the country to condemn. I am not prepared to place myself in a position of having that thing rolled back upon me when I go upon the stump during the coming summer (*CG*, 36-1, 2/9/1860, p. 725).

As a result, John Sherman, who had moved that the House proceed to the election of a Printer, changed course and suggested a week's postponement — amid cries of “Agreed!” and “No!” — which passed narrowly on a teller vote (*CG*, 36-1, 2/9/1860, p. 726). Having won the speakership after a grueling battle and swept four other officer positions in one-ballot affairs, the Republicans did not want to press their luck, especially since their victories only accrued because of strict party unity. The potential division in the party's ranks, even if only minor, could be deadly, and Republican leaders were satisfied putting off the Printer election until lingering problems could be ironed out. Moreover, another protracted election would postpone the remaining feature of the House's organization — the composition of the various standing committees.

The Appointment of the Standing Committees

Having postponed the election of a Printer, the House proceeded immediately to the Speaker's announcement of the standing committees for the 36th Congress. Given that Pennington was a congressional newcomer, his rise to the speakership presented a bit of a problem vis-a-vis the distribution of committee positions, as he was not well versed in the strengths, talents, and expertise of the various House members. With those issues in mind, John Sherman stepped in and provided assistance. Given that he was on the verge of election for nearly two months, Sherman had given the House's organization considerable thought. As he stated in his memoirs:

I had, during the struggle, full opportunity to estimate the capacity and qualifications of different Members for committee positions, and had the committees substantially framed, when Pennington was elected. I handed the list to him, for which he thanked me kindly, saying that he had but little knowledge of the personal qualifications of the Members. With some modifications, made necessary by my defeat and his election as speaker, he adopted the list as his own (Sherman 1896, pp. 14

Pennington would thank Sherman by appointing him Chairman of Ways and Means. Thus, while Sherman fell short of the speakership, he became arguably the chamber's most powerful member.

Table 7-6 lists the full list of committee chairs doled out by Pennington. In total, Pennington appointed Republicans to chair 25 of the House's 34 standing committees. More importantly, he selected Republicans to chair seven of the eight major policy committees: Commerce (Eli Washburne, Ill.), Public Lands (Eli Thayer, Mass.), Manufactures (Charles Francis Adams, Mass.), Agriculture (Martin Butterfield, N.Y.), Foreign Affairs (Thomas Corwin, Ohio), Territories (Galusha Grow, Penn.), and, as mentioned, Ways and Means (Sherman). The one major policy committee given to a non-Republican was Judiciary, for which Anti-Lecompton John Hickman (Penn.), who had actively supported both Sherman and Pennington throughout the balloting, was selected. Overall, Pennington voters, Republicans and Anti-Lecomptons, were

appointed to chair 28 of the 34 standing committees. The remaining six chairs were distributed among four Americans and two Democrats.

[Table 7-6 about here]

Substantively, a number of these committee chairs would be involved in interesting storylines during the 36th Congress. For example, Galusha Grow, a fervent free soiler, would chair Territories at a time when northerners would attempt to bring Kansas into the Union as a free state. In addition, Anti-Lecomptons John Hickman and John Haskin, who were close politically to John Forney, would chair Judiciary and Public Expenditures at a time when accusations were rampant regarding corruption in the Buchanan Administration. Finally, American John Gilmer (N.C.), who was spurned by the Democrats after a Democratic-American coalition had organized in good-faith around his speakership candidacy, would chair Elections when several Democrats would have their seats challenged by Republicans.

In terms of general committee composition, Pennington made efficient use of his party's chamber plurality. As Table 7-7 documents, the Republicans, despite commanding only 47.7 percent of the House (113 of 237 seats), constituted majorities on 55.9 percent (19 of 34) of the House's standing committees. In addition, seven of the eight major policy committees were constructed with Republican majorities. The one exception was Judiciary; but in this case the committee was clearly under "friendly" control, as two Anti-Lecomptons (John Hickman, the committee chair, and John Reynolds) who voted for Pennington joined four Republicans on the nine-man committee. All told, 23 of the 34 standing committees were controlled by Pennington's supporters. Of the remaining eleven committees, seven were chaired by a Republican, who could maintain some control over the particular committee's agenda. Of the remaining four committees

— Mileage, Expenditures in the Navy Dept., Revisal and Unfinished Business, and Roads and Canals — only Roads and Canals could be deemed as potentially important in a policy-based sense. And Robert Mallory (Ky.), an old-line Whig now serving as a American, chaired that committee; this was not likely an accident, as his Whiggish tastes on internal improvements meshed well with those of most Republicans.

[Table 7-7 about here]

Pennington's committee assignments were not universally admired, however. The *New York Times* (2/10/1860, p. 4) suggested that they "provoked a great clamor of hostility" among some members. Chief among those with an ax to grind were two Texas Democrats, John Reagan and Andrew Hamilton, who complained that their assignments (Private Land Claims and Revolutionary Pensions, respectively), "could be of no earthly service to their constituents." Democratic complaints of this sort aside, the *Times* determined that "on the whole, we do not see that there is any reason for denying to Mr. Pennington the praise of a more than ordinary impartiality in the distribution of legislative honors and duties."

Election of a Printer

Before returning to the election of a Printer, on February 13, the House first passed two resolutions proposed by John Sherman, which would (1) provide the House with the right to modify the existing law on the public printing subsequent to the election and (2) stipulate that a seven-person House committee be appointed to examine the House printing and the various costs attached to it (*CG*, 36-1, 2/13/1860, p. 750). The Senate was at that time investigating allegations of corruption in the Senate printing, and many House members, in line with Benjamin Stanton's earlier statement, were unwilling to be attached to such corruption. Thus, Sherman's resolutions

were an attempt to address the printing issue head on, thereby signaling the House's active oversight of a potential problem, and the resolutions were quickly adopted.

The Printer election now at hand, the two major-party nominees were Republican John D. Defrees, editor of the *Indianapolis Atlas*, who was a candidate for Printer in the 34th Congress, and Democrat Adam J. Glossbrenner, editor of the *York (Pa.) Gazette* and Sergeant-at-Arms in the 35th Congress who had just been defeated for reelection to the post.⁵¹ A first ballot was taken with Defrees and Glossbrenner garnering 89 and 88 votes, respectively, with 92 votes necessary for a choice.⁵² (See Appendix 4 for a breakdown of the voting.) Glossbrenner received all of the Democrats' votes and most Americans, while Defrees captured nearly all the Republicans' votes and most Anti-Lecomptons. However, four Republicans — Charles Francis Adams (Mass.), John Wood (Pa.), Edward Joy Morris (Pa.), and Benjamin Stanton (Pa.) — broke ranks and scattered their votes, denying Defrees a majority. Americans Emerson Etheridge (Tenn.) and William B. Stokes (Tenn.) also resisted supporting Glossbrenner, voting instead for the ex-Whig printing duo of Gales and Seaton. A second ballot was then taken with a similar result — Defrees and

⁵¹ Reports suggested that the Republican caucus was internally divided over the choice for Printer. The *New York Times* (2/8/1860, p. 1) reported that three ballots were taken on February 5, without a choice, as three candidates split the vote: Defrees, Abram M. Mitchell, editor of the *St. Louis News*, and Joseph M. Coombs, of the *Washington Republic*. At the end of those three votes, Mitchell was reported to be in the lead. But, on February 9, the *Times* reported that Defrees had been chosen as the party's nominee (pp. 1, 4). Smith (1977, p. 223) states that Defrees had promised that if elected Printer, he would distribute half of his profits toward achieving Republican party goals, specifically printing and distributing political documents in the key swing states of Pennsylvania, New Jersey, Illinois, and Indiana prior to the 1860 elections.

⁵² The proceedings and balloting in the Printer election can be found in the *Congressional Globe*, 36-1, pp. 750– 51, 768– 70, 790– 92, 809, 830, 872– 73, 877– 79, 897– 99, 908, 922– 24, 957– 58, 975.

Glossbrenner each gained one vote, to 90 and 89, respectively, with 92 votes still necessary for victory. Defrees was able to attract the votes of Wood and Morris, but Adams still scattered his vote, while Stanton abstained. Moreover, John Carey (R-Ohio), who had supported Defrees on the first ballot, now scattered his vote.⁵³ Further balloting was then postponed, as the House moved on to other matters.

The election was picked up again on February 15, with three additional ballots taken. On each, Defrees came within one vote of a majority. And while Carey returned to the Republican fold and Stanton paired off for the series of votes, Adams chose instead to abstain. The election was then dropped until February 23, when four additional ballots were taken. On the first ballot of the day (the sixth overall), Glossbrenner was the top vote-getter with 86, four short of a majority. Defrees slipped to 83 votes, as Adams and Stanton once again scattered their votes. This pattern continued on the next vote, with Glossbrenner leading the way with 84 votes, five short of a majority, and Defrees dropping to 77 votes. Now, additional Republicans, like John Carey (Ohio), John Sherman (Ohio), John Hutchins (Ohio), Cydnor Tompkins (Ohio), and John Verree (Pa.), had moved from Defrees, leaving him little choice but to withdraw from the race (*CG*, 36-1, 2/23/1860, p. 872).

Thus, a new Republican candidate would need to emerge. On the following ballot, the eighth overall, the Republicans began sorting themselves out, with a number of candidates receiving votes. Edward Ball, a former-House member from Ohio and editor of the *Zanesville*

⁵³ Carey's flip, along with Stanton's lack of support, could have stemmed in part from the Printer election in the 34th Congress, when the Indiana Republican delegation refused to support Ohioan Oran Follett for Printer. Stanton referred to some of these dynamics in his floor speech on February 9 (*CG*, 36-1, 2/9/1860, p. 725; *NYT*, 2/10/1860, p. 1).

(Ohio) *Courier*, emerged as the chief Republican vote-getter with 57, while Glossbrenner continued in the lead with 84 votes, five short of a majority.⁵⁴ Ball surged into the lead on the next ballot (the ninth overall), as he drew all Republican voters to his candidacy and captured 87 votes, only one short of victory. The Republicans pushed hard for one additional ballot, believing Ball would pass the post, but were stymied by a Democratic-led adjournment.

Three more ballots were taken on the following day (February 24). The first ballot, and the tenth overall, saw Ball slip back, rather than coast to victory. He received 81 votes, down from 87 on the previous ballot, amid heightened member participation (96 votes now necessary for election). Rather than support Ball, a number of Republicans instead threw their support to Abram S. Mitchell, editor of the *St. Louis News*.⁵⁵ Ball's vote total continued to drop on the next two ballots, while the Democratic-American alliance also broke down, as the Americans, sensing they could be pivotal and perhaps advance a "compromise candidate," dropped Glossbrenner and threw their support behind old-line Whig William Seaton, editor of the *National Intelligencer*. Amid this partisan free-for-all, the House adjourned.

Internal Republican divisions had clearly burst out onto the floor. Party leaders called a caucus on Saturday the 25th, in an attempt to get everyone back on track. However, turnout was low, with only around 60 members attending. Moreover, divisions could not be overcome, so a new caucus nominee was not selected. Instead, party leaders negotiated an arrangement whereby

⁵⁴ Ball served in the 33rd and 34th Congresses, first as a Whig then as a Republican.

⁵⁵ These Republicans were John B. Alley (Mass.), James Buffinton (Mass.), Anson Burlingame (Mass.), Henry L. Dawes (Mass.), Thomas D. Eliot (Mass.), John F. Farnsworth (Ill.), Daniel W. Gooch (Mass.), James H. Graham (N.Y.), William Kellogg (Ill.), William Millward (Pa.), Edward Joy Morris (Pa.), Alexander H. Rice (Mass.), Daniel E. Somes (Me.), and Charles Van Wyck (N.Y.)

members could vote independently on the next ballot for Printer, with the understanding that they would coalesce around the top vote-getter on subsequent ballots (*NYT*, 2/27/1860, p. 4).

After some initial business was conducted on Monday, February 27, the House returned to the election of a Printer. Four additional ballots would be taken. On the first ballot (and thirteenth overall), a new Republican candidate emerged — Thomas H. Ford, former-Lieutenant Governor of Ohio, who garnered 65 votes, to Ball's 31.⁵⁶ In line with the caucus agreement, the Republican dissidents began moving to Ford. His vote total rose, and he drew within eight and seven votes of victory, respectively, on the next two ballots. On the fourth ballot of the day (and sixteenth overall), Ford collected 93 votes, a bare majority, after which Speaker Pennington declared him the duly elected House Printer for the 36th Congress (*CG*, 36-1, 2/27/1860, p. 899).

But that was not the end of the story. The following day, February 28, Thomas Ruffin (D-N.C.) stated that the *Journal* had failed to record his vote for Printer. This produced some confusion, which carried over into the following day, when a number of Democratic members

⁵⁶ Smith (1977, p. 223) contends that Ford emerged as the new Republican frontrunner by promising to “give favors to the party, including help to the *National Era* of Washington.” Interestingly, two earlier Republican candidates for Printer, John Defrees and Abram Mitchell, had also been rumored at different times to be in league with Gamaliel Bailey, the editor of the *National Era* (*NYT*, 2/8/1860, p. 1; 2/9/1860, p. 1). This politicking for the printership patronage represented a change of course for the *National Era*. In 1856, when the *National Era* was mentioned as a possible recipient of the House printership by some members of Congress, its editor wrote:

For Heaven's sake, gentlemen, never name us as an applicant for any patronage, to be bestowed by Congress or the Executive. We do not need it; we do not want it; could not get it if we did; would not have it if we could. There is no possible relation that the *Era* could sustain to Congress which could make it desirable, beneficial, or tolerable, for either to be patronized by the other. An attitude of absolute independence we regard as beyond all price (*National Era*, 2/7/1856, p. 22).

confirmed that Ruffin did indeed cast a vote (for Glossbrenner) on the sixteenth ballot for Printer. Republicans acceded to the oversight and agreed to the correction (*CG*, 36-1, 2/28/1860 and 2/29/1860, pp. 908, 922-23). However, Ruffin's vote had the effect of raising the necessary vote total on the sixteenth ballot to 94, which meant that Ford, with his 93 votes, was not in fact elected. Thus, further ballots would be required. One additional ballot (the seventeenth overall) would be taken on the February 29, with Ford falling four votes short of a majority.⁵⁷ Rather than continuing to ballot, the House adjourned.

After a postponement on March 1, the election of Printer would be revisited on March 2, and Ford would be elected on the first ballot of the day (and the eighteenth overall), collecting 96 of 187 votes cast. Once again, Speaker Pennington declared Ford the duly elected House Printer for the 36th Congress. This time the result would hold (*CG*, 36-1, 3/2/1860, p. 975).

Thus, over three months after the convening of the House, the Republicans had organized the chamber. They were successful in every endeavor, electing Republican-backed candidates for each House office as well as assembling Republican (and anti-slavery, more generally) majorities on all important committees, despite commanding only a plurality of the chamber.

One final point deserves mention here, as it deals specifically with House organizational politics — this would be the last time the House elected a Printer.⁵⁸ During the 36th Congress, investigatory committees in both the House and Senate uncovered massive corruption involving

⁵⁷ The *New York Times* (3/1/1860, p. 1) reported that Ford's election failed on the 17th ballot due to an "improper division of the spoils," and that "a new man will be started tomorrow." It appears that this "division" was ironed out over the next two days, as Ford continued to be the party's candidate and was elected on the first ballot on March 2.

⁵⁸ For a more extensive overview, see Smith (1977, pp. 224-30).

the public printing. For example, in late February, Cornelius Wendell, the House Printer in the 34th Congress, was providing testimony before the Committee on Public Expenditures. Among other remarks, Wendell admitted that roughly half the funds appropriated for the public printing were pure profit, most of which, based upon informal arrangements, were meant to be funneled into party coffers for the basis of mass party patronage (*NYT*, 2/25/1860, p. 1). Various such rumors also dogged several of the Republican Printer candidates during the House balloting (see footnote 57). As a result, a reform movement emerged, led by Republicans like Benjamin Stanton (Ohio), who had been suspicious of congressional printing for some time, and Congress proceeded to “nationalize” the institution, creating a Government Printing Office. The first superintendent would be John Defrees.

Winning on the Floor

This and the previous chapter have covered the six Congresses — just over a decade — preceding the Civil War. Together they show that although the speakership was a coveted prize among the parties and their regional factions, winning the speakership was no guarantee of controlling the House floor for the next two years.

This is illustrated generally in Figure 7-3, which displays the win rate analysis — the percentage of times that each House member was on the prevailing side of roll call votes against his spatial (ideological) location, measured by first dimension W-NOMINATE scores — for the 31st through 36th Congresses.⁵⁹ Also indicated are the location of the floor median and the median of the organizing coalition. A third-degree polynomial has been fit through the data in

⁵⁹ Recall that we conducted a similar set of win rate analyses for the 26th through 30th Congresses in Chapter 5.

each graph, using least squares regression, to help in identifying where the most frequent roll call winners are located in each Congress. In half of these Congresses — the 31st, 32nd, and 35th — Democratic coalitions claimed the speakership, but did not claim the floor. The 33rd, 34th, and 36th Congresses — especially the 36th — were more in keeping with what we would expect in the modern era, with the party controlling the speakership controlling the floor.

[Figure 7-3 about here]

The bookend Congresses of Figure 7-3 are particularly instructive. The 31st Congress is an interesting case because, of course, it was the Congress that passed the Compromise of 1850. As a “compromise” effort, three of the five bills that constituted the Compromise tended to garner support from Whigs (California admission, abolition of slave trade in D.C., and the Texas border bill) and two from Democrats (the organization of the Utah and New Mexico Territories and the Fugitive Slave Act). Lost to history, but just as important from the perspective of partisan control of the floor, the two civil and diplomatic appropriations bills considered by the 31st Congress, which were subjected to interminable proceedings, were overwhelmingly supported by the Whigs, with the Democrats split. For instance, H.R. 461, making appropriations for FY 1852, passed on a 127–55 vote, with all 84 Whigs voting in favor and Democrats split 36–52 in opposition.

The politics of the 31st Congress seem to have been organized largely outside of the coalition that organized the chamber. That was not true of the 36th Congress, despite the fact that the Speaker and Printer fights were protracted. Pennington’s committee assignments helped cement the anti-slavery coalition that elected him, providing evidence to southern political leaders that the Republican Party was both a durable and effective force in national politics.

Conclusion

After Nathaniel Banks' victory in the Speakership election of 1855–56, a still uncertain political environment lay ahead for his supporters. While a rag-tag group of anti-slavery advocates was able to capture the speakership, additional hurdles needed to be cleared. First was the immediate matter of whether this group could coordinate and organize the remainder of the House. Second, and more importantly, was whether this group could govern and hope to transform itself from a narrowly-organized ideological coalition into a real political party.

The first objective, of organizing the remainder of the House, was only partially realized. Because the Republicans had only a plurality of the chamber, they needed to coordinate their choices for officer positions with the Americans. These efforts at coordination were successful in electing a Clerk, Doorkeeper, and Postmaster. But the Republicans were rolled by the Democrats in the election of a Sergeant-at-Arms and a Printer. The latter was a critical loss, as the Republicans were unwilling to share control of the public printing with the Americans. As a result, they did not enjoy the significant patronage that the Printer provided, i.e., the dissemination of the party creed, the underwriting of party newspapers throughout the country, and the slush fund which could be used for a variety of party tasks (like funding electoral activities). The Republicans were successful, however, in the distribution of committee assignments to loyal, anti-slavery members. Speaker Banks did an especially good job of populating the most important policy committees in the House with strong-willed, well-known Republicans. In effect, these assignments provided the “stars” of the party with a platform to communicate the party's positions.

Their successes and failures aside, this burgeoning Republican coalition was tenuous. While hopes for a true mass party were strong, they were still a narrow ideological coalition, a slap-dash group of ex-Democrats, ex-Whigs, ex-Americans, and ex-Free Soilers who happened to share one thing — antipathy toward slavery extension. While this singular policy preference brought them the speakership, the Republicans now were faced with the task of behaving like a coherent legislative coalition. This could prove to be a house of cards, as any number of issue-based fissures could open up during the 34th Congress and expose the coalition's narrow underpinnings.

Fortuitously, the Republicans were rarely placed in such a situation. That is, the slavery issue — in particular, the issue of slavery in the Kansas Territory — continued to be the predominant issue in congressional politics. Indeed, it became the issue that could no longer be avoided or resolved, monopolizing the congressional and national agendas. As a result, this one-issue ideological coalition was able to survive without broadening substantially, and proceeded to build a mass party following strictly on the issue of slavery extension. Thus, they survived losing the House to the Democrats in the 35th Congress, deciding instead to work to eliminate the Americans as a viable electoral competitor.

The question of Kansas statehood (along with the *Dred Scott* decision) dominated political discussion in the late-1850s, and allowed the Republicans to regain plurality control of the House in the 1858-59 elections. On this occasion, they would be more successful in consolidating their organization. In many ways, this was due to the coalition's maturation, as the Republicans now held party over ideology. For example, when it became clear that the Republicans' first preference, the staunchly anti-slavery John Sherman (Ohio), could not be elected Speaker —

amid the very real possibility that a Democratic-American compromise candidate could emerge to win the speakership — party members reacted pragmatically by dropping Sherman in favor of William Pennington (N.J.), a Republican who was more liberal on slavery generally, but sufficiently strong on the more immediate issue of slavery extension. This allowed them to attract the additional Anti-Lecompton votes necessary to produce a majority. Thus, the Republicans kept their attention on winning the speakership, and did not allow ideological goals, like electing an extreme anti-slavery member, to override party goals, which would have cost them the prize.

With the speakership in hand, the Republicans filled out the rest of the organization, combining with the Anti-Lecomptons to select solid anti-slavery officers and committee chairs and slates. The organization was finalized with the election of a Printer, which showed how far the Republicans had come as a party. When their first candidate faltered, because of internal party divisions, they did not crumble as in the 34th Congress. Rather, they tried various other Republican candidates until one could achieve a majority. This ability to adjust with the political climate indicated a significant organizational maturation.

Thus, the speakership played a major role in the development of the Republican Party. In the 34th Congress, winning the speakership showed that a narrow ideological coalition, centered on the issue of slavery extension, could achieve political power. However, the Republicans were only partially successful in organizing the chamber, indicating that further coalitional development and coordination was necessary. By the time that the Republicans won the speakership in the 36th Congress, it had become clear that a mass party built around slavery extension was a reality. Moreover, the goals of the coalition had broadened, extending beyond simple ideology to that of general partisanship. As a result, the Republicans were able to

organize all aspects of the chamber, compromising with the Anti-Lecomptons and changing party nominees midstream when necessary. Simply put, by the 36th Congress, the Republicans had become both flexible and pragmatic, requiring a basic goal — opposition to slavery extension — while allowing considerable policy freedom in other areas, as a way of building a majority-party organization.

Figure 7-1. Kernel Density Plot of Banks Coalition and Republican Party

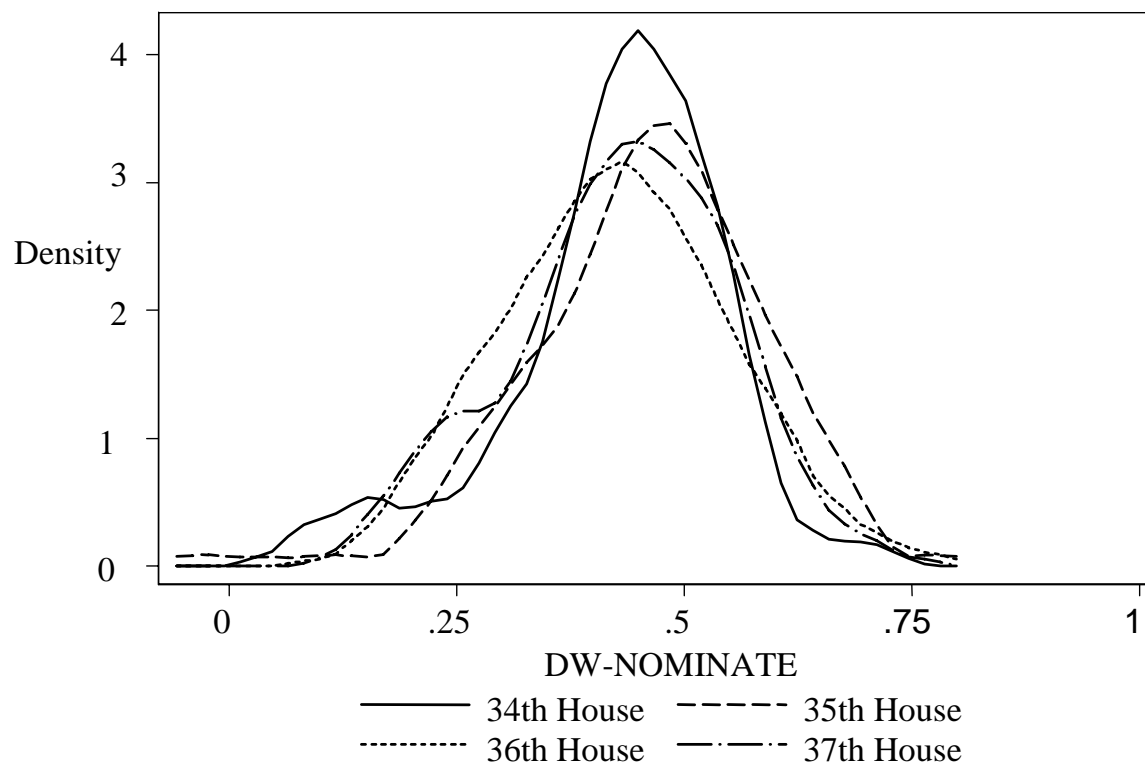
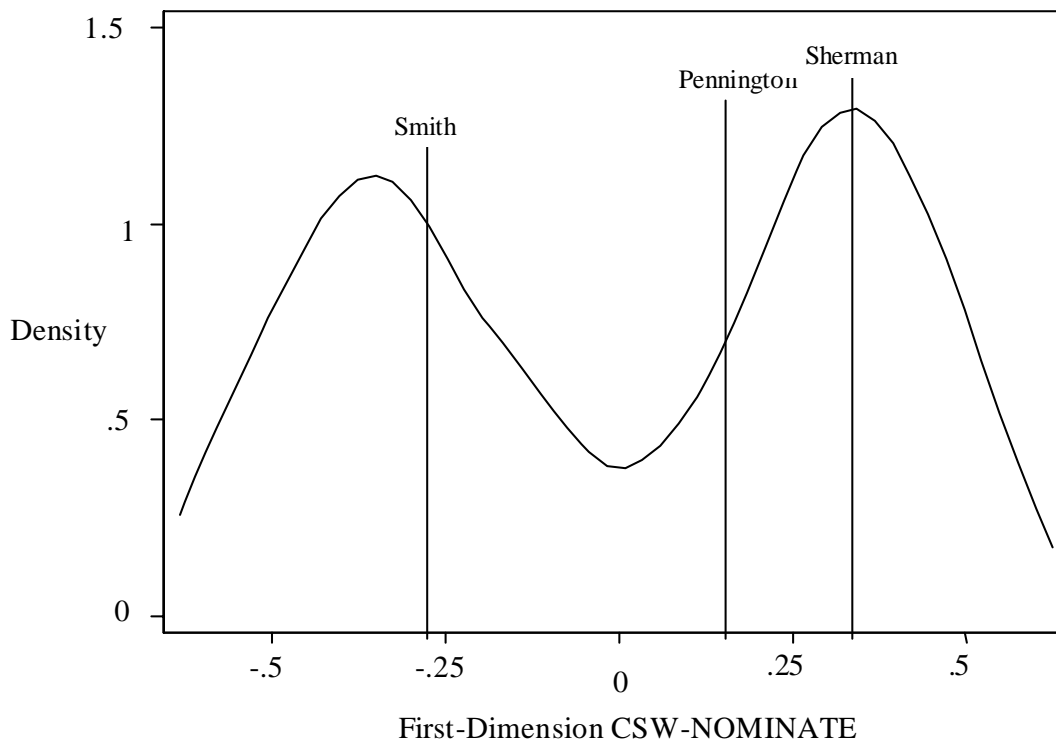
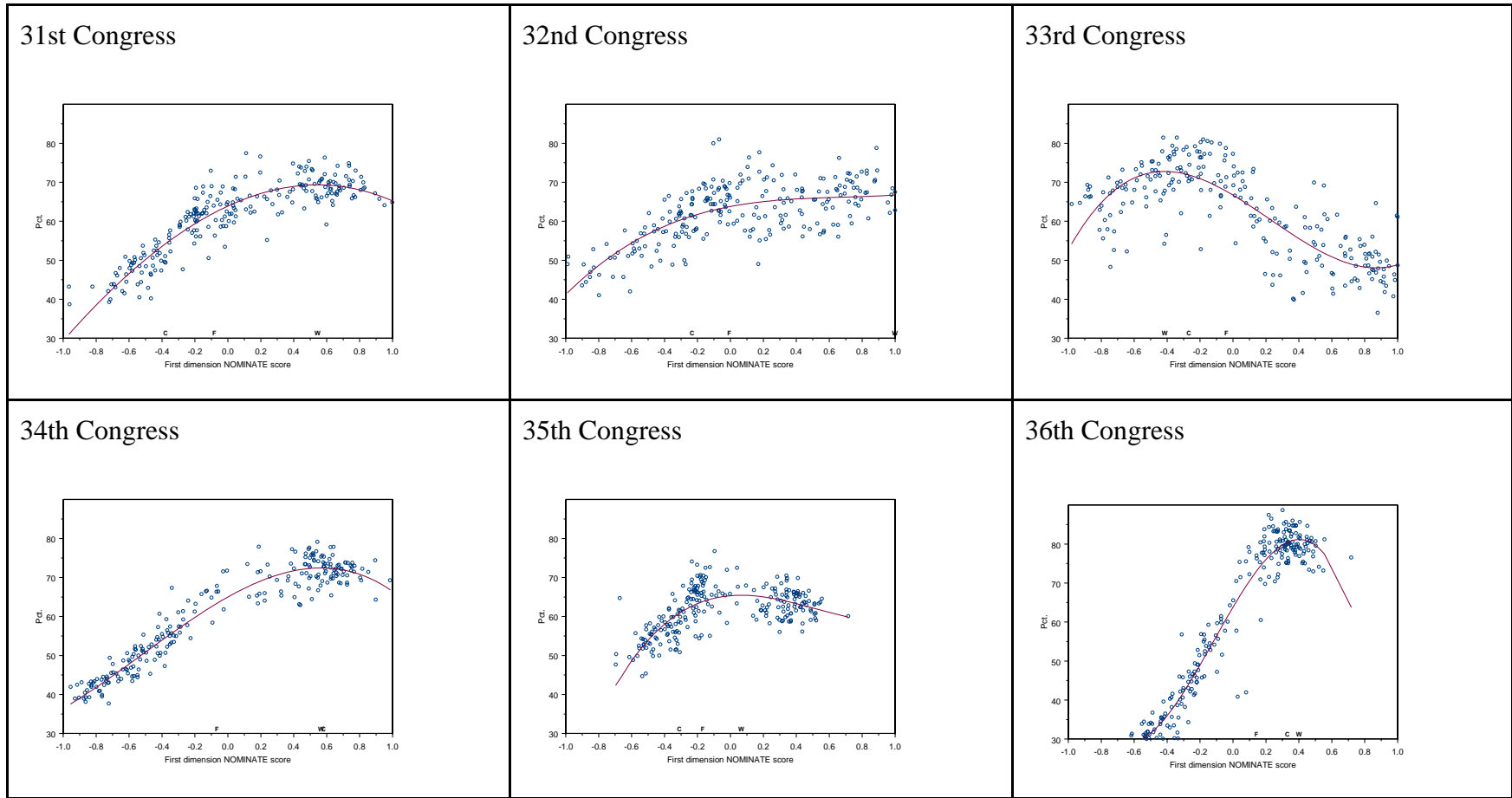


Figure 7-2. Distribution of House Members and Select Speakership Candidates, 36th Congress



ote: Ideal points for candidates are -0.282 (Smith), 0.146 (Pennington), and 0.336 (Sherman). N

Figure 7-3. Winning percentage as a function of W-NOMINATE scores, 31st–36th Congresses.



F = floor median; C = median of coalition that voted for winning Speaker candidate; W=estimated location of member most frequently on winning side of roll call votes.

Table 7-1. House Committee Chairmen, 34th Congress

Chairman	State	Committee	CSW- NOMINATE Score	Speaker Vote	Banks Supporter
William Kelsey	NY	Engraving	0.509	Banks	Yes
Edwin Morgan	NY	Patents	0.503	Banks	Yes
George Simmons	NY	Judiciary	0.483	Banks	Yes
Samuel Benson	ME	Naval Affairs	0.479	Banks	Yes
Aaron Cragin	NY	Expenditures in the War Dept.	0.479	Banks	Yes
David Holloway	IN	Agriculture	0.473	Banks	Yes
Israel Washburn	ME	Elections	0.469	Banks	Yes
Alvah Sabin	VT	Revisal and Unfinished Business	0.468	Banks	Yes
Ezra Clark	CT	Manufactures	0.457	Banks	Yes
Sidney Dean	CT	Public Expenditures	0.440	Banks	Yes
Benjamin Pringle	NY	Indian Affairs	0.438	Banks	Yes
Henry Bennett	NY	Public Lands	0.414	Banks	Yes
Elihu Wasburne	IL	Commerce	0.410	Banks	Yes
Alexander Pennington	NJ	Foreign Affairs	0.410	Banks	Yes
James Knox	IL	Roads and Canals	0.394	Banks	Yes
Joshua Giddings	OH	Claims	0.384	Banks	Yes
James Meacham	VT	District of Columbia	0.384	Banks	Yes
Galusha Grow	PA	Territories	0.380	Banks	Yes
Henry Waldron	MI	Expenditures in the Treasury Dept.	0.376	Banks	Yes
John Petit	IN	Expenditures in the Post Office	0.342	Banks	Yes
David Ritchie	PA	Revolutionary Claims	0.329	Banks	Yes
Lewis Campbell	OH	Ways and Means	0.324	Banks	Yes
Edward Ball	OH	Public Buildings and Grounds	0.322	Banks	Yes
John Kunkel	PA	Militia	0.255	Banks	Yes
Benjamin Thurston	RI	Accounts	0.241	Banks	Yes
Daniel Mace	IN	Post Office and Post Roads	0.237	Banks	Yes
Andrew Oliver	NY	Invalid Pensions	0.212	Banks	Yes
Jacob Broom	PA	Revolutionary Pensions	-0.030	Fuller	Yes
Gilchrist Porter	MO	Private Land Claims	-0.119	Aiken	No
Thomas Harris	IL	Expenditures in the Navy Dept.	-0.202	Aiken	No
William Sneed	TN	Mileage	-0.274	Aiken	No
John Quitman	MS	Military Affairs	-0.377	Aiken	No
Preston Brooks	SC	Expenditures in the State Dept.	-0.389	Aiken	No
Fayette McMullen	VA	Expenditures on the Public Blds.	-0.464	Aiken	No

Note: “Speaker Vote” indicates the member’s vote on the final (133rd) ballot for Speaker. “Banks Supporter” indicates whether the member was ideologically closer to Nathaniel Banks (0.258) or William Aiken (-0.357).

Table 7-2. House Standing Committee Composition, 34th Congress

Committee	Committee Median	Banks Voters	Banks Supporters	Total Members
Revisal and Unfinished Business	0.457	3	3	5
Judiciary	0.410	4	5	9
Engraving	0.401	2	2	3
Territories	0.380	6	6	9
District of Columbia	0.379	5	6	9
Public Lands	0.337	5	5	9
Patents	0.330	3	3	5
Revolutionary Claims	0.329	4	5	9
Agriculture	0.324	5	5	9
Ways and Means	0.308	5	6	9
Military Affairs	0.282	5	5	9
Elections	0.262	5	6	9
Foreign Affairs	0.241	5	5	9
Public Expenditures	0.238	5	5	9
Public Buildings and Grounds	0.223	3	3	5
Invalid Pensions	0.212	5	5	9
Indian Affairs	0.204	5	5	9
Manufactures	0.150	4	5	9
Post Office and Post Roads	0.145	5	6	9
Naval Affairs	0.145	3	5	9
Accounts	0.121	3	3	5
Roads and Canals	0.024	2	5	9
Claims	0.019	4	5	9
Private Land Claims	0.010	3	5	9
Commerce	0.009	5	5	9
Expenditures in the Treasury Dept.	0.007	2	3	5
Revolutionary Pensions	-0.030	4	5	9
Militia	-0.062	3	4	9
Expenditures in the War Dept.	-0.101	2	2	5
Expenditures in the Navy Dept.	-0.124	1	2	5
Expenditures in the Post Office	-0.129	1	1	5
Expenditures on the Public Blds.	-0.210	1	1	5
Mileage	-0.229	2	2	5
Expenditures in the State Dept.	-0.295	2	2	5

Note: “Committee Median” is the median member’s first dimension CSW-NOMINATE score. “Banks Voters” indicates the number of members to vote for Banks on the final (133rd) ballot for Speaker. “Banks Supporters” indicates the number of members ideologically closer to Banks than to Aiken.

Table 7-3. Summary Statistics for Banks Coalition and Republican Party

House	Number of Members	Mean DW-NOMINATE Score	Standard Deviation
34th House	103	0.427	0.117
35th House	92	0.459	0.126
36th House	118	0.425	0.121
37th House	107	0.431	0.116

Note: Figures for 34th House represent the Banks voting coalition on the last speakership ballot. Figures for the 35th through 37th House represent the Republican Party.

Table 7-4. Voting during the 39th Speakership Ballot, 36th Congress

Candidate	First Pass through the Roll	After Wave of Democratic Switchers	Final Tally
John Sherman (R-Oh.)	105	105	106
William N. H. Smith (KN-N.C.)	63	114	112
Thomas Bocoock (D-Va.)	25	2	1
John G. Davis (AL-In.)	6	1	1
Thomas Florence (D-Pa.)	4	0	0
John S. Phelps (D-Mo.)	4	0	0
Charles H. Larrabee (D-Wi.)	2	0	0
John S. Millson (D-Va.)	2	0	0
Henry Burnett (D-Ky.)	1	0	0
Horace F. Clark (AL-N.Y.)	1	1	1
Thomas Corwin (R-Oh.)	1	1	4
William Howard (D-Oh.)	1	1	1
James Jackson (D-Ga.)	1	0	0
John J. McRae (D-Ms.)	1	0	0
Otho R. Singleton (D-Ms.)	1	0	0
Miles Taylor (D-La.)	1	0	0
Zebulon B. Vance (KN-N.C.)	1	1	1
Warren Winslow (D-N.C.)	1	0	0
William Pennington (R-N.J.)	0	0	1
Unknown	6	1	0
Total Votes	227	227	228

Source: *Congressional Globe*, 36-1, 1/27/1860, pp. 611–21. Successful replication of Bensel (1985), Table 2.4.

Note: “Unknown” category represents members who did not announce their original vote, upon switching to Smith.

Table 7-5. Examining the Swing Voters in the Speakership Contest, 36th Congress

	Actual Vote	Predicted Vote
Garnett B. Adrain (AL-N.J.)	Pennington	Pennington
John H. Reynolds (AL-N.Y.)	Pennington	Pennington
Jeter R. Riggs (AL-N.J.)	<scatter>	Smith
George Briggs (R-N.Y.)	Smith	Smith
Henry Winter Davis (A-Md.)	Smith	Pennington
William S. Holman (D-In.)	<scatter>	Smith
John G. Davis (AL-In.)	<scatter>	Smith
William Allen (D-Oh.)	<scatter>	Smith

Note: “Predicted Vote” indicates each member’s sincere spatial preference, using CSW-NOMINATE scores, between William Pennington and William N. H. Smith.

Table 7-6. House Committee Chairmen, 36th Congress

Chairman	State	Committee	CSW- Nominate Score	Party	Speaker Vote
Mason Tappan	NH	Claims	0.493	Republican	Pennington
James McKean	NY	Expenditures in the State Dept.	0.487	Republican	Pennington
William Brayton	RI	Expenditures on Public Blds.	0.487	Republican	Pennington
Cadwalder Washburn	WI	Private Land Claims	0.455	Republican	Pennington
Reuben Fenton	NY	Invalid Pensions	0.424	Republican	Pennington
George Palmer	NY	Expenditures in the Post Office	0.420	Republican	Pennington
Eli Washburne	IL	Commerce	0.410	Republican	Pennington
John Potter	WI	Revolutionary Pensions	0.410	Republican	Pennington
Cydnor Tompkins	OH	Militia	0.407	Republican	Pennington
Freeman Morse	ME	Naval Affairs	0.397	Republican	Pennington
Schuyler Colfax	IN	Post Office and Post Roads	0.393	Republican	Pennington
Galusha Grow	PA	Territories	0.380	Republican	Pennington
Dwight Loomis	CT	Expenditures in the Treasury Dept.	0.379	Republican	Pennington
Thomas Corwin	OH	Foreign Affairs	0.374	Republican	Pennington
Martin Butterfield	NY	Agriculture	0.371	Republican	Pennington
William Stewart	PA	Expenditures in the War Dept.	0.343	Republican	Pennington
John Sherman	OH	Ways and Means	0.336	Republican	Pennington
Luther Carter	NY	District of Columbia	0.317	Republican	Pennington
Benjamin Stanton	OH	Military Affairs	0.282	Republican	Pennington
Charles Train	MA	Public Buildings and Grounds	0.270	Republican	Pennington
Francis Spinner	NY	Accounts	0.262	Republican	Pennington
Charles Adams	MA	Manufactures	0.252	Republican	Pennington
Eli Thayer	MA	Public Lands	0.240	Republican	Pennington
John Haskin	NY	Public Expenditures	0.182	Anti-Lecompton	Pennington
John Hickman	PA	Judiciary	0.173	Anti-Lecompton	Pennington
William Millward	PA	Patents	0.145	Republican	Pennington
Emerson Etheridge	TN	Indian Affairs	0.010	American	Gilmer
Garnett Adrain	NJ	Engraving	-0.053	Anti-Lecompton	Pennington
George Briggs	NY	Revolutionary Claims	-0.069	Republican	Pennington
John Gilmer	NC	Elections	-0.069	American	Etheridge
Robert Hatton	TN	Expenditures in the Navy Dept.	-0.193	American	Gilmer
Robert Mallory	KY	Roads and Canals	-0.282	American	Gilmer
John Logan	IL	Revisal and Unfinished Business	-0.330	Democrat	McClerland
John Ashmore	SC	Mileage	-0.414	Democrat	McClerland

Note: "Speaker Vote" indicates the member's vote on the final (44th) ballot for Speaker.

Table 7-7. House Standing Committee Composition, 36th Congress

Committee	Committee		Pennington	Total
	Median	Republicans	Voters	Members
Territories	0.376	6	6	9
Expenditures in the War Dept.	0.339	3	3	5
Indian Affairs	0.333	5	5	9
Ways and Means	0.328	5	6	9
Post Office and Post Roads	0.306	5	5	9
Agriculture	0.304	5	5	9
Military Affairs	0.282	5	5	9
Expenditures in the Treasury Dept.	0.270	3	3	5
Accounts	0.262	3	3	5
District of Columbia	0.251	5	5	9
Public Lands	0.240	6	7	9
Public Buildings and Grounds	0.233	3	3	5
Claims	0.221	6	6	9
Foreign Affairs	0.213	5	5	9
Revolutionary Pensions	0.208	5	6	9
Elections	0.178	5	5	9
Commerce	0.177	5	5	9
Judiciary	0.173	4	6	9
Manufactures	0.159	5	5	9
Patents	0.145	3	3	5
Private Land Claims	0.140	4	3	9
Naval Affairs	0.096	4	5	9
Public Expenditures	0.083	4	5	9
Engraving	-0.053	1	2	3
Roads and Canals	-0.073	4	4	9
Expenditures on the Public Blds.	-0.088	2	2	5
Invalid Pensions	-0.101	4	4	9
Expenditures in the Post Office	-0.143	2	2	5
Revisal and Unfinished Business	-0.158	2	2	5
Expenditures in the State Dept.	-0.168	2	2	5
Militia	-0.189	4	4	9
Expenditures in the Navy Dept.	-0.193	2	2	5
Revolutionary Claims	-0.226	4	4	9
Mileage	-0.326	2	2	5

Note: "Committee Median" is the median member's first dimension CSW-NOMINATE score. "Pennington Voters" indicates the number of members to vote for Pennington on the final (44th) ballot for Speaker.

Chapter 8

The Organizational Caucus Institutionalizes, 1861–1891

As the Nation entered the Civil War, the antebellum pattern of protracted House speakership battles appeared poised to continue. Despite the secession of eleven southern states and a large Republican House majority, speakership divisions surfaced in the 37th Congress, resulting in the majority Republicans failing to settle on a Speaker nominee on the eve of the Congress's organization. Unlike many previous speakership contests, however, once balloting began, the Republican majority quickly coalesced. Indeed, before the official first-ballot tally was even announced, a number of dissident Republicans switched their votes to Galusha Grow (Pa.), the party front runner, so as to elect him and forego a second ballot. This rapid turnaround in speakership voting was an important break from the recent past, and more importantly, was a portent for the future. The quick election of Grow ushered in a new era in organizational politics: in all but one instance over the next century and a half, speakership contests would be straightforward affairs on the House floor, determined by a single ballot.¹

The disappearance of protracted speakership battles did not indicate, of course, that intra-party divisions over speakership candidates had vanished. Indeed, well into the twentieth century, both major parties remained heterogenous coalitions, and thus were often rent by ideological divisions. Nevertheless, beginning with the Civil War era, the majority party began settling intra-party disagreements over speakership candidates (and all officer candidates, generally) in caucus, prior to the House's convening. Thus, the decision on the floor has become the public realization of the more-or-less private negotiation in the majority party caucus.

1. The sole exception was in the 68th Congress, which we discuss in detail in Chapter 9, when the speakership contest stretched nine ballots over three days (Dec. 3–5, 1923).

Few who gathered for the first Civil War Congress would have predicted that the House would go on to enjoy relative stability in the partisan organization of the chamber during and after the war. Yet, expectations changed rapidly in the years of War and Reconstruction — to the point that, in a very real sense, Martin Van Buren’s plan (developed a quarter-century earlier) to create a *consistently* secure partisan organization based on caucus decision-making finally came to fruition. This caucus-induced organizational arrangement solved the lingering instability that had often plagued speakership decisions during the antebellum era. Moreover, in fairly short order, this binding organizational caucus institutionalized, that is, the caucus evolved into an *equilibrium institution* (Shepsle 1986), as both parties embraced the practice of organizing the chamber in the family rather than risking potential complications on the House floor.

The stability of the caucus-organizing system also was a necessary condition for the subsequent development of party institutions in the House. The majority party took steps to enhance its procedural power in the House, through firmer control of the legislative agenda, only after leaders and the rank-and-file felt secure that a reliable system was in place to settle key organizational matters (i.e., selecting the Speaker, staffing the committees) that were *vital* to such a procedural undertaking. More specifically, the transition to the “Reed Rules” in the early-1890s was only possible because of the existence of a mechanism (the caucus) that insured that key positions (Speaker, committee chairs) — which could be bestowed with *agenda power* — were controlled by the majority party at the start of a new session. This is an especially important point, as a post-Reed Rules institutional structure lies at the heart of all contemporary theories of party power in House.

That the majority party has been able to contain every speakership dispute within the family after 1861 and organize the House on one ballot, with the exception of the 68th Congress, is the subject of this and following chapter. Since the 39th Congress (1865-67), both major parties have made it their business to meet and settle on a single nominee for the speakership before the House first convenes. Appendix 5 summarizes the most basic information about these caucus nominations. (Appendix 6 provides more detailed accounts of the nominations, including citations to newspaper accounts of the caucus meetings.) The column labeled “margin percentage” records the relative size of the seat advantage enjoyed by the larger of the two major parties over the smaller party. Over the half century starting in 1863 (38th Congress), the size of the party margin was less than 10% eight times, and twice the largest party only held a plurality of the chamber. In *none* of these cases was the minority party, or one of the minor third parties, able to leverage the margin into a protracted speakership election battle.

We consider four periods to be especially important in setting expectations about the selection of Speakers and focus our narrative on those. These periods are (1) the Civil War (and early Reconstruction) Congresses, when the Republicans exhibited great discipline to first establish the tactic of a binding organizational caucus for Speaker; (2) the Congresses in the mid-to-late 1870s when the Democrats returned to power and embraced the binding organizational caucus; (3) the decade from the early-1880s to the early-1890s, wherein regional and ideological tensions pervaded both parties and threatened the stability of the organizational arrangement; and (4) the Congresses of the 1920s, when the progressive insurgency provided at least a momentary taste of antebellum speakership politics. Periods one, two, and part of three are

covered in this chapter; the remaining part of period three and period four are covered in Chapter 9.

The Civil War and the Establishment of Party Discipline

The 37th Congress convened on July 4, 1861, in the midst of the greatest crisis the Nation has ever faced. In the few short months after Abraham Lincoln's election and subsequent inauguration, eleven southern (slave) states — South Carolina, Alabama, Florida, Georgia, Louisiana, Mississippi, Texas, Virginia, North Carolina, Tennessee, and Arkansas — had seceded from the Union, and had organized to form a separate nation, the Confederate States of America. Lincoln, in his role as Commander and Chief, acted swiftly to preserve the Union, while the infant Confederacy actively resisted. Civil War was here.

There was one major political beneficiary among this national chaos, the Republican Party in Congress. Thanks to the secession of southern states, the Republicans were the majority party in the House for the first time in their short history, controlling 102 of the 174 seats at the opening of the 37th Congress (Dubin 1998, p. 191). Thus, the Republicans were in a position to organize the chamber completely on their own, not having to rely upon third parties for assistance, as had been the case in the recent past. Yet, they made no attempt to caucus prior to Congress convening, deciding instead to downplay overt partisanship during a time of war and allow members to vote their consciences (Bogue 1981, p. 122). However, the norm from the 36th Congress would be followed, whereby the Republican leader on the first speakership ballot would subsequently command united party support (Curry 1968, p. 26). As Illisevich (1988, p. 202) notes, "the Republicans had agreed not to tolerate any protracted conflict over the speakership. There was too much to be done."

As members of Congress began arriving in Washington, three leading candidates for Speaker were consistently mentioned in the press: Galusha Grow (Pa.), a devoted Radical who had been an early speakership candidate in the 36th Congress; Frank Blair (Mo.), a moderate ex-Democrat and close associate of Lincoln's who had worked effectively to keep his home state in the Union;² and Schulyer Colfax (Ind.), an amiable former-Whig and former-American with solid anti-slavery credentials.³ While press accounts had the election up for grabs, the war-time mood and strong anti-southern feelings permeating the capitol made Grow the likely favorite. Sensing this, Colfax withdrew from consideration just as the speakership balloting was to begin, in the opening moments of the Congress (*CG*, 37-1, 7/4/1861, p. 3).

Upon informal completion of the first ballot, Grow emerged as the leading vote-getter, receiving 71 of 159 votes cast, nine short of a majority. Blair, his closest competitor, could only muster 40 votes, with the remaining votes scattering among twelve other candidates. Before the official tally could be announced, however, Blair was recognized and (like Colfax earlier) removed himself from further consideration as a candidate. He then urged his supporters to back Grow immediately, rather than wait for a second ballot. Twenty-six of them did, which resulted in Grow's election (*CG*, 37-1, 7/4/1861, p. 4).⁴ In the spirit of playing down partisanship, the House then quickly elected Emerson Etheridge, a Unionist from Tennessee, as Clerk, turning out

2. Frank Blair was the son of Francis Preston Blair, the former House Printer.

3. See *NYT*, 6/30/1861, p. 4; 7/1/1861, p. 4; 7/3/1861, p. 4; 7/4/1861, p. 1; *CT*, 7/6/1861, p. 2; and *NYTrib*, 7/4/1861, pp. 4-5.

4. Follett (1896, p. 51) mistakenly reports that Grow's election required a second ballot.

the incumbent, John Forney, whom the Republicans had supported in the previous Congress.⁵

Etheridge's candidacy was promoted by Lincoln, as a direct appeal to the anti-secession forces in the Union-controlled slave states of Maryland, Missouri, and Kentucky.

Upon accepting the speakership, Grow set out to complete the organization of the House. Here, he followed the path set out by Banks and Pennington before him — specifically, he used committee assignments, and especially chairmanships, to allocate power within the chamber and placate different regional and ideological groups within the party (Curry 1968, pp. 26–29; Bogue 1981, pp. 114–15). He offered Blair, his major competitor, the chairmanship of Ways and Means, but Blair refused the assignment, choosing instead the chairmanship of Military Affairs. Grow then offered Colfax the chairmanship of Ways and Means, but he preferred to maintain his chairmanship of Post Office and Post Roads, a prime engine for pork and patronage. Grow then handed out chairmanships to prominent members of his own Radical group, with Ways and Means finally going to Thaddeus Stevens (Pa.), Judiciary to John Bingham (Ohio), Public Expenditures to John Covode (Pa.), Public Lands to John Potter (Wisc.), Manufactures to John Hutchins (Ohio), and Commerce to Elihu Washburne (Ill.) (*CG*, 37-1, 7/8/1861, pp. 21–22).

Thus, as the Republicans became the majority party in the House, they managed to avoid internal strife in their organization of the chamber by distributing power, via the Speaker, in the form of committee chairmanships and assignments. Grow played his part by rewarding rivals,

5. Forney was not a favorite of the Radical Republicans. Despite his recent conversion to anti-slavery politics, Forney, a former heavyweight in the Pennsylvania Democratic machine before his falling out with the Buchanan forces, remained close with many leading members of the moderate wing of the Democratic party. Still, Forney had been useful to the Republicans in the 36th Congress, and he remained on good personal terms with Lincoln. He was compensated by being selected as Secretary of the Senate in the 37th Congress.

after they (and many of their supporters) acknowledged his position as top vote-getter on the opening speakership ballot and subsequently threw their support to him. This tacit equilibrium allowed the Republicans to maintain their solidarity while respecting intraparty differences, which helped the party avoid the messy public spectacle of a prolonged speakership battle.

This Republican solidarity would be tested soon enough. The war went poorly for the Union throughout 1861 and 1862, which proved disheartening for both the party and the Nation. This led to a significant backlash against the Republicans in the midterm elections of 1862–63. As a result, when the 38th Congress convened in December 1863, the Republicans could only manage plurality control of the House — 85 of 184 seats, or 46.2% (Martis 1989, pp. 116–17). They were thus in need of assistance in organizing the House, and sought help from border-state Unionists, notably those who supported nation-wide abolition and a vigorous prosecution of the war.⁶ Rather than attempt to coordinate with Unionists on the floor, which would introduce uncertainty into the organizational process, Republican leaders called for a caucus to meet prior to Congress convening. This “Union caucus” would allow for a discussion of possible officers and the potential nomination of a slate of coalition candidates.

In addition to basic coordination issues, Republican leaders pushed for a caucus to head off a potential organizational crisis of a different sort. Rumors had spread that Emerson Etheridge, the House Clerk, was plotting an organizational coup. Etheridge had been a loyal administration supporter through the end of 1862, until the war’s theme broadened to include emancipation. Like many other Tennessee loyalists, Etheridge opposed freedom and civil

6. Martis (1989, p. 38) refers to such pro-emancipation, pro-war Unionists as “Unconditional Unionists.”

equality for slaves, and thus felt betrayed by the Republican party (Maness 1989). As a result, a realigning of allegiances began. As Belz (1970, p. 555) states, “The Emancipation Proclamation portended revolution and impelled many border Unionists to cooperate with Democrats in the conservative opposition.”

After some scheming, Etheridge hatched a plan to overturn Republican control of the House by tilting the roll of members-elect toward a conservative coalition of Democrats and Unionists. He intended to take advantage of the stipulations in a recently passed 1863 law, which formally provided the Clerk with the ability to certify the credentials of members-elect.⁷ The intention of the law was to enhance Republican strength in the succeeding Congress by providing the Clerk with discretion to count loyalists from portions of the South under Union military control. Etheridge, however, planned to apply a strict reading of the law, thereby requiring that very particular credentials be presented in order to receive certification. He then contacted Democratic House leaders and shared his plan, describing the exact form of credentials necessary and urging them to disseminate the information to their partisans and Unionists as well (Belz 1970, pp. 555–56).

Unfortunately for Etheridge, the details of his scheme leaked out. Republican leaders, including President Lincoln, quickly counter-mobilized. The caucus was an essential element in the strategy to meet Etheridge, both offensively (by coordinating on a single speakership candidate) and defensively (by coordinating to counter Etheridge’s roll call scheme).

7. *Statutes at Large*, 37-3, p. 804. The law stated that the Clerk, in making his roll, “would place thereon the names of all persons and such persons only, whose credentials show that they were regularly elected in accordance with their states respectively, or the laws of the United States.”

In late-November 1863, informal canvassing for the speakership was well under way. With Speaker Grow defeated in the midterm elections, Schuyler Colfax emerged as the near-unanimous Republican candidate. As members began arriving in Washington, forecasts of Colfax's strength were widely reported, with estimates of his having 85 votes already pledged.⁸ These estimates proved to be accurate, as Colfax's nomination "was agreed to without dissent and by acclamation" when the Union caucus met on December 5, 1863, two days prior to the opening of the 38th Congress (*NYT*, 12/6/1863, p. 1; cf. *NYTrib*, 12/7/1863, p. 4).⁹ A long discussion also took place regarding Etheridge's potential scheme, during which caucus members' election credentials were certified. Before adjourning, caucus leaders urged all attendees to be present at the opening of the session.

The proceedings on the opening day of the Congress, December 7, 1863, demonstrated the value of the Union caucus just days before. Once Etheridge had finished his initial call of the House roll, sixteen members from five states (Maryland, Missouri, West Virginia, Kansas, and Oregon) had been excluded while three members from Louisiana had been added, under Etheridge's interpretation of the Act of March 3, 1863 (*CG*, 38-1, 12/7/1863, p. 4). After some heated discussion, Henry Dawes (R-Mass.) offered a resolution that the Maryland members be added to the Clerk's roll. James C. Allen (D-Ill.) responded by moving to table Dawes's resolution and demanded the yeas and nays.¹⁰

8. *NYT*, 12/5/1863, p. 3; for an earlier estimate, see *NYT*, 12/2/1863, p. 4. Also see *NYTrib*, 12/3/1863, p. 1; 12/5/1863, p. 6.

9. Elihu Washburn (Ill.) and Reuben Fenton (N.Y.) were entered into nomination, but both asked to withdraw their names after the nominating speeches were made (*NYTrib*, 12/7/1863, p. 4).

10. Interestingly, Allen had served as the House Clerk in the 35th Congress.

Here then was the showdown. The question on Allen's tabling motion was taken, and it failed by a vote of 74–94 (*CG*, 38-1, 12/7/1863, p. 5). In the end, the Republicans unanimously opposed the tabling motion. The conservative forces were divided, however, with five Democrats and six Unionists voting against tabling — that is, in opposition to Etheridge's scheme to deny the Republicans the opportunity to organize the chamber. Had a unified coalition of Democrats and Unionists emerged in support of Etheridge, his scheme would have prevailed by a margin of two votes (Belz 1970, p. 562).¹¹

Victorious in the procedural standoff, the Republicans then moved to add the Maryland members to the roll, followed in quick succession by the Missouri, West Virginia, Kansas, and Oregon delegations. Once accomplished, the Republicans turned their attention to organizing the chamber. Schulyer Colfax was elected Speaker on the first ballot, capturing 101 of 180 votes cast (*CG*, 38-1, 12/7/1863, pp. 6–7).¹² He received all 85 Republican votes cast, along with 16 votes from Unionists.

11. The partisan breakdown on the roll call was 0–83 for Republicans, 67– 5 for Democrats, and 7– 6 for Unionists. Party codes taken from Martis (1989), but the following adjustments were made: Unionists are a combined category (Conditional and Unconditional Unionists) and one member's party code was switched (Rufus Spalding of Ohio, whom Martis classifies as a Republican while other sources code him as a Democrat).

12. Although the *House Journal* reports a total of 182 votes, the roll call record only accounts for 180 votes. In addition to Colfax, Samuel S. Cox (Ohio), the chief Democratic candidate, received 42 votes, with the other 39 scattering among six other candidates — John Dawson (Pa., 12 votes), Robert Mallory (Ky., 10), Henry G. Stebbins (N.Y., 8), Austin A. King (Mo., 6), Frank Blair (Mo., 2), and John D. Stiles (Pa., 1). Among Democrats, opposition to Cox came primarily from New York and Pennsylvania. In terms of W-NOMINATE scores, Cox's support was strongest on the left side of the space, that is, among non-Republicans who were most opposed to Republican political-economic policies.

The Union caucus met again that evening to discuss the remaining House officer positions. Ballots were held and the majority winners for four positions — Edward McPherson (Pa.) for Clerk, Nehemiah Ordway (N.H.) for Sergeant-at-Arms, Ira Goodenow (N.Y.) for Doorkeeper, and William S. King (Minn.) for Postmaster — were announced, after which the nominations were declared unanimous (*NYT*, 12/8/1863, p. 1).¹³

The following day, December 8, the House proceeded to the rest of the organization, turning first to the election of a Clerk. James Moorhead (R-Pa.), per the guidelines of the Union caucus, nominated Edward McPherson, a protege of Thaddeus Stevens and former Republican House member in the 37th and 38th Congresses who had lost his reelection bid; Robert Mallory (U-Ky.) nominated Emerson Etheridge, this time as the conservative candidate rather than the administration choice. The latter action was viewed by many Republicans as unseemly. Owen Lovejoy (R-Ill.) stated that the nomination of Etheridge, after his nefarious procedural maneuver, “required a good deal of brass” (*CG*, 38-1, 12/8/1863, p. 11).

The roll was called, and McPherson emerged victorious, capturing 102 of 171 votes cast. He received all Republican votes and most Unionists, with Etheridge polling all Democratic

13. In terms of tallies for the minor House offices, McPherson captured 57 votes against 44 votes for James Buffinton on the sixth ballot for Clerk. The first ballot pitted four Republican ex-House members against each other: McPherson (32 votes), Buffinton (32, Mass.), Samuel C. Fessenden (21 votes, Maine), and Green Adams (14 votes, Ky.). Ordway received 51 of 92 votes cast for Sergeant-at-Arms; Goodenow 55 of 99 for Doorkeeper; and King 66 of 96 for Postmaster. See *NYT*, 12/8/1863, p. 1; *CT*, 12/8/1863, p. 1.

votes and a smattering of Unionists.¹⁴ The elections of the caucus nominees for Sergeant-at-Arms, Postmaster, and Doorkeeper quickly followed suit (*CG*, 38-1, 12/8/1863, pp. 11–12).

The full slate of officers having been elected, Speaker Colfax turned to the task of staffing the various standing committees. In doing so, he took seriously the necessity of sharing power across interests within the party. After consulting with party leaders and cabinet members, Colfax sequestered himself for two full days, producing more than twenty different standing committee configurations before settling on a satisfactory set of assignments (Bogue 1981, pp. 116–17). First, he made sure to reward his chief pre-caucus rival for the speakership, Elihu Washburne (Ill.), by reappointing him to chair the Commerce committee. Colfax's other caucus rival, Reuben Fenton (N.Y.), was awarded with a coveted position on Ways and Means, after a House career that had featured memberships on committees like Private Land Claims and Invalid Pensions. Colfax also placated the moderate wing of his party by distributing the chairmanships of Elections and Judiciary to Henry Dawes (Mass.) and James F. Wilson (Iowa), respectively. His Radical wing received the lion's share of chairmanships, with Ways and Means going to Thaddeus Stevens (Pa.), Public Lands to George W. Julian (Ind.), and Public Expenditures to Calvin T. Hulburt (N.Y.). Finally, he acknowledged the support of the Unionist

14. After his defeat, Etheridge became an even more vociferous critic of the Republican administration. He led a group of conservatives in nominating George McClellan for the presidency. He then ran unsuccessfully for election as a Conservative to the House from his former 9th District in 1865 and to the Governorship of Tennessee in 1867. He finally regained political office with his election to the Tennessee General Assembly in 1869. In time, much to his chagrin, the Conservative movement in Tennessee was subsumed by the Democratic Party. As a result, Etheridge returned to the Republican fold, supporting Rutherford Hayes's presidential bid in 1876, and he remained a loyal party member until his death in 1902.

bloc that made his election possible by appointing Henry Winter Davis (Md.) to chair Foreign Affairs and Brutus J. Clay (Ky.) to chair Agriculture.

Thus, Colfax followed Grow in his dutiful fulfillment of the caucus-led House organization. To secure smooth and seamless decisionmaking in the set of officer elections on the House floor, ideological divisions and conflicts were dealt with at the pre-floor stage, within the majority-party caucus. To insure that the majority-rule decision of the caucus would become the *unanimous* choice of party members on the floor, rewards would need to be meted out — in this case, the Speaker was the key central agent, distributing committee assignments and chairmanships to all factions within the party. And because the party was a continuing institution, the equilibrium was self-enforcing. That is, party leaders desired to insure a steady stream of organizational outcomes into the future; thus, the Speaker, as the agent of the caucus and servant of the party, had no incentive to defect on the caucus-induced equilibrium.

Moreover, events in the 38th Congress, specifically the Etheridge conspiracy, provided Republican House leaders with an additional reason to emphasize the need for pre-floor organization. Apart from the collective benefits of organization generally, Etheridge's failed coup underscored the uncertainty and potential high costs of allowing majority-party factions to sort themselves out on the House floor. The lesson was clear: any individual position-taking benefits that majority-party members might accrue from unconstrained balloting for Speaker were far outweighed by the inherent risks of such an arrangement for the party as a whole.

The Republicans' electoral setback in the midterm elections of 1862–63 was erased by the turnaround in Union military fortunes in late-1864 and 1865. Consequently, Lincoln was reelected in November 1864, and Republican candidates swept the 1864–65 congressional

elections throughout the North. The Republicans would operate in a position of dominance, without serious competition, for the next decade. As a result, Republican organization of the House, with the party caucus serving as the focal point, was relatively straightforward. Schuyler Colfax remained the unanimous caucus choice for Speaker in the 39th and 40th Congresses, and he was reelected by wide margins on the floor, 139–36 and 127–30, respectively. After each election, a set of caucus-nominated candidates for Clerk, Sergeant-at-Arms, Postmaster, and Doorkeeper was elected by resolution, which became the normal form of electing the minor House officers, even though the House rules continued to provide for their election by ballot (*CG*, 39-1, 12/4/1865, p. 5; 40-1, 12/2/1867, pp. 4, 6–7).¹⁵ In each speakership election, Republican unity on the floor was firm. Moreover, Colfax continued to distribute power within the party in an even-handed way, through his committee chairmanships and assignments.

When Colfax left the House at the convening of the 41st Congress (March 1869), having been elected Vice President, the Republicans chose James G. Blaine (Maine) as their candidate for Speaker, without evidence of a serious campaign by Blaine or any other pretender for the office. After Blaine was nominated by acclamation, he would win an easy victory on the floor over the Democratic nominee, Michael Kerr (D-Ind.), on a 135–57 vote that reflected perfect party unity on both sides (*NYT*, 3/3/1869, p. 1; *NYTrib*, 3/3/1869, p. 1; *CG*, 41-1, 3/4/1869, pp.

15. The results were 138–35 and without opposition, respectively. In the 39th Congress, McPherson, Ordway, and Goodenow were renominated for Clerk, Sergeant-at-Arms, and Doorkeeper, respectively, while Joshua Given (Ohio) was nominated for Postmaster. McPherson and Ordway were nominated by acclamation; Goodenow received 66 of 123 votes on a first caucus ballot; and Given received 71 of 119 votes on a second caucus ballot, after no majority winner emerged on the first ballot (*NYT*, 12/4/1865, p. 1). In the 40th Congress, McPherson and Ordway were renominated (unanimously) for Clerk and Sergeant-at-Arms, while Charles E. Lippincott (Ill.) defeated Goodenow for Doorkeeper 64–57 while William S. King (Minn.) defeated Given for Postmaster 61–60, both on a first caucus ballot (*NYT*, 3/5/1867, p. 1).

4–5). Similar victories were had by the set of Republican caucus nominees for the other officer positions.¹⁶

Given Blaine's moderate predispositions, he took special pains to treat the Radical element of the party favorably. He distributed important committee chairmanships to several prominent Radicals, assigning Ways and Means to Robert C. Schenck (Ohio), Judiciary to John Bingham (Ohio), Public Lands to George Julian (Ind.), and Reconstruction to Benjamin Butler (Mass.). He balanced these Radical appointments with a string of important committee chairmanships to influential GOP moderates, with Henry Dawes (Mass.) controlling Appropriations, James Garfield (Ohio) manning Banking and Currency, and Nathan Dixon (R.I.) guiding Commerce (*CG*, 41-1, 3/15/1869, pp. 75–77). Blaine organized the House to allow each wing of the party to follow its major agenda: the Radicals were placed in positions to guide social policy, while the moderates were placed in positions to lead economic/financial policies. His Solomon-like strategy was met with much approval, and he was rewarded with unanimous caucus re-nominations and subsequent floor reelections in the 42nd and 43rd Congresses.¹⁷

16. Although Blaine won nomination by acclamation, the minor offices were all contested in caucus. McPherson, Ordway, and King were renominated for Clerk, Sergeant-at-Arms, and Postmaster, respectively, while Otis S. Buxton (N.Y.) was nominated for Doorkeeper (*CG*, 41-1, 3/5/1869, p. 19). McPherson was challenged in caucus by Ephraim R. Eckley (Ohio) and Samuel McKee (Ky.). McPherson received 83 votes to Eckley's 26 and McKee's 20. Ordway defeated H.W. Washburn (Ind.) on a 75–57 ballot. Buxton defeated W.T. Collins (Minn.) 98–29. King required more than one ballot to narrowly defeat Joshua Given. See *NYT*, 3/3/1869, p. 1; *NYTrib*, 3/3/1869, p. 1.

17. Blaine defeated George W. Morgan (D-Ohio) and Fernando Wood (D-N.Y.) 126–92 and 189–76 (with four votes scattering), respectively (*CG*, 42-1, 3/4/1871, p. 6; *CR*, 43-1, 12/1/1873, p. 6). McPherson, Ordway, and Buxton would also be renominated (and reelected) Clerk, Sergeant-at-Arms, and Doorkeeper, respectively, in these two Congresses, while Henry Sherwood (Mich.) would replace William S. King as Doorkeeper in the 43rd Congress.

Thus, less than a decade after the Civil War, a clear binding caucus on organizational matters had developed in the House. Majority-party members were expected to support caucus nominations, so that the election of House officers, and the subsequent distribution of patronage and power (via committee assignments), could be accomplished in a smooth and timely manner. The binding organizational caucus thus solved the instability problem in speakership elections that surfaced in the last two decades of the antebellum era. The caucus effected a *structure-induced equilibrium* (Shepsle 1979; Shepsle and Weingast 1981) by providing an institutional solution to the organizational difficulties that often spilled out onto the House floor at the convening of a new Congress.

The caucus was *binding* because of the very real sanctions that could be imposed on defectors. As George Alfred Townsend (1873, p. 505–06), the Washington correspondent for the *Chicago Tribune*, stated in his portrait of political life in the Nation's capital, *Washington, Outside and Inside*:

Whoever goes into caucus must abide by its verdict or be dishonored, like the man who gambles and then must pay up, though it be plucking bread from the mouths of his wife and children. He must obey the party behest, conscience or no conscience. ... Suppose a member ... bolts caucus; what are the consequences? He forfeits his right to meet in private sessions of his party again, and one might as well be in limbo now-a-days as in no party.

This theme was echoed a decade later by political scientist Woodrow Wilson (1885, p. 213), in his academic treatise, *Congressional Government*:

There is no place in congressional jousts for the free lance. The man who disobeys his party caucus is understood to disavow party allegiance altogether, and to assume that dangerous neutrality which is so apt to degenerate into mere caprice, and which is almost sure to destroy his influence by bringing him under the suspicion of being unreliable, – a suspicion always conclusively damning in practical life. An individual, or any minority of weak numbers of small influence,

who has the temerity to neglect the decisions of the caucus is sure ... to be read out of the party, almost without chance of reinstatement.

Thus, the conventional wisdom of the time was that caucus violators, or “bolters,” could expect swift reprisals from party leaders. In addition to penalties like having their committee assignments stripped (or their seniority on committees eliminated) and their share of policy spoils taken away, bolters were potentially putting their entire political futures on the line. In short, in the new caucus-driven organizational arrangement, the possibility of being cast out of the party, for all practical purposes, was a credible outcome.

That said, this binding caucus arrangement was limited to organizational matters. Efforts to expand the caucus’s role into the realm of policy, and thus create a legislative structure more similar to a parliamentary system, was attempted, but failed.

At first, though, this possibility seemed far from remote. In the Republican caucus prior to the convening of the 39th Congress, after a slate of officer nominations was determined, a motion was offered by Thaddeus Stevens to appoint a joint congressional committee to examine and report on the former rebel states, specifically to determine if they should receive representation in Congress (*NYT*, 12/5/1865, p. 4; *NYH*, 12/5/1865; *NYW*, 12/5/1865). The motion was considered and unanimously agreed upon. The next day, following the election of House officers, this motion to create a Joint Committee of Fifteen (six members from the Senate and nine from the House) was then considered on the House floor and passed 133–36, with all Republicans voting in support (*CG*, 39-1, 12/4/1865, p. 6). With this vote, Congress, and particularly the Radicals, was given procedural control of southern Reconstruction.

A crucial part of this Radical initiative depended on the House Clerk, Edward McPherson. If a congressional committee was to be put in charge of southern Reconstruction, it

was imperative that the Clerk not recognize southern representatives in his roll of members-elect prior to the organization of the 39th Congress; otherwise, a precedent for readmittance would be set. McPherson, a loyal Republican and advocate of the Radical cause, played his part in the drama, passing over (and thus failing to recognize) members-elect from Tennessee, Virginia, and Louisiana, states that were reorganized along the lines of President Johnson's Reconstruction plan, while allowing no interference or interruption during his call of the roll (Trefousse 1997, pp. 174–76; Jenkins and Stewart 2004).¹⁸

While the Radicals believed the creation of the Joint Committee of Fifteen was merely the first step in a caucus-driven set of Reconstruction policies, many Republican House members viewed this simply as an organizational decision, not unlike those associated with officer elections. As a result, Radical and moderate Republicans continued to lock horns on the true role of the caucus; the former would push to make *all* caucus decisions, organizational *and* policy-related, binding on all members, while the latter would hold fast to the notion that members were only bound to caucus decisions on matters of organization. Blaine, the leader of the moderate wing, articulated a clear view on the issue:

The caucus is a convenience of party organization to determine the course to be pursued in matters of expediency which do not involve question of moral

18. As McPherson had remained loyal at a crucial time, Stevens tapped him for a larger role in the Radical agenda. On March 2, 1867, the penultimate day of the 39th Congress, the House passed a sundry appropriations bill (*Statutes at Large*, 39-2, pp. 466–67). Tucked away in the bill was a provision transferring authority for the selection of newspapers to publish the nation's laws in the former-Confederate states from the Secretary of State, who had possessed this authority since 1787, to the House Clerk. This provision provided McPherson with a prime patronage tool, as the compensation paid to selected newspapers was substantial (Smith 1977, p. 238). Moreover, per Stevens' wishes, McPherson could use this patronage to select newspapers sympathetic to the Radicals' point of view. In Stevens' view, the current Secretary of State, William Seward, was not reliable, as he would likely pursue a more moderate course.

obligation or personal justice. Rightfully employed, the caucus is not only useful but necessary in the conduct and government of party interests. Wrongfully applied, it is a weakness, an offense, a stumbling-block in the way of party prosperity (Blaine 1886, p. 504).

While Radical leaders routinely threatened moderates with expulsion when divisions on Reconstruction-related policies emerged in caucus, they were unable to bind members on policy. The Radicals simply were not a large enough faction within the party to employ effective coercion, certainly not without risking the health and future well-being of the party as a whole. Moreover, public opinion was not on their side; mainstream media outlets, like the *New York Times*, echoed Blaine's perspective, framing caucus-imposed constraints on questions of policy as inherently undemocratic:

The party caucus which may be usefully employed to promote a private citizen to the rank of Sergeant-at-Arms is hardly the sort of thing by which to operate upon men's convictions in concerns of national import (*NYT*, 1/18/1866, p. 4).

The obvious use of a caucus is for consultation and exchange of views. A vote of a legislative caucus is not binding upon its members, but decides how many of those present are in favor of a certain outcome. ... when a caucus ... takes away a man's right of private judgment, it becomes an instrument of oppression; it cannot long live (*NYT*, 3/11/1875, p. 6).

Thus, Republican divisions on issues like the impeachment of President Johnson and the granting of amnesty to former-Confederate soldiers created disagreements in caucus that inevitably spilled out onto the House floor. While the Radicals won some policy victories, like the creation of the Freedman's Bureau and the construction of the Reconstruction amendments, they were reigned in by the lack of a binding caucus on policy. Thus, the course of southern Reconstruction was not as extreme as the ideal Radical blueprint would have prescribed.

The Democrats Embrace the Caucus

The Republicans were not alone in recognizing the importance of the binding organizational caucus. During their time as the minority party, the Democrats had striven to present themselves as a unified opposition. While the Republicans' sizeable numerical advantage made this coordination hopelessly in vain, Democratic leaders viewed the effort as an investment that would yield dividends when the party regained the majority.

Throughout the 1860s, the Democrats labored in the shadows of the majority Republicans. As far as we can tell, leadership of the party throughout the decade was uncontested in caucus, as a series of certain losers were given the dubious honor of being named the party's choice for Speaker — James Brooks (N.Y., 39th Cong.), Samuel Marshall (Ill., 40th Cong.), Michael Kerr (Ind., 41st Cong.), and George W. Morgan (Ohio, 42nd Cong.). This changed at the opening of the 43rd Congress (1873–75). Even though Democrats were once again in the minority, they had experienced their best showing in any presidential year since 1860. With readmitted southern states sending more and more Democrats to Washington, the Democratic leadership was now valuable, and it was contested.

The Democratic caucus that preceded the opening of the 43rd Congress was a trial run for later caucuses when the Democrats actually held the majority. Three candidates presented themselves for the honor of being given the party's nomination for Speaker — Fernando Wood (N.Y.), James C. Robinson (Ill.), and Samuel S. Cox (N.Y.).¹⁹ Wood led on the first ballot with 30 votes, against 20 for Cox and 19 for Robinson. On the second ballot Robinson's supporters

19. Cox had served previously in the House as a member from Ohio and had run unsuccessfully for Speaker in the 38th Congress. After losing his reelection bid in 1864, he moved to New York, where he curried favor with the Tammany politicians. Eventually, he earned their trust and received their backing in his return to Congress. See Lindsey (1959).

united behind Wood, giving him 44 votes, to 22 for Cox and 4 votes scattered among four other candidates (*NYT*, 11/30/1873, p. 1). Reflecting deep divisions over Wood's prominent role in the congressional salary increase — the so-called “Salary Grab” — in the 42nd Congress, the caucus broke up rancorously, with several Democrats threatening to bolt and support Blaine. The next day when the House organized, one Democrat — Harry B. Banning (Ohio) — did in fact support Blaine, and three others cast their votes for Democrats other than Wood — Richard Bland (Mo., who voted for Alexander H. Stephens, Ga.), Thomas J. Creamer (N.Y., who voted for Heister Clymer, Pa.), and William S. Holman (Ind., who voted for Cox).

The Democrats largely stayed unified on organizational votes through the 43rd Congress, when these votes were largely symbolic. Staying together would be more consequential at the start of the 44th Congress (1875–77), which followed on the heels of the Democratic landslide in the midterm elections of 1874–75. The organization of the House was theirs to lose, as they controlled 176 of 292 seats at the outset (Dubin 1998, p. 235). Yet, the Democrats struggled for an identity, being comprised of a heterogenous group of members — protectionists and free traders, inflationists and hard-money advocates, reformers and machine politicians, among others. Democratic leaders looked to the caucus to produce the framework for an organization.

As members began arriving in Washington, and as the caucus meeting approached, politicking on possible speakership candidates was rampant.²⁰ Eventually three candidates emerged — Michael Kerr (Ind.), a hard-money, anti-tariff intellectual; Samuel Randall (Pa.), a pro-tariff, pro-South, machine politician; and Samuel S. Cox (N.Y.), the Tammany-backed spoilsman and political opportunist — none a clear favorite. Fernando Wood (N.Y.) originally

20. See *NYT*, 11/26/1875, p. 1; 12/1/1875, p. 1; 12/2/1875, p. 1; 12/3/1875, p. 1; 12/4/1875, p. 1.

worked to receive the nomination, but withdrew on the eve of the caucus, devoting his energies to the canvass for Randall (*NYT*, 11/26/1875, p. 1; *BG*, 12/1/1875, p. 1).

On Saturday, December 4, 1875, the Democratic caucus convened. The first ballot read Kerr 71, Randall 59, and Cox 31. A second ballot was then held, with Kerr receiving 77 votes to Randall's 63, and Cox's 21. Finally, on the third ballot, Kerr emerged victorious, garnering 90 votes to Randall's 63 and Cox's 7. Randall was then recognized and urged the Democrats to coalesce in harmony; to that end, he moved that Kerr's nomination be made unanimous, which carried amid applause (*NYT*, 12/5/1875, p. 1; *NYTrib*, 12/6/1875, p. 2).²¹

When the 44th Congress convened two days later, the speakership balloting went according to plans: Kerr emerged as the winner on the first ballot, besting Blaine 173–106 on a strict party line vote.²² Kerr would then play his part in promoting party harmony and maintaining the caucus-induced House organization by appointing Randall to chair Appropriations and Cox to chair Banking and Currency. To round out the major “money” committees, Kerr appointed William H. Morrison (Ill.), a midwestern colleague who shared his own policy views, to chair Ways and Means. Power was thus parceled out among the Democratic factions, with no one faction gaining an exclusive advantage on tariff and currency legislation as the House opened for business.

Kerr died shortly after the completion of the first session of the 44th Congress, leaving the speakership vacant. The choice of Speaker in this instance helped provide a footnote to the

21. For an extensive analysis of the speakership election of 1875, especially the Democrats' pre-caucus and caucus politicking, see House (1965).

22. The three scattering votes were cast by members who had caucused with neither major party.

disputed Hayes-Tilden presidential race, since the winner would be responsible for protecting Tilden's interests in the outcome of the affair. The race shaped up to be a reprisal of the earlier contest, with Kerr removed and a couple of stalking horses (William R. Morrison, Ill., and Milton Saylor, Ohio) added to the mix in the event the caucus deadlocked. Tilden's interest in the speakership contest led him to announce a preference for Randall. As the caucus convened, Morrison withdrew in deference to Randall and Saylor withdrew in favor of Cox. Randall narrowly prevailed against Cox, 73–63 (*BG*, 12/1/1876, p. 1; *NYT*, 12/3/1876, p. 7), and would go on to defeat James Garfield (R-Ohio) for the speakership, 162–82.

Randall would be reelected Speaker in the next two Congresses. In both instances, he was challenged in caucus, but survived with first-ballot victories. And, each time, Democrats rallied around him on the floor once the matter had been settled in caucus.

While it is perhaps not surprising that Randall held his party together on the floor at the start of the 45th Congress (1877–79), when the Democrats maintained a slim majority, the same cannot be said about the start of the 46th (1879–81), when the Democrats held only a plurality of House seats. Overall, the 1878 midterm elections had been a mixed bag for the party nationally, as Democrats lost seats in the House, moving from a majority of 19 to a plurality of 9, but gained seats in the Senate, moving from a minority of five to a majority of nine (Martis 1989, pp. 130–33). The balance in the House was held by thirteen Greenbackers, third-party members who had presented problems for both Democrats and Republicans, as the lingering effects of the Panic of 1873 persisted and the implementation of the Specie Resumption Act loomed.²³

23. This Act, passed on January 14, 1875, provided for the redemption of paper currency (or “greenbacks”) in gold, beginning on January 1, 1879. See *Statutes at Large*, 43-2, p. 296.

Democrats from the south and west argued that Greenback gains were a signal for Democrats to embrace soft money and tariff reduction as a way to regain the presidency in 1880. Practically speaking, with the election of thirteen Greenbackers to the 46th Congress, considerable Greenback sympathy among southern and Midwestern Democrats, and a small numerical Democratic advantage over the Republicans, the ingredients were in place for a return of antebellum patterns in the organization of the House. Randall's hold on the speakership was immediately cast in doubt once the midterm results were known.

Adding to the complications of organizing the 46th Congress was the deadlock that emerged at the end of the 45th Congress over the appropriations bills, particularly the Army bill, which Democratic House members were intent upon using to bar federal poll watchers from southern elections (Stewart 1989). The 45th Congress adjourned without the Army bill passing, which prompted President Hayes to call Congress into special session on October 15 to deal with the unpassed appropriations bills and ambassadorial nominations. Therefore, unlike most years, when speakership contests could unfold across a full calendar year and take advantage of the summer/fall recess for the canvassing of support, the speakership contest of 1879 was compressed into a very small time window.

Three speakership campaigns emerged.²⁴ On the Democratic side, supporters of Joseph J. Blackburn (Ky.) organized quickly and actively, making explicit appeals to substance (i.e., soft

24. The following account is generally taken from the following newspaper articles: *BG* 2/11/1879, p. 1; 2/13/1879, p. 1; 3/5/1879, p. 1; 3/7/1879, p. 1; 3/8/1879, p. 1; 3/10/1879, p. 1; 3/13/1879, p. 1; 3/17/1879, pp. 1, 3; 3/18/1879, p. 1; 3/19/1879, p. 1; 3/24/1879, p. 2; *WP* 11/15/1878, p. 1; 11/11/1878, p. 2; 2/14/1879, p. 1; 2/15/1879, p. 1; 3/7/1879, p. 1; 3/11/1879, p. 1; 3/14/1879, p. 2; 3/15/1879, p. 2; 3/17/1879, p. 2; 3/17/1879, p. 1; 3/18/1879, p. 1; 3/21/1879, p. 1; 3/22/1879, p. 2; 3/26/1879, p. 1; *NYT* 3/7/1879, p. 1; 3/8/1879, p. 1; 3/10/1879, p. 1; 3/16/1879, p. 1; 3/17/1879, p. 1; 3/18/1879, p. 1; 3/19/1879, p. 1; 3/20/1879, p. 1.

money) and to region — on this latter point, the realization that southerners now constituted a majority of the Democratic caucus and that Blackburn had been an officer in the Confederate Army was lost on no one. Randall, preoccupied with House business, was less quick to act, but his supporters likewise set up shop. Not to be outdone, the Greenback central committee also established a campaign operation, headed by James B. Weaver (Iowa). Interestingly, not only was there little evidence of overt Republican organization for the speakership campaign, but the one mention of Republican efforts came in a reported telegram from James Garfield (Ohio) to Randall offering Republican help should he need it on the House floor (*WP*, 3/11/1879, p. 1).

Congress had been called into session on Tuesday, March 18, 1879. Under past practices, the party caucuses would have convened the night before the formal opening of Congress to decide on their nominations. In this case, however, senior Democratic leaders were uncertain enough about Greenback strength and tactics that they allowed extra time to organize if the caucus did not evolve smoothly. Therefore, the Democrats called their caucus for three days before the House's convening, on Saturday, March 15.

Going into the caucus meeting, both the Randall and Blackburn forces claimed substantial support — Randall maintaining that 93 votes were locked up and Blackburn 69 (*NYT*, 3/17/1879, p. 1). If Blackburn's numbers were solid, then it spelled danger for Randall, and perhaps the whole party, since it portended the possibility of a multi-ballot affair in caucus that might spill onto the House floor.

As the caucus was forming, a significant arrival was that of Samuel S. Cox (N.Y.), who had been identified as a possible nominee of the Greenbacks. Cox left the chamber when his name was placed in nomination, according to the custom, but his appearance and willingness to

contest within the Democratic caucus was taken as evidence that the Democrats would be able to confine the conflict within the caucus itself.

A motion to vote in caucus by secret ballot passed; this was seen as a test of strength between the two candidates, which Randall won.²⁵ The roll call took an hour and a half to complete, and in the end, the pre-caucus support of each candidate had proven to be over-stated, but more so for Blackburn — Randall received the support of 75 members of his caucus, compared to 57 for Blackburn, and nine other votes scattered among Cox, John McMahon (Ohio), and William Morrison (Ill.).

Immediately upon the announcement of the tally, Blackburn entered the chamber and asked recognition from the chair. At the end of a “manly speech,” Blackburn made the following appeal:

I am a party man. I am a partisan, not for the sake of a party, but because I honestly believe the best interests of my country are to be subserved by the triumph of my party’s principles. I have this to say: The edict of this caucus is to be final and conclusive, and if there be one among the 57 gentlemen whose partial friendship has given me their votes that hesitates or doubts, to him I now appeal to make the verdict of this caucus effective when to-morrow’s roll is called. (*BG*, 3/18/1879, p. 1; *NYT*, 3/18/1879, p. 1)

Blackburn then continued, “I move you Sir, that the nomination of the gentleman from Pennsylvania [Mr. Randall] for Speakership of the House of Representatives of the Forty-sixth Congress be made unanimous.”

25. Why Randall would have supported a secret ballot was never made clear in newspaper accounts but, presumably, Randall relied on southern support, some of which would have melted under public scrutiny. Thus, it appears that Randall had learned the long-run lesson of the antebellum *viva voce* reform, which was that interregional partisan alliances were more stable when cloaked in secrecy.

Whether the Democrats would in fact close ranks around Randall would only be known the next day. Since only four Democrats (excluding the nominated candidates) had been absent from the caucus meeting, any defection from Randall would be a sign of the caucus's weakness as an organizing tool.²⁶

Once the roll had been called and the House turned to the business of organizing, Randall and James Garfield were placed in nomination, as expected, by their respective parties. Gilbert De La Matyr (G-Ind.), a Methodist preacher whose one term of service was in the 46th Congress, caused a stir by rising and placing in nomination Hendrick B. Wright, a Democrat from Pennsylvania. This development caused a physical reaction from Randall and a ripple of worry among Democratic leaders. In the end, the worry was unfounded. The Democrats remained solidly behind Randall, as he collected 143 votes, to 125 for Garfield, 13 for Wright, and 1 for William "Pig Iron" Kelley (R-Pa.). Only one Democrat, Adlai Stevenson (Ill.), supported Wright.²⁷ The rest of Wright's support came from Republicans and Greenbackers.

In the end, the only true drama came when it was realized that Randall had received a majority of all votes cast, but not a majority of all *members elected*.²⁸ As Omar Conger (R-Mich.) appealed to the Clerk to declare that a majority of all elected members was necessary for

26. Other than the nominated speakership candidates, the absent Democrats were identified as Wright (Pa.), Alfred M. Lay (Mo.), Daniel O'Reilly (N.Y.), and David B. Culberson (Tex.). In the end only Wright abandoned Randall.

27. Wright, himself, did not vote. Martis classifies Wright as a Greenbacker during the 46th Congress, but all the press accounts, and his subsequent behavior in attending Democratic caucuses, lead us to classify him as a Democrat.

28. There were 293 House seats in the 46th Congress, but at the time of the speakership election, two were vacant (12th District seat in New York and 6th District seat in Texas) and California had yet to hold its elections for four seats (see Dubin 1998, p. 249). Thus, there were 287 members elected, requiring a successful Speaker candidate to win 144 votes for a majority.

the selection of a Speaker, Democrats filibustered long enough to allow for the arrival of Daniel O'Reilly (D-N.Y.) from the train depot, who demanded to have his vote (no. 144) counted for Randall, thus giving Randall a bare majority of members elected and leaving Conger's point moot (*NYT*, 3/19/1879, p. 7).²⁹

For his part, Randall smoothed over the factional rift in his party through his committee appointments. Randall rewarded Blackburn by appointing him to Appropriations, after first offering him the chair of Banking and Currency, and to Rules (*BG*, 4/6/1879, p. 1).³⁰ Since the most important piece of business for the special session was the negotiation over the Army appropriations bill, with its restriction on southern poll workers the sticking point, Randall's appointment of Blackburn to Appropriations and his continued chairmanship of the Expenditure in the War Department committee was more than symbolic — it was a strong signal that the national Democratic party was committed to dismantling Reconstruction.

Overall, Randall's committee assignments were viewed as equitably balancing the regional interests of his party (*BG*, 4/12/1879, p. 1; *NYT*, 4/12/1879, p. 5; *WP*, 4/12/1879, p. 2). Of the fifty-two committees, twenty-six were chaired by northerners and an equal number by southerners. The *Boston Globe* correspondent reported that the

anti-Randall element among the Democrats has been treated much better than it was two years ago — as well, perhaps, as could be expected, or as [John] Atkins [D-Tenn.] put it today, “as well as was possible, under the circumstances; that is,

29. In his response to Conger, the Clerk, George M. “Green” Adams, stated that his opinion was that “it requires a majority of those voting to elect a Speaker” (*CR*, 46-1, 3/18/1879, p. 5). Thus, it appears that if O'Reilly had not made a last minute appearance, Adams was prepared to push forward and announce that Randall had been duly elected with 143 votes.

30. A preliminary account that Randall had named Blackburn to chair Appropriations was in error. See *BG*, 3/18/1879, p. 1.

as well as the speaker could do without reflecting upon his own friends.”
(4/12/1879, p. 1)

The Democratic desire to court those with soft money sentiments was acknowledged with committee assignments that caused the Greenback members to be “highly pleased” (*WP*, 4/12/1879, p. 1). Gilbert De La Matyr (Ind.), who had acted as the leader of the Greenbacks when he nominated Wright, was placed on Coinage, and remarked that he felt his party had been treated handsomely. The same was not the case for the nominal Democrats who had dallied with the Greenbacks on the vote for Speaker. Wright himself, who had chaired Manufactures in the 45th Congress, was removed from the committee altogether, allowed to retain his seat on Public Lands, and given the chair of a select committee to investigate “the depression of labor.” This latter committee was viewed as a platform for Wright and accorded little weight as far as influence in the chamber went.³¹ On the other hand, Stevenson was appointed to chair the Mines and Mining Committee and given a seat on the Private Land Claims.

Thus, Randall, like Kerr and the Republican Speakers before him, put party interests ahead of his personal preferences, by preserving the organizational equilibrium that had developed around caucus decision making and the distribution of power (via committee assignments) in the chamber.

Factional Divisions and Threats to the Caucus Organization

While the congressional party caucuses would emerge to be critical organizational instruments in House politics between the 38th and 46th Congresses (1863-1881), the equilibrium nature of

31. The *New York Times* correspondent that analyzed the composition of the committee referred to Wright as a “lunatic” (*NYT*, 4/12/1879, p. 4).

their design would be directly challenged during the Gilded age. Specifically, the binding commitment attached to the organizational party caucus would be tested by several intraparty speakership battles within a span of ten years.

The first such case would be in the 47th Congress (1881–83), when the Republicans regained control of the chamber in the national elections of 1880, riding the presidential coattails of James Garfield back into power. The world had changed considerably since their last period of majority control in 1875: the Reconstruction of the South had ended, the protective tariff and currency issues had come to dominate the national agenda, and clear factions within the Republican party had developed. This new context would frame the battle within the Republican caucus over officer selection, specifically the choice of Speaker.

Nearly a month before the convening of the 47th Congress, in December 1881, the jockeying over the speakership was already in full swing. Several contenders had emerged and descended on Washington, to set up their campaign operations in anticipation of the arrival of the Republican House members. These Republican speakership hopefuls were Frank Hiscock (N.Y.), J. Warren Keifer (Ohio), Thomas B. Reed (Maine), Julius Burrows (Mich.), Mark Dannel (Minn.), and John Kasson (Iowa) (*NYT*, 11/17/1881, p. 1). A seventh contender, Godlove Orth (Ind.), emerged shortly thereafter.

For the next three weeks, the Republican speakership jockeying would be covered extensively in the national press. Of the seven candidates, three received the lion's share of the news coverage: Hiscock, who was perceived as the eastern candidate and front-runner going into the caucus; Keifer, who had sizeable support in the midwest; and Kasson, who was the leading

candidate of the west.³² All of the others were viewed mostly as “favorite sons.” Nevertheless, there was a general belief that a first-ballot winner would not emerge; thus, the supporters of these minor candidates would be critical in the eventual election of one of the major candidates. As a result, newspaper stories were rife with rumors of various “combinations.”

On December 2, 1881, one day before the convening of the Republican House caucus, a decided change in the mood of the speakership campaign occurred. Suddenly, Keifer was viewed as the frontrunner, as party bosses began cutting deals behind the scenes. To that point, any issues of concern raised in the press were sectional, with members from various regions discussing the role of geographical considerations in the distribution of power within the party. Now, the campaign appeared to hinge on ideological concerns, specifically the direction of the Republican party in the short-term. Specifically, leaders of the party’s two major factions, the “Stalwarts” and “Half Breeds,” began to view the speakership as a chit in their tug-of-war for control of the party. The Stalwarts represented the conservative wing of the party; they were machine politicians who survived on patronage politics and thus opposed the reform efforts (like civil service reform) that had arisen in the late-1870s. They had been major supporters of the Grant Administration and Reconstruction, and had opposed President Hayes’s decision to forego the continued maintenance of a southern wing of the party. The Half Breeds represented the moderate wing of the party; they were less dependent on patronage politics and worked to design a more pragmatic party, especially one tied to the interests of the business community. They

32. See *NYT*, 11/17/1881, p. 1; 11/25/1881, p. 1; 11/27/1881, p. 1; 11/28/1881, pp. 1, 4; 11/29/1881, p. 1; 12/1/1881, p. 1; 12/2/1881, p. 1; and *CT*, 11/27/1881, p. 3; 11/28/1881, p. 1; 11/29/1881, p. 2; 11/30/1881, p. 2; 12/1/1881, p. 4; 12/2/1881, p. 2.

were open to moderate reform efforts, supported the end of Reconstruction, and favored Hayes's approach of courting white southern Democrats.³³

Keifer's sudden rise was connected to a deal struck between two Stalwart leaders, former-Senator Roscoe Conkling, the New York party boss, and Senator J. Donald Cameron, the Pennsylvania party boss. Conkling considered Hiscock, his fellow New Yorker, to be closer to James Blaine and the Half Breeds, while he viewed Keifer, a former Civil War general, proponent of Reconstruction, and supporter of Grant, as more of a Stalwart.³⁴ To maintain congressional patronage, and control of committees to which potential reform legislation would be assigned, Conkling and Cameron agreed to throw their influence behind Keifer. Cameron, in particular, was able to convince all but one of the 18 members of the Pennsylvania delegation to support Keifer, after many of them had previously pledged their support to Hiscock. These efforts were supplemented by the influence of President Chester Arthur, a Stalwart and former Conkling lieutenant, who ascended to the presidency after Garfield's assassination. Arthur's control of executive patronage was a useful tool in assembling a Stalwart House organization, especially in acquiring the support of the ten Republican members from the South.³⁵

33. For a more extensive description of the Stalwarts and Half Breeds, see Morgan (1969), Doenecke (1981), and Peskin (1984).

34. Conkling did not view Keifer as a "prime" Stalwart, however, as Keifer had supported John Sherman (Ohio) and then James Garfield (Ohio), rather than backing Grant, in the Republican National Convention of 1880. Still, Keifer was a loyal Grant supporter during Grant's presidency, while Hiscock had been a vocal Grant opponent in 1872. Thus, Keifer, in Conkling's mind, was the best option among the "eligible" candidates. See *NYT*, 12/3/1881, p. 3.

35. For a detailed account of the Stalwart intrigue, and the roles played by Conkling, Cameron, and Arthur, see *CT*, 12/3/1881, p. 3; 12/9/1881, pp. 4, 9; and *NYT*, 12/3/1881, pp. 1, 4; 12/4/1881, pp. 1, 8.

When the Republican caucus met on December 3, 1881, the speakership divisions were apparent. On the first ballot, thanks to the Stalwart efforts on his behalf, Keifer led the crowded field with 52 votes, followed by Hiscock with 44, and 50 votes scattering among Kasson, Reed, Burrows, Orth, and Dunnell. A second ballot was then taken, with very little change. It became apparent that an immediate decision would not occur, and, indeed, a protracted contest was underway. Six hours and sixteen ballots would eventually be needed to settle the nomination battle. (The individual ballot results appear in Appendix 6.) Keifer maintained his lead throughout, Hiscock steadfastly held on to second place, while the minor candidates persevered and remained in the race. Eventually, Burrows relinquished his voters following the fifteenth ballot, and Hiscock and Kasson immediately followed suit. Many of these voters swung their support to Keifer on the sixteenth ballot, providing him with enough votes for victory. Each of the minor candidates hoped by staying in the race that he might emerge as the compromise candidate. Yet, Keifer's vote-total remained strong, and Burrows, Hiscock, and Kasson finally acquiesced and allowed Keifer to take the nomination. In doing so, they hoped to be rewarded later in the committee assignment process.

The drama then continued with the nomination for Clerk. Edward McPherson (Pa.), the former House Clerk in the 39th through 43rd Congresses, was the clear frontrunner in the pre-balloting period. However, McPherson had run afoul of Cameron and his Pennsylvania cronies during the 1880 Republican National Convention, and Cameron wished to exact revenge by denying him the clerkship nomination. Unfortunately for Cameron, McPherson was well liked by Republican House members and won an easy victory on the first caucus ballot, collecting 92 votes to 42 for Joseph H. Rainey, a former House member from South Carolina, with seven votes

scattering (*CT*, 12/4/1881, p. 9). Two members of the Pennsylvania delegation — Samuel F. Barr and Russell Errett — refused to accept McPherson's nomination, however, and vowed to oppose him on the House floor. Three other Pennsylvania members also threatened to follow suit. A possible caucus bolt was in the offing (*NYT*, 12/5/1881, pp. 1, 4).

The stage now shifted to the opening of the 47th Congress on December 5, 1881. As the Republicans controlled only 146 of 293 House seats, one short of a bare majority,³⁶ the party's caucus nominations seemed quite precarious on their face.³⁷ Despite receiving voting assurances from three minor party members — Independent Republican J. Hyatt Smith (N.Y.) and Readjusters John Paul (Va.) and Abram Fulkerson (Va.) — a successful Republican organization was susceptible to any number of possible defections: several disgruntled Half Breeds could hold out to challenge the Stalwart organizational plan; a sectional alliance could form to extract additional benefits; the Pennsylvanians could try to deny McPherson the clerkship; and so on.

None of these disastrous scenarios transpired. Keifer was elected Speaker on the first House ballot, receiving 148 votes — *all* of the 145 Republicans (he himself abstained) plus the three pledged minor party members — to 129 for Samuel Randall (Pa.) and eight for Nicholas Ford (Mo.), the Greenback candidate. McPherson was also elected on the first House ballot, receiving the *same* set of 148 votes (which, of course, included the full Pennsylvania delegation). Thus, amidst the slimmest of party margins, the Republicans maintained perfect unity and successfully elected their caucus nominees.

36. The Republicans would add five seats via election contests in the 47th Congress, bringing their total to 151 seats. See Jenkins (2004).

37. Third-party House members – Greenbackers, Readjusters, and Independents – numbered between 11 and 14 in the 47th Congress (depending on the party codes of Dubin and Martis).

And what of the threatened bolt by the Pennsylvania members on the clerkship election of McPherson? As noted, the bolt did not occur, in large part due to the actions of J. Donald Cameron in leading his state delegation. As the *New York Times* (12/5/1881, pp. 1, 4) reported:

Senator Cameron bitterly opposed McPherson's nomination, but this opposition will not be maintained against the action of [the] caucus.... [h]is prompt disavowal of sympathy with the action of the threatening Pennsylvanians is undoubtedly prompted by a sincere desire to preserve intact the caucus as a direct means of grace.

Thus, Cameron accepted the caucus decision and turned the partisan thumbscrew to insure its success. As a result, Barr, Errett, and all other Pennsylvanians who had considered a bolt "had been led to perceive the folly of the course they had marked out for themselves and their votes were found recorded for [McPherson]" (*NYT*, 12/6/1881, p. 1).

Cementing the party unity on the floor, and the maintenance of the caucus-induced equilibrium, was the distribution of standing committee assignments, especially the committee chairmanships. Keifer took his time putting his committee slates together, amid almost constant speculation in the press, finally releasing the results more than two weeks after the conclusion of the speakership contest. The list was both balanced, to maintain harmony across the various geographic and ideological interests in the party, and structured to reward his caucus supporters. Keifer appointed Hiscock, his chief rival, to chair Appropriations. He also took care of his other speakership rivals, appointing Burrows Chair of Territories, Reed Chair of Judiciary, and Kasson and Dunnell to prime positions (the second and third spots) on Ways and Means. In sum, Pennsylvania received seven chairmanships, Ohio four, and New York and Wisconsin three each, reflecting Keifer's winning coalition. The western states received a number of prime committee positions and chairmanships, and were provided with a stacked Coinage committee,

which would be open to a liberal silver policy. Ways and Means was largely protectionist, but there was also widespread sentiment within the committee that a slight downward revision in tariff schedules was prudent.

Thus, amid squabbles in the GOP caucus and in the face of a razor-thin partisan margin in the chamber, the caucus-speaker-committee institutional arrangement held fast and preserved a seamless House organization for the Republicans. While the organizational efficiency of this institutional arrangement was impressive, its normative aspects drew criticism. At a time when the press had jumped on the government-reform bandwagon, the institutional equilibrium inherent in the House's organization reeked of corruption. The following editorial from the *Chicago Tribune* (1/11/1882, p. 4) captures this sentiment well:

The case of Mr. Speaker McKeever, *alias* Keifer, promises to become a leading case, so to speak, on the subject of abuses in the appointment of House Committees. Doubtless no Speaker of the National House of Representative has, for many years, reached the dignity of the gavel without having "traded" more or less in committee assignments. It is part and parcel of the spoils system which is the shame of American politics. "You tickle me and I'll tickle you," insinuatingly remarks the candidate for the Speakership to this and that member of the House. Precisely as the candidate for Congress offers a post-office, or a Deputy-Marshalship for a vote in convention, so the candidate for the Speakership offers this or that place or this or that committee for a vote in caucus... What could be more monstrous than the act of the Speaker of the House of Representatives in converting the committee assignments at this disposal into a certain kind of patronage to be distributed among those who howled the loudest for his election? ... Exactly when trading in committee-ships began it is not necessary to inquire. It began a long time ago, and has been continued down to the present time. Mr. Speaker Keifer is charged with having reduced committee-ship trading to a science.

Arguments such as these aside, the institutional arrangement was securely in place, and from the vantage point of congressional party leaders, it was doing the job.

The very next Congress (the 48th) was another instance of party control of the chamber giving way to a contentious battle over the nomination followed by a unified front on the House floor. On the surface, the Democratic speakership contest in 1883 resembled the one in 1877, as the two major protagonists were Samuel Randall and a leading anti-protectionist from Kentucky, this time John G. Carlisle.³⁸

But party politics had changed in the ensuing decade, setting the stage for the triumph of a border state southerner. The end of Reconstruction had diffused regional issues *per se*. The issue of the protective tariff had risen to preeminence in national politics, with the great majority of Democrats favoring a “tariff for revenue only.” This turn of events put Randall’s protectionist stance significantly out of the party mainstream; nevertheless, his allies fought hard for his reelection, and a spirited speakership campaign arose and extended over much of the year (Barnes 1931). Finally, on December 1, 1883, the Democratic caucus met and Carlisle emerged victorious, garnering 106 votes, to 52 for Randall, and 30 for Samuel S. Cox (*NYT*, 12/3/1883, p. 1). One distinctive feature of the caucus was that the vote was taken *viva voce* — a decision that was regarded as a test of strength for Randall which he lost badly.³⁹ While the individual votes

38. Indeed, it could have seemed *exactly* like 1877, since Blackburn was initially a candidate for Speaker. Eventually, Blackburn and Carlisle worked out a deal in which Blackburn would contest the reelection of John Williams to the Senate in February 1884, with Carlisle’s assistance (*NYT*, 8/30/1883, p. 1). Carlisle publicly denied the tit-for-tat (*NYT*, 9/3/1883, p. 1), but following the *Times* report, Blackburn was never mentioned in any press accounts as an active speakership candidate again, and his efforts on behalf of Carlisle were regularly noted. Blackburn eventually defeated Williams for a Senate seat in a nineteen-ballot contest. Although Carlisle’s name was consistently mentioned as the logical compromise candidate, he never consented to having his name put forward.

39. As in the speakership nomination contest of 1879, Randall’s only hope rested on his ability to gain support from southerners whose constituents regarded Randall’s protectionist stance an anathema. Without a secret ballot in place, there was no cover to cut deals.

appear to have been lost to the dustbin of history, the state-by-state tallies have not; they are reported in Table 8-1 and reveal the strong regional structuring of the vote, particularly among Randall's supporters.⁴⁰

[Table 8-1 about here]

In keeping with past practice, Carlisle treated his chief caucus opponent, Randall, well, appointing him Chair of Appropriations and assigning him the third-ranked position on Rules (behind himself and his Kentucky ally, Joseph Blackburn). This maintained harmony between the pro- and anti-tariff factions in the party. Carlisle would be unanimously reelected as the Democratic caucus nominee for Speaker in the 49th and 50th Congresses, and go on to win an easy victory on the House floor each time.

The Republicans returned to power in the 51st Congress (1889–91), and an intense struggle for the speakership nomination ensued. Thomas B. Reed (Maine) eventually emerged victorious on the second caucus ballot. Like the Democrats in the 48th Congress, the Republican canvass in the 51st centered around the major ideological division in the party which also had a strong regional structuring. The issue in this instance was not the tariff, but industrial development and matters like currency and Mississippi River improvements. Republicans tended to sort on these issues based on how far their districts were from East-coast money centers. As a consequence, the candidates who emerged were readily identified along an East-West divide. The eastern pole was anchored by Reed; the primary western candidate was William McKinley, Jr. (Ohio).

40. Further statistical analysis, not reported here, reveals that as much as region, the state delegations that stood the firmest behind Carlisle were also the least protectionist.

The westerners together received a bare majority of the votes on the first ballot, but a shift of seven votes toward Reed on the second ballot was sufficient to ensure his victory (*CT*, 12/1/1889, p. 1). Table 8-2 reports the distribution of candidates' votes on the first ballot by state. Three minor candidates — Joseph Cannon (Ill.), David Henderson (Iowa), and Julius Ceasar Burrows (Mich.) — were essentially favorite sons, who were available should the balloting become protracted. Reed showed his greatest strength in his home region as well, but also drew support outside his regional base; this was also true of McKinley's support, to a lesser degree.

[Table 8-2 about here]

Reed moved quickly to mend fences via his committee assignments. He elevated McKinley to the chairmanship of Ways and Means and placed him in the second spot on Rules — making him the *de facto* chair of that committee, too.⁴¹ Cannon was allowed to claim the chair of Appropriations (he had been the ranking minority member for two Congresses), though he was demoted to third on Rules, to make way for Reed. Reed then split the “pork barrel” between Henderson and Burrows. Henderson was given the chair of Rivers and Harbors, having been the ranking minority member on the committee since the 48th Congress, while Burrows was provided with the chair of Levees and Improvement of the Mississippi River.

An odd coda ended the organization of the 51st Congress. On the whole, the caucus actions were ratified on the House floor when it convened to organize. Reed defeated Carlisle for Speaker, 166–154, and then the Republican nominees for Clerk, Sergeant-at-Arms, and

41. The Speaker was the chair of the Rules Committee at the time. However, news accounts during this period make it clear that the Speaker often did not take an active role in the deliberations of Rules, leaving it to the second-ranked member to run its day-to-day business.

Doorkeeper were elected “in a bunch” and without opposition (*NYT*, 12/3/1889, p. 1). Then came the election of the Chaplain. When the resolution was presented to elect Charles B. Ramsdell, the Republican nominee, Joseph B. Cheadle (R-Ind.) moved to substitute the name of William H. Milburn, the incumbent (Democratic) chaplain.⁴² The substitute passed, first on a teller vote, and then on a roll call vote of 160–155, with four Republicans bolting and supporting the Democratic chaplain. The roll call revealed the bolters to be Cheadle (Ind.), Hamilton G. Ewart (N.C.), Orren C. Moore (N.H.), and Herman Lehlbach (N.J.). As well, eight other Republicans absented themselves from the vote,⁴³ which allowed the Democrats to prevail with only four Republican bolters actually voting. Though the office was a minor one, this turn of events alarmed Reed, who had tried mightily to convince the bolters to stay loyal.⁴⁴ This disloyalty demanded action, which Reed took in making out the committee assignments. Cheadle, the ring leader, was in line to chair the Claims Committee, but Reed denied it to him, demoting him instead to the third-ranking Republican on the committee, and gave him no other committee assignment. Embarrassed and angry, Cheadle refused even this one assignment (*NYT*,

42. Why the bolt would be about the Chaplain is a bit of a mystery. The incumbent Milburn was a hardy partisan Democrat — it is said he was driven out of Connecticut for his Democratic sermons — but was well liked in the chamber and appreciated for his “brevity and originality.” *NYT*, 1/1/1889, p. 1; *NYT*, 1/3/1889, p. 1.

43. These were Thomas H.B. Browne (Va.), Benjamin Butterworth (Ohio), Alfred C. Harmer (Pa.), Myron H. McCord (Wisc.), James O’Donnell (Mich.), William D. Owen (Ind.), Lewis E. Payson (Ill.), and Jacob J. Pugsley (Ohio). Only one Democrat, William H. Forney (Ala.) was absent on the chaplaincy vote.

44. To indicate the perceived seriousness of this action, the headline in the *New York Times* (12/3/1889, p. 1) was “The Caucus Whip Broken,” with sub-headlines “Republicans in Dire Dismay from a Bolt” and “Party Discipline Endangered on the First Day of the Session.”

12/23/1889, p. 1), and went committee-less until he was appointed to fill a vacancy on the Post Office Committee at the end of the session.

From Organizational to Procedural Control

Once in the Speaker's chair, Reed would initiate a set of changes that would revolutionize the way business was conducted in the House. This story is well known, so we will only briefly describe his actions and their consequences for House business. We will discuss in more detail, however, how the organizational caucus system was critical for Reed's decision making and the subsequent "Reed Rules" that were adopted.

After the Civil War, the House's workload increased substantially — thanks to a number of factors, such as the political-economic growth of the Nation; the increase in the size of the chamber due to new western states entering the Union; and the escalating need for more particularistic legislation, like military pensions, in keeping with the development of an individual-based electoral connection — while the rules and procedures for handling legislative business were still designed to meet antebellum-era demands. This increased workload led to bills piling up on House calendars, where they were to be taken by "regular order," one at a time in order of placement (Cox and McCubbins 2005). The only rules that would allow a bill to jump the queue and be considered out of order were supermajoritarian in nature (suspension of the rules, which required a 2/3 majority, or unanimous consent). Further, minority rights were numerous, and a range of dilatory tactics were employed to ground the majority's agenda to a halt (Galloway 1961, pp. 131–32). As a result, obstruction and delay characterized House politics in the 1870s and 1880s, and the only way any business got done in this "dual veto

system” — wherein both the minority and majority controlled various procedural levers to effectively shut down the agenda process — was by Senate-style cross-party compromises.⁴⁵

Reed had long been an advocate of procedural reform in the House. His preference for the type of reform centered on granting the majority clear agenda power. As a second-term House member in 1880, Reed announced his position during a House debate: “The best system is to have one party govern and the other party watch; and on general principles I think it would be better for us [the Republicans] to govern and for the Democrats to watch” (*CR*, 46-2, 4/22/1880, p. 2661). (It should be noted that the *Congressional Record* reports that Reed’s statement elicited “laughter,” as the Democrats were the majority party in the 46th Congress.) During the 47th Congress (1881-83), Reed first tried his hand at procedural reform; as a member of the Republican-controlled Rules Committee, he initiated a successful rules change that limited dilatory motions during consideration of election cases and, more importantly, authored the first “special order,” which allowed an individual bill to be considered outside of the “regular order” by a simple majority vote (Binder 1997, pp. 122–25; Roberts and Smith 2007). Later in the decade, once again as a member of the House minority, he began to publically articulate his position of majority rule over minority rights, writing pointed essays for periodicals like the *Century Magazine* (Reed 1889a) and the *North American Review* (Reed 1889b).

Upon his elevation to Speaker in December 1889, at the beginning of the 51st Congress, Reed was finally in a position to make his vision of procedural reform in the House a reality. Within a few months, he oversaw a significant alteration to the House rules that would

45. See Den Hartog (2004) and Cox and McCubbins (2005, p. 56) for a discussion of this “dual veto” concept.

strengthen the hand of the majority by severely weakening the minority's ability to obstruct. Chief among the Republican-led changes were rules that: (1) allowed the Speaker to count non-responding members during roll-call votes as "present," thereby eliminating the "disappearing quorum" as a dilatory tactic; (2) allowed the Speaker to deny recognition to members who sought to propose dilatory motions; (3) reduced the quorum requirement in the Committee of the Whole (COW) to 100 members; (4) allowed the Speaker discretion to refer legislation to committees without debate; and (5) enhanced the majority's ability to control the agenda in the House, by increasing the Rules Committee's procedural authority and allowing the COW greater flexibility in choosing bills on the calendars out of order.⁴⁶

The "Reed Rules" were virulently opposed by the minority Democrats, who attempted to eliminate them via a series of amendments on the floor. Reed relied upon House Republicans to support his initiatives, and the GOP rank-and-file fell in line and defeated each of the Democrats' amendments before ratifying the entire set of rules changes. Such GOP support was *unanimous* (or nearly so) on all the key votes.⁴⁷ The importance of these events for House development is stressed by Binder (1997, pp. 125-26), who argues that "Reed's contributions... arguably were the capstones of a nearly century-long struggle between majority and minority party rights."

46. The stipulations of the Reed Rules, and politicking in the House surrounding them, are described in detail in Binder (1997, pp. 125– 29), Schickler (2001, pp. 32– 43), Cox and McCubbins (2005, pp. 55– 58), and Strahan (2007, pp. 102– 12).

47. On three of the five amendment votes, 100% of Republicans voted in opposition, while on the other two amendment votes, 99% of Republicans voted in opposition. On the final-passage vote, 100% of Republicans voted in support. See Binder (1997, p. 112).

More important to our discussion here is the role the organizational caucus played in Reed's revolution. In the brave new world of the Reed Rules, the House would be dominated by a majority-party cartel, led by the Speaker, the Rules Committee, and the standing committee chairs. Under Reed's speakership, the Rules Committee would evolve into a critical gatekeeper and agenda-setter in the chamber's legislative process; specifically, Rules went from being able to issue special orders, which would determine when bills would be considered, to also being able to issue special *rules*, which would determine when and *how* bills would be considered. Such special rules were often restrictive, limiting the time for debate or the number and kind of amendments that would be allowed – an especially restrictive rule, a closed rule, barred amendments entirely. Such restrictive rules could be granted to bills controlled by the various committees, insuring that their work would be protected against amending activity on the House floor.⁴⁸ As a result, committee chairs, who managed the agenda process within their committees, would possess significant positive-agenda control in the new post-Reed Rules House environment. And the Speaker, who chaired Rules, designated all committee chairs, and assembled the various committees, was the central agent in the cartel arrangement.

Reed's willingness to place the speakership, the Rules Committee, and the standing committee chairs at the heart of his new cartel arrangement spoke to his confidence in being able to control each of these positions *with certainty* at the convening of a new Congress. By 1890,

48. Roberts and Smith (2007) note that seven special rules were offered by the Rules Committee in the 47th Congress. Two of these seven were closed rules (the first in House history). Moreover, with the emergence of special rules came a demand by party leaders that the rank-and-file fall in line behind the Rules Committee's decisions; this was a critical part of the procedural cartel that Reed had devised. As Alexander (1916, p. 210) notes, the conventional wisdom of the day was that "one must support whatever the Rules Committee brought forward or become irregular."

Reed and other House GOP leaders had three-decades worth of experience dealing with the organizational caucus, and thus could observe its success in dictating nominations and seeing those nominations fulfilled on the House floor. In short, only by assuming that key House positions were *reliably* controlled by the majority party would it have made sense for Reed to embed agenda-setting power in those positions. Organizational control of the chamber by the majority, therefore, was a *necessary condition* for the development of procedural control by the majority. While theories of party government often assume the existence of procedural control (unconditionally in cartel theory, and conditionally in conditional party government theory), such procedural control was not pre-ordained. In short, the evolution of party government in the House occurred in steps; one critical step, often ignored, was the emergence of the nominating caucus and its ability to consistently organize the chamber. From this step, other steps, like the emergence of the majority's procedural dominance in House affairs, followed.

Conclusion

Recent rational-choice-based historical accounts are flush with examples of political actors searching for means to control the uncertainties of political life and the world around them. Many such accounts involve party leaders in Congress attempting to use (and manipulate) rules and structures for distinctly partisan gains (Stewart and Weingast 1992; Aldrich 1995; Binder 1997; Dion 1997; Jenkins 2004). The emergence of the binding organizational caucus in the House was another such partisan attempt. The final decade-and-a-half of the antebellum era witnessed serious organizational problems in the House, as speakership battles were becoming more common and extending over weeks and sometimes months. Difficulties in electing the other officer positions (i.e., the Clerk, the Printer, etc.) only extended the organizational time

line. Moreover, after all was said and done, the dominant party in the House sometimes was “rolled” on its choices, especially on some of the lesser officer positions.

As the Nation entered the Civil War era, Republican leaders sought an end to this organizational instability. This was made all the more pressing after a failed coup by the House Clerk at the beginning of the 38th Congress. The solution Republican House leaders settled on was to pull organizational decisions off of the floor and embed them in a party caucus, which would meet before the new Congress convened. This strategy, of course, was not new. As we documented in Chapters 4 and 5, the Van Burenites attempted to develop a party nominating caucus in the late-1830s and 1840s, but the slavery-extension issue cut across the interregional coalitions at the heart of the Second Party System. In the end, party gave way to section (and constituency) and the organizational battles in the 1850s reversed any caucus-based momentum that the Van Burenites had attempted to build up. Now, with the slavery issue off the agenda, and a fairly homogenous majority party in power (the Republicans), version 2.0 of Van Buren’s ambitious strategy had a real chance of success.

The logic of the caucus-based system was simple: (1) within the caucus, possible officer candidates would be debated and nominees would eventually be chosen; and (2) party members would then be bound by the caucus decisions. To instill and preserve party harmony, and to placate party factions that had “lost out” on the organizational decisions, the Speaker would disperse power liberally, through committee assignments and chairmanships. Thus, the party would explicitly agree to coordinate on organizational matters, so that the House could begin functioning, as long as the power to control policy areas (via committee chairmanships) was shared.

Thus, an institutional solution was created to solve the instability in organizational choice, with the caucus serving as the institutional glue. Within this caucus-induced organizational arrangement, the Speaker was the lynchpin — his was the first and most important office to be filled, as it controlled the means (committee assignments) to disperse power within the chamber and fulfill the power-sharing agreement underlying the explicit party bond in caucus. Should a Speaker renege on the agreement, he (as agent of the underlying majority) would lose his authority and put his position (at that point, and certainly in terms of possible reelection in the future) at risk.

Once it was clear that the organizational caucus had taken hold, a new generation of majority-party leaders began devising additional strategies to tighten partisan control of the chamber. This culminated with Thomas B. Reed's ascension to the speakership; his "Reed Rules" effectively established majority rule over minority rights in the House, by vesting power in a cartel arrangement made up of the Speaker, the Rules Committee, and the standing committee chairmen. The majority's development of procedural control thus came *only after* the majority's organizational control of the relevant power nodes (the Speaker, the committees) in the House was routinized.

While the organizational caucus had institutionalized by the late-nineteenth century, challenges still lay ahead. More — and more divisive — nomination battles were on the horizon, and growing internal party divisions would lead in one case to an antebellum-style speakership contest on the House floor. In short, the resilience and stability of the organizational caucus would be tested into the twentieth century. We turn now to a discussion of these events.

Table 8-1. Caucus support for Democratic Speaker candidates, 48th Congress.

State	Carlisle	Randall	Cox
Alabama	3	4	1
Arkansas	5	0	0
California	2	1	3
Connecticut	0	3	0
Delaware	1	0	0
Florida	1	0	0
Georgia	8	1	0
Illinois	7	0	1
Indiana	7	1	1
Iowa	3	0	1
Kentucky	8	0	0
Louisiana	4	1	0
Maryland	0	4	0
Massachusetts	1	0	2
Michigan	6	0	0
Mississippi	5	0	0
Missouri	11	0	2
Nevada	1	0	0
New Jersey	0	3	0
New York	0	7	13
North Carolina	4	2	0
Ohio	2	6	5
Pennsylvania	0	11	0
South Carolina	4	2	0
Tennessee	5	2	1
Texas	10	0	0
Virginia	1	3	0
West Virginia	2	1	0
Wisconsin	5	0	0
Total	106	52	30

Sources: *BG*, 12/2/1883, p. 1; *NYT*, 12/2/1883, p. 1; *WP*, 12/3/1883, p. 1.

Table 8-2. First ballot caucus support for Republican Speaker candidates, 51st Congress.

	Burrows	Cannon	Henderson	McKinley	Reed	Total
California	0	1	0	1	1	3
Colorado	0	0	0	1	0	1
Connecticut	0	0	0	0	3	3
Illinois	0	13	0	0	0	13
Indiana	0	1	0	1	1	3
Iowa	0	0	9	0	0	9
Kansas	0	3	0	0	4	7
Kentucky	0	0	1	1	0	2
Louisiana	0	0	0	0	1	1
Maine	0	0	0	0	4	4
Maryland	0	0	1	1	0	2
Massachusetts	0	0	0	0	10	10
Michigan	9	0	0	0	0	9
Minnesota	0	2	0	1	2	5
Missouri	0	0	0	3	1	4
Montana	0	0	0	0	1	1
Nebraska	0	0	1	0	2	3
Nevada	0	1	0	0	0	1
New Hampshire	0	0	0	0	2	2
New Jersey	0	0	1	1	1	4
New York	0	0	1	0	18	19
North Carolina	0	0	0	1	2	3
North Dakota	0	0	1	0	0	1
Ohio	0	0	0	16	0	16
Pennsylvania	0	0	0	6	15	21
Rhode Island	0	0	0	0	2	2
South Dakota	0	1	1	0	0	2
Tennessee	0	0	0	2	0	2
Vermont	0	0	0	0	2	2
Virginia	1	0	0	1	0	2
Washington	0	0	0	1	0	1
Wisconsin	0	0	0	1	6	7
Total	10	22	16	39	78	165

Source: *CT*, Dec. 1, 1889, p. 1.

Chapter 9

The Organizational Caucus Persists, 1891–2011

The three decades after the onset of the Civil War saw the party nominating caucus take firm hold in settling the initial organizational decisions on the House floor that were so critical to subsequent partisan success. With the certainty that caucus organization brought, partisan leaders could turn their attention to expanding their institutional control. This led to the Republicans' development of the procedural cartel, wherein power in the chamber would be dominated by the majority party and minority rights would be greatly restricted. The two decades between 1890 and 1910 would serve as the “high water mark” for partisanship in the House, based on various commonly-used measures of intraparty cohesion and interparty polarization, until finally being eclipsed in the first decade of the twenty-first century.

While “regularity” in the caucus-led House organization would characterize the post-1890 era, challenges would still emerge. Indeed, the most serious intra-party caucus battle in House history would transpire during this time and an extended speakership contest, hearkening back to the antebellum era, would play out on the House floor. These cases, a 30-ballot nomination battle in the Democratic caucus in 1891 and an 9-ballot battle on the House floor in 1923, will be examined in detail. Their deviance, while interesting, only serves to underscore the running theme in this and the prior chapter: since 1861, the caucus bond might bend but it would not break. Partisan fidelity would hold on the floor after the bruising caucus battle in 1891, and loyalty to the caucus agreement would be driven home by party leaders in the years after intra-partisan disputes spilled out onto the floor in 1923. Moreover, the caucus would survive and flourish despite other problematic events and contexts, such as the “revolt” against

the Republican Speaker in 1910 and severe regional divisions within the majority Democratic Party in the decades spanning the mid-twentieth century.

In discussing these various challenges to the organizational caucus, we pick up where Chapter 8 left off, and cover the period from 1891 to the present day. Once accomplished, and in combination with prior chapters, we will have documented more than two centuries of House organization.

Factional Divisions and Further Threats to the Caucus Organization

As noted, Thomas Reed's term as Speaker in the 51st Congress was both notorious and revolutionary, as he expanded the scope of the Speaker's parliamentary powers to explicitly and parochially favor the majority party. But his hold on the Speaker's gavel did not last long, as the Republicans suffered significant losses in the 1890 midterm elections, losses that were attributed to voter backlash against the McKinley Tariff — an interpretation bolstered by the defeat of McKinley for reelection, along with other Republican House leaders like Thomas H. Carter (Mont.) and Joseph G. Cannon (Ill.). Thus, the Democrats looked ahead to the 52nd Congress (1891–93), firmly in control of the House organization. What they did not anticipate was a caucus battle that would eclipse in acrimony and intensity the Republicans' 16-ballot affair in 1881, prior to the opening of the 47th Congress.

The Democrats' first order of business was to select a new leading man, as the party's Speaker nominee for the past four Congresses, John Carlisle (Ky.), had been elected to the Senate. The results of the 1890 elections framed the Democrats' speakership canvass, emboldening the tariff reform forces as well as spurring the eastern protectionist wing into countervailing action. In the end, two major candidates for the nomination emerged, John Q.

Mills (Tex.) and Charles F. Crisp (Ga.). Mills had chaired Ways and Means in the 50th Congress and was the Democrats' leading expert on the tariff. He had advocated a downward reduction of the tariff in that Congress, which passed in the House but died in the Republican-controlled Senate.¹ Crisp, on the other hand, was known for his parliamentary skills, and had been at the forefront of the Democratic sparring with Reed over his use of House rules in the 51st Congress. Among the other candidates, William K. Springer (Ill.) had built a constituency in the GreatLakes states of Illinois, Michigan, and Wisconsin, while Benton McMillin (Tenn.) carved out support in the Border South. William H. Hatch (Mo.) had a more limited following, with advocates mainly in his home state.

As the opening of the 52nd Congress neared, Mills emerged as the front runner. He began actively campaigning as he traveled toward Washington in October 1891, giving speeches throughout the South, Midwest, and Mid-Atlantic, generating exposure and building his candidacy. To many, Mills's victory seemed a foregone conclusion. A correspondent for the *New York Times*, writing in the second week of November 1891, stated: "Unless the spirit of the Democratic Party is very much misunderstood, the majority for Mr. Mills will be so large before the caucus meets that all other competitors for the prize will withdraw and permit the election to be made by acclamation" (11/10/1891, p. 1).

By the third week of November, however, the early predictions of an easy victory for Mills appeared premature. During Mills's travels, Crisp had been campaigning hard and decided (at some point) to throw his future into the hands of the eastern wing of the party, with its

1. For a detailed overview of tariff politics in the 1880s and 1890s, see Morgan (1969), Terrill (1973), Reitano (1994), and Bensel (2000). The Mills Tariff Bill, in fact, forms the major basis of Reitano's analysis.

preferences for more moderate tariff reform. As a result, he received the support of the Tammany Hall crowd and the followers of Samuel Randall, and with them votes in New York and Pennsylvania.² Crisp also broke with Mills on the currency issue, with Crisp coming out in favor of bimetallism while Mills remained a firm advocate of gold. This “soft” stance on currency gained Crisp votes in the West. Crisp also was open to a return to patronage policies of years past, which appealed to machine politicians in places like Ohio and New Jersey, while Mills stood for continued civil service reform. Thus, very quickly, the choice between Mills and Crisp became a choice between the policies of former-President Grover Cleveland and those of his Democratic opponents. Mills was the reform candidate — in favor of significant tariff reduction, opposed to free silver, and anti-spoils. Crisp was the candidate of the old guard — for protection (or, at least, more moderate tariff reform), in favor of free silver, and pro-spoils.

Through the end of November and into early December, the race continued to heat up and became increasingly bitter, with accusations and insults flying freely between the Mills and Crisp camps. Coverage of the day-to-day happenings of the campaign were extensive in the media.³ Springer, McMillin, and Hatch felt significant pressure to drop out of the race, but each

2. Crisp was careful not to be pinned down on the tariff during his campaign. In the past, his voting record in Congress on tariff issues mirrored that of Mills. By the Fall of 1891, Crisp only made general references to tariff policy, and appeared to have assured the protectionists in the East that they would be treated well under his regime as Speaker.

3. For coverage of the speakership race up to the convening of the caucus, see, for example, *CT*, 11/13/1891, p. 9; 11/17/1891, p. 6; 11/20/1891, p. 9; 11/21/1891, p. 9; 11/25/1891, p. 10; 11/26/1891, p. 2; 11/27/1891, p. 10; 11/28/1891, pp. 1, 12; 11/29/1891, p. 10; 11/30/1891, p. 5; 12/1/1891, p. 1; 12/2/1891, p. 1; 12/3/1891, p. 1; 12/4/1891, p. 1; 12/5/1891, p. 1; and *NYT*, 11/13/1891, p. 5; 11/17/1891, p. 5; 11/18/1891, p. 3; 11/19/1891, p. 1; 11/20/1891, p. 5; 11/21/1891, p. 1; 11/22/1891, p. 2; 11/27/1891, p. 1; 11/28/1891, p. 1; 11/29/1891, pp. 1, 4; 12/1/1891, pp. 1, 4; 12/2/1891, p. 1; 12/3/1891, p. 1; 12/4/1891, p. 2; 12/5/1891, pp. 1, 2.

balked. Thus, as the caucus date neared, Mills and Crisp were running roughly neck-and-neck, with Springer, McMillin, and Hatch seemingly commanding enough votes to prevent a first-ballot victory.

When the Democratic House caucus convened on December 5, 1891, the caucus members adopted a public ballot, so individual vote choices would be known by all. The first ballot revealed several divisions, with Crisp emerging as the top vote-getter with 84, followed by Mills with 78, Springer with 32, McMillin with 18, Hatch with 14, and Moses Stevens (Mass.) with 1. This would prove to be the first of 30 ballots that stretched over two days.⁴ (The breakdown of the balloting appears in Appendix 6.)

The balloting would proceed as a kind of political trench warfare. After 17 ballots and little voter movement, the caucus adjourned, with an agreement to reconvene two days later. In the interim, politicking for votes was widespread. Advocates for Crisp and Mills entered into discussions with the Springer, Hatch, and McMillin camps. But the three leaders and their supporters stood firm, and little was expected to change on the first ballot of the second day. The frustration of the “reformist” element in the Democratic Party outside the halls of Congress was summed up by an editorial in the *New York Times* (12/7/1891, p. 4):

Ever since the people declared in 1890 by an overwhelming majority against McKinley and Reed Republicanism and in favor of a reform and reduction of the tariff, the sole reliance of the defeated party has been on the known treachery to Democracy of the leaders now backing Crisp, and on the assumed folly, stupidity, and appetite of a certain number of Democratic politicians. Messrs. Springer and McMillin and their followers have done all that they could do, so far, to justify the calculations of the Republicans. ... The injury inflicted upon the Democratic Party by the proceedings of Saturday [Dec. 5] cannot be wholly repaired. It will

4. For coverage of the caucus nomination battle, see *CT*, 12/6/1891, pp. 1, 12; 12/7/1891, pp. 1, 4; 12/8/1891, pp. 1, 4; and *NYT*, 12/6/1891, p. 1; 12/7/1891, pp. 1, 2, 4, 6; 12/8/1891, pp. 2, 4.

be impossible to efface the impression made on the country of the power of those leaders in the party who are Democrats for spoils, and not for principle.

When the caucus reconvened on December 7, the 18th ballot was not much different from the 17th, and the next three were more of the same. Between the 22nd and 24th ballots, some movement occurred, as Hatch withdrew from the race and Springer lost five votes. These former Hatch and Springer voters scattered between Crisp and Mills, but Crisp was the major beneficiary as he extended his lead over Mills from three votes to six. The next three ballots showed no change, as Springer and McMillin met with their respective supporters and held impromptu conferences with agents of Crisp and Mills. On the next two ballots, more of Springer's supporters defected, and Crisp's lead over Mills extended to ten votes. Prior to the 30th ballot, McMillin withdrew from the race and threw his support to Mills. Springer followed moments later with his own withdrawal, and threw his support to Crisp. The former Springer and McMillin votes scattered between Crisp and Mills, but Crisp again won out. When the voting on the 30th ballot was completed, Crisp had emerged victorious with 119 votes, to 105 for Mills, 4 for Springer, and 1 dogged vote for Moses Stevens. Nominations for the minor officer positions — Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster — were then dealt with quickly, each on one ballot.⁵

Given the contentiousness of the Crisp–Mills speakership race, would the Mills men stand behind Crisp in the speakership vote on the floor? After the caucus had finished its work

5. The minor offices elicited little interest in the caucus, except the Doorkeeper position. The New York delegation wanted to control the spoils of the office — the Doorkeeper at that point controlled over 150 salaried positions — and they required that Crisp and his supporters fall in line behind their candidate, fellow New Yorker Charles “Iceman” Turner, before they would promise to support Crisp's speakership cause. Crisp and his supporters agreed to this condition, and Turner was easily elected Doorkeeper.

and elected Crisp, Mills when asked about the result replied: “I have nothing to say to the press” (*LAT*, 12/8/1891, p. 1). Moreover, when the House convened the following day, the Mills men were clearly bitter at the previous night’s outcome (*NYT*, 12/8/1891, p. 1). Yet, the party bond prevailed. When his place on the speakership roll call was reached, “Mills, who stood at the back of the House awaiting the call of his name, answered promptly and clearly with the name of his opponent [Crisp]” (*NYT*, 12/8/1891, p. 1). When the roll call was finished, Crisp received the full support of the members who attended the Democratic caucus the previous night.

As with all the other highly contested party contests during this period, Crisp and Mills began their canvass with strong regional and ideological support forming their base of support, but the final distribution of support for Crisp ended up more evenly spread throughout the caucus, and he would reciprocate by distributing committee positions to reflect all the major voices in the party. But, first, he had to deal with those who had contested unsuccessfully for the speakership. The two speakership candidates who threw their support to Crisp — Hatch and Springer — received prime assignments. Hatch received the Chair of Agriculture. Springer was made Chairman of Ways and Means, which put him in charge of crafting tariff policy. Springer supported only minor downward revision — and in fact would oversee the crafting of small, targeted tariff bills, the so-called “popgun” tariffs — which thereby met the needs of the protectionist element that had backed Crisp. Giving the chair of Ways and Means to Springer was a rebuff to Mills, who was compensated with the chair of Commerce. McMillin was not given a chairmanship, but was granted the second-ranked spot on Ways and Means.

Crisp then worked to balance the key themes in the race: protection vs. tariff revision; gold vs. bimetallism; and patronage vs. civil service reform. To offset the selection of Springer

as Chair of Ways and Means, Crisp appointed William Holman (Ind.) to chair Appropriations; this was an acknowledgment that some tariff reform was needed, as Holman was notoriously frugal and supported a reduction in the huge surplus that had been created by the protectionist aspects of the tariff. In addition, Crisp appointed one of Mills's supporters, John Andrew (Mass.), to chair the Reform in Civil Service Committee. This was a blow to the spoilsmen in the party. Finally, Crisp selected Richard "Silver Dick" Bland (Mo.), who was the nation's leading advocate of "free silver," to chair the Coinage Committee. As a result, he would be in a position to dictate policy in the area, and thus push for an aggressive bimetal program.

Thus, despite an often acrimonious speakership campaign and a lengthy caucus battle, the Democratic party remained intact, thanks in large part to the caucus-speaker-committee institutional arrangement. Thanks to Crisp's balancing of committee assignments, the "losers" in the caucus were allotted a degree of power, which maintained party harmony.

Progressive Insurgency and the Republican Party

After the conclusion of the Crisp–Mills contest in 1891, prior to the 52nd Congress, a relative peace pervaded caucus nominations. While the two parties would continue to battle internally over tariff and currency issues, as well as larger issues related to populism and progressivism, the sanctity of caucus decisions and unity on matters of House officer selection would be respected by all. Indeed, the Crisp–Mills battle in 1891 would be the last instance of a majority-party speakership nomination in caucus extending beyond the first ballot.⁶ As a result, the next significant threat to the majority party's ability to organize the House occurred outside of the

6. In fact, over the next 13 Congresses (the 53rd through 65th) the choice for Speaker in the majority-party caucus would be *unanimous* on the first ballot in all but one Congress (the 61st).

caucus, on the House floor. This episode, in 1923 at the opening of the 68th Congress (1923–25), would harken back to the floor battles over House organization before the Civil War. Before discussing the floor battle in 1923, however, we must first set the stage, pausing at the 1910 revolt against Speaker Cannon.

The Revolt Against Cannon, 1910

The brouhaha in the 68th Congress in fact had its roots in House politics over a decade earlier, corresponding to the growing disaffection within the majority Republican Party after the turn-of-the-twentieth-century. Young House Republicans — the so-called “progressive” Republicans — were increasingly unhappy with Speaker Joseph P. Cannon (Ill.), the party’s successor to Thomas Reed, and the way that he used his powers to favor the interests of senior Republicans.⁷ As a result, spirited calls for reform emerged in the latter part of the 60th Congress (1907–09), but fell just short of being enacted. A show of opposition against Cannon was then made in the Republican caucus elections in March 1909, in advance of the opening of the 61st Congress (1909– 11). Cannon, who had received the Republican speakership nomination by acclamation three previous times, received 162 votes, with 25 votes scattering and 30 absences (*NYT*, 3/14/1909, p. 1).

The caucus vote on Cannon would be a harbinger. Mid-way through the 61st Congress, in May 1910, the progressive Republicans would combine with the Democrats in the chamber to

7. Reed would regain the speakership in the 54th Congress (1895-97), after two years of Democratic control of the chamber, and hold it through the 55th Congress. David B. Henderson (R-Iowa) would *officially* succeed Reed in the Speaker’s chair in the 56th and 57th Congresses (1899-1903) before Cannon took over the speakership in the 58th Congress (1903-05). Henderson has typically been viewed as a weak caretaker as Speaker (Fuller 1909; Hoing 1957; cf. Finocchiaro and Rohde 2007), while Cannon would adopt Reed’s more iron-fisted approach.

change the House rules, removing the Speaker from the Rules Committee and expanding its membership from five to ten, with committee members elected by the House (see Holt 1967; Schickler 2001).⁸ (When the Democrats took control of the House in the following [62nd] Congress, they finished the job by stripping the Speaker of his ability to make *all* standing committee assignments.) This famous episode in the history of the House would have lasting effects, as this decentralization of power from the Speaker to the committees would remain the institutional status quo until the latter-part of the twentieth century.⁹

More importantly for our story, however, is the *way* the revolt against Cannon transpired. While a previous move against Cannon occurred in the 60th Congress, and a symbolic coalition opposed him in the nominating caucus in March 1909, the progressive Republicans did not seek to topple him during the initial House organization in the 61st Congress. Despite possessing a pivotal bloc of votes, the progressive Republicans honored the caucus commitment — of the 55 Republican members who did not cast a vote for Cannon in caucus, only 12 opposed him on the floor. The other 43 backed his candidacy, which allowed him to be elected with 204 of 391 votes cast (*NYT*, 3/16/1909, p. 1; *CT*, 3/16/1909, p. 1). Only shortly thereafter, on the issue of readopting the rules from the previous House, did the progressive Republicans bolt the party and work to decentralize power in the chamber.

8. Progressive Republicans lost their initial skirmish with Cannon in March 1909, on the adoption of the House rules, thanks to a few Democrats who backed Cannon in exchange for a minor reform concession (see Schickler 2001, p. 72).

9. For a more detailed overview of progressive Republican insurgency and the revolt against Cannon, see Ripley (1967), Holt (1967, pp. 16–28), Jones (1968), Bolling (1968, pp. 74–85); Polsby, Gallaher, and Rundquist (1969), Peabody (1976), Shepsle (1978), Rager (1998), and Schickler (2001, pp. 71–83); cf. Lawrence, Maltzman, and Wahlbeck (2001), Krehbiel and Wiseman (2003).

Thus, while disagreeing with Cannon's rule, the progressive Republicans recognized the short-term and long-term importance of remaining united on the election of House officers and organizing the chamber along the lines outlined in caucus. Indeed, after stripping Cannon of some of his powers, the progressives had a chance to oust him. Viewing the revolt against him as "vote of no confidence," Cannon proposed to allow the House to deem the Speaker's office vacant. And while the Democrats were eager to fulfill his wish, the progressives eased back and allowed Cannon to remain in the Speaker's chair.¹⁰ They were unwilling to join the Democrats on a compromise candidate, and they were equally unwilling to force the House into an extended speakership battle, which would damage the party. While they may have disagreed with the regular Republican leadership, the "partisanship of most of the [progressives] were as deep-dyed as that of their constituents" (Holt 1967, pp. 22–23).

Democratic Interlude, 1911–19

The next eight years after the revolt against Cannon were quite tranquil in terms of caucus nominations. The Democrats returned to power and controlled the House from the 62nd through 65th Congresses (1911–19), and Champ Clark (Mo.) was unanimously chosen as the Democratic caucus nominee each time. Election on the House floor followed in straightforward manner.

Beginning in the 63rd Congress (1913-15) and extending through the 65th Congress (1917-19) — corresponding to the first six years of President Woodrow Wilson's administration— the Democrats would enjoy unified control of government for the first time

10. Only seven progressive Republicans voted with the Democrats to remove Cannon.

since the 52nd Congress (1893–95), the first two years of Grover Cleveland’s second administration. Once in power, the Democrats would turn to a new organizational tool to consolidate party authority and push a partisan agenda: the binding *policy* caucus. Part of the move to “caucus government” in the House followed on progressive changes in the wake of the Cannon revolt. For example, the caucus would now choose both the Speaker *and* Majority Leader (which had previously been a position selected by the Speaker).¹¹ The caucus would designate the Majority Leader to chair the Ways and Means committee, and fill the remaining party slots on Ways and Means via election. The Democratic contingent on Ways and Means would then serve as the party’s “Committee on Committees,” which would determine the rest of the House’s committee assignments. The Speaker thus played a more limited role in the Democrats’ new policy caucus system, with the Majority Leader serving as a more important figure. The caucus would be secret in its proceedings and a two-thirds vote would bind all members on subsequent policy-related floor action (see Galloway 1961).

The best analysis of the binding policy caucus’s effectiveness is provided by Green (2002), who argues that the caucus was not as powerful as some historians have thought. More specifically, Green finds that “the caucus bound Democrats’ votes on just 15 legislative measures in four Congresses” (622). Moreover, many of these binding caucus resolutions

11. Another part of the move to caucus government was based on pure pragmatism. Wilson and the Democrats believed (probably correctly) that their rise to power was directly a function of split in the Republican Party — between the regular “Taft Republicans” and the progressive “Roosevelt Republicans.” Democratic leaders in Congress, in particular, believed that party cohesion and the passage of Wilson’s policy agenda (and subsequent electoral coattails) were critical to *remaining* in power. Wilson could thus impose his will on congressional Democrats and underscore the importance of adopting a mechanism — the binding policy caucus — that would (in theory) generate policy success.

proved to be unnecessary, as they were linked to bills that were already supported by a sizeable majority of Democrats on pure ideological grounds. When a measure *was* ideologically divisive, a binding caucus resolution could not typically compel party allegiance on the floor, as defections were often numerous. In sum, Green's results suggest that instituting parliamentary-style rules on matters other than organizational votes was difficult — something the Radical Republicans discovered, much to their chagrin, almost a half-century earlier — especially when cross-cutting or ideologically dividing issues emerged.

Besides the binding policy caucus, one additional, significant change to the House organization occurred after the Democrats regained control of the House in the 62nd Congress. As they had run collectively on a reform agenda, the Democrats examined the chamber's organizational bureaucracy and determined that nearly \$200,000 could be trimmed from the budget by eliminating "superfluous" House patronage (*NYT*, 4/2/1911, p. 1; 4/4/1911, p. 10; *CT*, 4/2/1911, p. 6). The bulk of this savings (over \$120,000) came from the elimination of 102 jobs in the House organization — three in the Speaker's office; 28 in the Clerk's office; 42 in the Sergeant-at-Arms office; and 28 in the Doorkeeper's office.¹² In addition, the Democratic caucus, on the recommendation of its Committee on Committees, took the remaining patronage positions in the offices of the Clerk, Doorkeeper, and Postmaster and placed them under the authority of a new three-man caucus committee, the Committee on Organization. This new committee was to distribute the said patronage among the various state delegations, by ratio of

12. The remainder of the savings dealt with the elimination of six "useless" committees and the elimination of one month's extra pay to each employee annually.

the size of the state's Democratic contingent to the Democratic membership in the chamber (*NYT*, 4/2/1911, p. 1).

While individual aspirants would still vie for these minor House offices, as there were still significant salaries attached to each, the Democratic reforms eliminated much of the coalitional competition. Because the patronage aspect of each officer position was stripped, they were no longer prime repositories for spoils and thus did not attract regional/ideological interests.¹³ As a result, over time, these minor officer positions professionalized, becoming much less distinctly partisan. Consequently, any subsequent jockeying in caucus over leadership positions would primarily involve the speakership along with other emerging *intra-party* positions (Majority Leader, Majority Whip, Caucus/Conference Chairman, etc.).

A Progressive Floor Challenge and Leadership Retribution, 1923—27

The Republicans returned to power in the 66th Congress (1919–21). In that and the succeeding Congress they selected Frederick Gillett (Mass.) as their Speaker nominee. Gillett's speakership was similar in spirit to that of Clark, that is, weak relative to the iron fist that characterized Cannon's reign of power. The decentralization after the "revolt" spread power throughout the chamber, and the Majority Leader, Steering Committee, and Committee on Committees were in many ways more central to directing House business than the Speaker.¹⁴ Amid this

13. Moreover, by this time, the parties had developed other mechanisms to generate revenue for party building and maintenance. Notably, congressional campaign committees (CCCs), which first emerged in the mid-to-late 1860s, worked to fund and direct their respective party's efforts to achieve (or maintain) majority party status in the House. See Kolodny (1998).

14. Whereas the Democrats in the post-Cannon era centralized authority in the party contingent on the Ways and Means Committee, the Republicans split power between a Steering Committee, which dealt with administrative business and developed policy policies, and a Committee on

decentralization, the Republican House agenda stalled, and the 1922 midterm elections reduced the Republicans' share of the chamber from 302 to 225 (out of 435) seats.

One set of Republicans that survived the electoral backlash in 1922 were the western progressives, the next generation of members who had initiated the revolt against Cannon in 1910. They were upset at the myopia of the regular Republicans — the “Old Guard” — and blamed their overly conservative nature for the party's poor electoral fortunes. The progressives believed that a liberalization of House rules was required to free up legislation that languished in committees dominated by the regulars. Beginning in the lame-duck session of the 67th Congress (1921—23), the progressive Republicans began acting like free agents, cooperating with the liberal faction of the Democratic Party on House votes and signaling that they would use their pivotal status to push for rules changes in the subsequent Congress.

The progressives made their intentions formally known on December 1, 1923, in the Republican organizing caucus. Gillett was renominated Speaker easily on the first ballot, winning 190 votes, but 24 votes from the progressive Republican ranks were cast against him — Henry Cooper (Wisc.) received 15 votes, Martin Madden (Ill.) 8 votes, and Edward Little (Kans.) 1 vote (*CT*, 12/2/1923, p. 1; *NYT*, 12/2/1923, p. 1).¹⁵ As the Republicans would count 225 House seats at the opening of the 68th Congress, compared to the 207 held by the Democrats, the progressive wing of the party, which asserted control of 20 to 25 seats, would determine the balance of power.

Committees, which handled committee staffing issues (Brown 1922, p. 211-12).

15. Eleven members were absent from the caucus.

The progressive Republicans demanded a revision of the House rules, to distribute power in the chamber more fairly, and intended to vote against Gillett unless they were provided with assurances to that end (*NYT*, 12/3/1923, p. 1; *LAT*, 12/3/1923, p. 11). Nicholas Longworth (Ohio), the Republican Majority Leader, announced in response that he was unwilling to compromise with the “insurgents” (*LAT*, 12/3/1923, p. 11). Thus, an intra-party stare down occurred as the House was set to convene.

The progressives refused to blink. When the 68th Congress opened on December 3, 1923, the progressives broke from the regular Republicans and prevented the organization of the House. Four separate speakership ballots would be held, with no election. (The breakdown of the balloting is presented in Appendix 2.) Twenty progressive Republicans, joined by two members of the Farmer-Labor party, opposed Gillett; seventeen votes were distributed to Henry Cooper and five to Martin Madden (*NYT*, 12/4/1923, p. 1).¹⁶ Gillett and Finis J. Garrett (D-Tenn.) were running virtually neck-and-neck, each about 10–12 votes short of victory. Viewing no quick resolution, Longworth moved an adjournment until the following day. The progressive Republicans reiterated their call for rules reforms that evening, but Longworth and his allies would make no concessions, arguing that public opinion would support their position and force the progressives to yield (*NYT*, 12/4/1923, p. 1; *CT*, 12/4/1923, p. 1).

Longworth underestimated the progressives’ resolve. The House met again on December 4, 1923, held four additional ballots, and still no Speaker was chosen. The twenty progressive Republicans held firm behind Cooper and Madden, and Gillett made no gains. After the fourth

16. Madden declared himself not a candidate before the balloting began, and voted for Gillett. Richard Yates (R-Ill.) swung his vote from Gillett to Madden on the second ballot, but returned to the Gillett fold on the third ballot.

ballot of the day (and eighth overall), Longworth moved an adjournment and reversed his position. He offered the progressives a compromise — the rules from the previous House would be adopted for one month, during which time members could debate rules changes on the floor. After such debate, the House could then adopt any rules changes favored by a majority of the members. Progressive leaders were receptive, and a deal between them and Longworth was hashed out in a conference that evening (*NYT*, 12/5/1923, p. 1; *CT*, 12/5/1923, p. 1; *LAT*, 12/5/1923, p. 1). The following day, Gillett was elected on the first ballot (and ninth overall), with 215 votes, to 197 for Garrett and 2 for Madden. Eighteen of the 20 progressive Republicans swung their support to Gillett, providing him with the margin of victory.¹⁷

After completing the organization of the chamber, Longworth kept his promise and allowed debate on the House rules to proceed. Several changes were eventually adopted, the major ones being the development of a workable discharge rule (which required the support of only 150 members), by which legislation could be drawn out of committee, and the reduction in the power of committee chairmen, via the elimination of the “pocket veto” that chairs used to stifle the will of the committee (Hasbrouck 1927, pp. 20–22; Schickler 2001, pp. 102–09).

It should be noted that, in examining newspaper coverage of the intra-Republican skirmish, there was *no* indication that progressives ever entertained joining with the Democrats behind Garrett’s candidacy. Moreover, the Democrats had no illusion the progressive Republicans would reject their partisan identity and cross the aisle. As a correspondent for the *New York Times* described: “The Democrats are keeping hands off in the matter, taking the stand

17. Only William F. James (Mich.) and Frank R. Reid (Ill.) continued to support Madden. See *NYT*, 12/6/1923, p. 1; *CT*, 12/6/1923, p. 3; *LAT*, 12/6/1923, p. 1.

that it is purely a Republican affair...” (12/4/1923, p. 1).¹⁸ Thus, while the progressives were willing to reject the caucus bond, by refusing to unconditionally support Gillett, they were unwilling to reject the Republican label more generally. Nevertheless, they chose to “go public” with their grievances, after failing to achieve their goals in caucus, and use their pivotal numbers to produce a deadlock and extract a deal. In the short term, they were winners, but would there be retribution?

The answer would come quickly enough. The 1924 elections, with Calvin Coolidge providing strong coattails, increased the GOP’s House majority from 225 to 247 seats. This gave Longworth and the regular Republicans a working majority in the 69th Congress (1925—27), without having to cooperate with the progressives. Thus, Longworth and the regulars saw this as an opportunity to tighten the party bond and force the progressives to toe the line. A first salvo would be made in advance of the Republican caucus in late-February 1925, when it was announced that 13 progressives who had worked against the party’s presidential ticket of Coolidge and Dawes would be excluded from attending the caucus.¹⁹ These 13 progressives — Henry Cooper (Wisc.), Edward Voigt (Wisc.), John M. Nelson (Wisc.), John C. Shafer (Wisc.), Florian Lampert (Wisc.), Joseph D. Beck (Wisc.), Edward E. Browne (Wisc.), George J. Schneider (Wisc.), James A. Frear (Wisc.), Hubert H. Peavey (Wisc.), James H. Sinclair (N.D.),

18. Democratic leaders seemed content reveling in the GOP’s public intra-party squabble. If anything, they communicated to the *regular* Republican leadership that no Democratic votes would be forthcoming (in support of Gillett) to end the speakership drama.

19. Rumors of the exclusion of the progressives began almost immediately after the November elections. It was not made official, however, until January 29, 1925, when William R. Wood (R-Ind.), Chairman of the Republican Congressional Campaign Committee, announced the decision. See *CT*, 1/30/1925, p. 1; *NYT*, 1/30/1925, p. 1; *LAT*, 1/30/1925, p. 1.

Oscar E. Keller (Minn.), and Fiorello H. La Guardia (N.Y.)²⁰ — had thrown their support behind Robert La Follette’s third-party presidential candidacy, and had also been part of the bloc that had held up the House organization in the prior Congress.²¹

With the progressives barred from the caucus, Nicholas Longworth was nominated Speaker on the first ballot, besting Martin Madden (Ill.) 145 to 85 (*NYT*, 2/28/1925, p. 1; *CT*, 2/28/1925, pp. 1, 5).²² Longworth would revitalize the speakership during his tenure,²³ and his first order of business was to devise a plan to punish the progressives. Longworth and Bertrand Snell (N.Y.), Chairman of the Rules Committee, favored stripping the progressives of their prime committee assignments (*NYT*, 3/1/1925, p. 20). The first formal decision in this regard occurred on March 5, 1925, when the Republican Committee on Committees (RCOC) removed Frear (Wisc.) from his seat on Ways and Means. The RCOC also announced that the progressives would find themselves at the end of the line when committee assignments were announced,

20. La Guardia’s exclusion is a bit more complicated. The regular Republicans contended that in addition to supporting La Follette, La Guardia had also become a Socialist (and won election on the Socialist ticket). La Guardia disputed this, claiming that he was still entitled to be treated as a Republican in chamber politics. His arguments were to no avail, however, and he went without a committee assignment in the 69th Congress. He would run under the Republican banner in the 1926 elections, and reassume more formal ties with the Republicans in the 70th Congress.

21. A similar scenario played out in the Republican Senate conference, where La Follette, Edwin Ladd (N.D.), Smith Brookhart (Iowa), and Lynn Frazier (N.D.) were excluded for refusing to support the Coolidge–Dawes ticket.

22. Gillett had been elected to the Senate in 1924, and thus was not an option for Speaker.

23. During Longworth’s speaker, a “Big Four” took control of the party – comprised of Longworth (Speaker), Bertrand Snell of New York (Chairman of the Rules Committee), John Tillson of Connecticut (Majority Leader), and James Begg of Ohio (Longworth’s right-hand man, often referred to informally as the “assistant Speaker”). In doing so, the Big Four usurped power that had resided in the Steering Committee during Gillett’s speakership. For more, see Kitchin (1969, pp. 84-86).

which meant that they would receive nothing better than low rank on some very minor committees (*NYT*, 3/6/1925, p. 1; *CT*, 3/6/1925, p. 1; *LAT*, 3/6/1925, p. 3). Consistent with their decree, the RCOG announced early assignments to Appropriations and Commerce, with no progressives selected.

The 69th Congress would not convene until December 7, 1925, leaving a good deal of time for the Republican blocs to iron out their differences. But Longworth continued to take a hard line. Declaring that he would work to return the speakership to a position of prominence in the House, he identified party unity as a critical goal in reestablishing a strong party organization. In that vein, the *New York Times* reported that he favored “vigorous warfare on all members who accept election as Republicans but refuse to work in harness with the organization” (12/1/1925, p. 27). To regain their status within the Republican caucus, Longworth determined that the 13 members of the progressive bloc had to support his speakership candidacy on the House floor. This would be the critical test of the progressives’ party loyalty. To underscore the threat, the RCOG met on December 5, 1925 and dropped progressive John M. Nelson (Wisc.) from the Rules Committee (*NYT*, 12/6/1925, p. 1).²⁴

Rather than cave to Longworth’s demands, the progressives grew defiant. Once again they rallied around Henry Cooper (Wisc.), fellow progressive and elder statesman in the House, and vowed to resist Longworth and his “gag rule” (*NYT*, 12/7/1925, p. 1; *CT*, 12/7/1925, p. 1; *LAT*, 12/7/1925, p. 1). When the 69th Congress convened on December 7, 1925, the progressives were true to their word. Longworth won the speakership easily, receiving 229 votes

24. A second requirement was that the progressives support the regular Republicans in rescinding the liberalized discharge rule (which required only 150 signatures) that was passed in the 68th Congress. This requirement, however, was never made a critical test of party loyalty.

to 173 for Finis Garrett (Tenn.) and 13 for Cooper. Of the 13 progressives barred from the caucus, eleven voted for Cooper, the twelfth member of the excluded group.²⁵ Only Oscar E. Keller (Minn.) buckled and voted for Longworth.

In his acceptance speech, Longworth noted the “unanimity” of his Republican support, and spoke at length in favor of “responsible party government” and against European style “bloc government.” In doing so, Longworth “read out of the Republican councils the handful of insurgents who opposed his election” (*NYT*, 12/9/1925, p. 1). He then proceeded to oversee the rolling back of the progressive-led rules reforms of the previous Congress, the first and most notable of which was the increase in the number of signatures needed to discharge a committee from 150 to 218.

In finalizing the House committee assignments over the next few days, the RCOC would perform the coup de grâce against the progressives. While the RCOC did recognize the progressives as “Republicans,” and thus as members of the majority party, punishment would nonetheless be severe.²⁶ The committee assignments for the 12 members who supported La Follette and subsequently refused to vote for Longworth appear in Table 9-1. For comparisons, their assignments in the 68th Congress are also listed.

[Table 9-1 about here]

All of the progressives were clearly worse off in the 69th Congress. In addition to Nelson and Frear losing their seats on Rules and Ways and Means, respectively, Browne was

25. These eleven were joined by Knud Welfald (FL-Minn.) and Ole J. Kvale (FL-Minn.).

26. The exception would be La Guardia, who was deemed a Socialist and treated as a third-party member for committee assignment purposes.

dropped from Foreign Affairs, La Guardia and Schneider lost their spots on Post Office and Post Roads, Peavey was booted from Rivers and Harbors, Sinclair and Voight were removed from Agriculture, Shafer was dropped from Coinage, and Lampert lost his Chairmanship of Patents. And when members were allowed to retain their committees of origin, like Cooper on Foreign Affairs and Beck on Labor, for example, they were stripped of their seniority and placed at the end of the Republican contingent. In addition, many of these members were encumbered with minor committees, most of which possessed little value and dealt with mundane (but potentially time-consuming) matters. Oscar E. Keller (Minn.), the one member of the original bloc of 13 La Follette supporters who did end up voting for Longworth, was considerably more fortunate by comparison, retaining his Chairmanship of Railways and Canals, along with his seats (and seniority) on Claims and District of Columbia. Keller's favorable treatment by the RCOC was an explicit thumb-in-the-eye to his progressive brethren.

With their comfortable majority, the regular Republicans did not need to bargain with the progressive wing of the party in the 69th Congress. And the progressives loudly and defiantly maintained their independence throughout the Congress' proceedings. However, they had been marginalized; sitting outside of the caucus and inhabiting only minor committees, their ability to influence legislation was minimal. Thus, when the regular Republican leadership made a peace offering in advance of the 70th Congress — readmittance into the caucus, and thus reinstatement as “regulars,” in exchange for loyalty on matters of party organization — the progressives were receptive (*NYT*, 1/28/1927, p. 7; 2/5/1927, p. 7). And while only one member of the progressive bloc, John M. Nelson, attended the organizational caucus on February 21, 1927, wherein

Longworth was nominated by acclamation, there was a general understanding that they would fall in line behind the GOP choice for Speaker on the House floor.²⁷

And that is what occurred. On December 5, 1927, the 70th Congress (1927–29) convened, and Longworth was elected Speaker, receiving 225 votes to 187 for Finis J. Garrett. Eleven of the twelve dissident progressives had been reelected to the 70th Congress, and ten were present for the speakership vote.²⁸ All ten voted for Longworth. In his acceptance speech, Longworth paid special note to the progressives’ “homecoming.” He declared:

I am particularly blessed to have received the votes of gentlemen who have been seated on my party’s side of the aisle for the past four years but who on two previous occasions have preferred to vote for a candidate for Speaker other than the one proposed by the Republican majority. I welcome your return to the Republican Party, where you rightfully belong. I like to row in the same boat with that fine old veteran of a hundred political battles, Henry Allen Cooper, and with Nelson and Frear, and all of you (*NYT*, 12/6/1927, p. 2).

Thus, just as Longworth had read the progressives out of the party two years before, he now read them back in. Moreover, through his actions, “Longworth restored to the Republican caucus a requirement that members be bound by its decisions” (Bolling 1968, p. 115). The tightening of the party noose, via expulsion from the caucus and sanctions in the committee assignment process, had done the trick.²⁹

27. While the Republican share of House seats fell from 247 in the 69th Congress to 238 in the 70th Congress, the regular bloc still possessed a relatively comfortable majority in the chamber. Thus, the Republican leadership did not have to bargain with the progressives. This was a case of Longworth showing leadership, by meeting the progressives halfway, in an attempt to mend fences and strengthen the party for the long run.

28. Voight was the only non-returning member, and Beck did not attend the opening of Congress.

29. For an overview of the conflicts between progressive and regular Republicans over matters of House organization in the 68th through 70th Congresses, see Berdahl (1949a, 1949b).

Were the progressives transformed into regulars? Hardly. They continued to maintain their maverick tendencies. Nevertheless, they were back in tow on matters of party organization, and the power of the binding organizational caucus was reestablished.³⁰

Post-Insurgency Aftermath: Late-1920s through the Present

Since the 70th Congress, the caucus-speaker-committees institutional arrangement (which can be expanded to include other important partisan leadership positions, like the Majority Leader and seats on the Committee on Committees) has been extremely stable.³¹ There have been no election controversies on the House floor, and while caucus decisions have sometimes been contentious, no speakership nominations in the majority party's caucus have extended beyond a single ballot. Moreover, only once since the progressive revolt against Longworth in the 69th Congress has a member of the majority party supported someone other than the caucus nominee for Speaker on the House floor — in the 105th Congress, four Republican members opposed the reelection of Speaker Newt Gingrich (R-Ga.).³²

30. Writing contemporaneously with these events, Hasbrouck (1927, p. 35) notes succinctly: “The vote on the caucus nominee for Speaker has come to be the critical test of party allegiance.”

31. And while the speakership was formally weakened after the revolt against Cannon, Speakers over the next several decades still managed to exert influence in an informal sense – which often extended to the selection of Majority Leaders and members of the Committee on Committees. For example, Ripley (1967) notes that “[the Speaker] has usually operated behind the scenes to assure the election of Majority Leaders he favors” (54) and “Democratic Speakers have substantial influence over assignments to the Ways and Means Committee, which acts as the Committee on Committees” (56).

32. The four Republicans were Thomas Campbell (Calif.) and Michael Forbes (N.Y.), who voted for James Leach (R-Iowa); Leach, who voted for former-House member, Robert Michel (R-Ill.); and Linda Smith (Wash.), who voted for former-House member Robert Walker (R-Pa.). Five other Republicans – John Hostettler (Ind.), Scott Klug (Wisc.), Constance Morella (Md.), Mark Neumann (Wisc.), and Frank Wolf (Va.) – voted “present” rather than support Gingrich.

What makes this pattern of rank-and-file fidelity to the caucus agreement striking is how the majority party in the House was constituted during much of the twentieth century. Between 1931 (72nd Congress) and 1992 (103rd Congress), except in two instances, the House was organized by the Democratic Party.³³ During these years, the Democrats were often divided by region (North vs. South) around ideological visions for the role of government in society (liberal vs. conservative). These ideological divisions often led to conservative Southern Democrats voting *with* (conservative) Republicans *against* liberal North Democrats on a range of economic-based policy issues. This “Conservative Coalition” was thus a major force in congressional decision making,³⁴ to the point that Poole and Rosenthal characterize this era as a “three-party system,” based on an analysis of roll-call voting patterns (Poole and Rosenthal 1997, pp. 44–46, 109–11).

Policy disputes aside, the House Democrats saw eye-to-eye on the necessity of maintaining party discipline in the initial decisions to organize the chamber at the start of a new Congress. Decisions in caucus, which could be actively contested, were to be the party’s position on the floor, and all members regardless of region were expected to fall in line. One way the Democrats, despite their heterogeneity, were able to maintain organizational harmony during this period was through regional/ideological balancing. Harkening back to similar balancing strategies from before the Civil War, the party made sure that institutional “wins” by

33. The two exceptions to Democratic rule during this period were in 1947 (80th Congress) and 1953 (83rd Congress), when the Republicans organized the chamber.

34. For more on the Conservative Coalition, see Manley (1973) Patterson (1966; 1967), Shelley (1983), Nye (1993), and Schickler (2001).

one regional/ideological faction would be balanced against subsequent “wins” by the other faction.³⁵

This balancing is illustrated in Table 9-2, which documents the Democratic Speakers and Majority Leaders during this Conservative Coalition era. Almost without exception, the two Democratic leaders were split between the regional (and usually ideological) factions within the Democratic party. The one exception was in the 92nd Congress, when two southerners controlled the top leadership positions. (Oklahoma is typically considered “southern” in orientation, and is in fact coded as “South” by the ICPSR.) This regional/ideological balancing was adopted across lower level party positions as well (e.g., Majority Whip, Caucus Chairman, etc.). In addition, potential problems in committee allocations were alleviated through the straightforward use of seniority to manage career advancement. As Peters (1997, p. 96) notes: “The Democratic leadership tended to use the committee appointment power to broaden its base of support, and the seniority rule was ‘safe’ in this respect.” Seniority was thus a means to avoid intraparty disputes, especially given the significant heterogeneity within the Democratic Party.³⁶

[Table 9-2 about here]

Thanks to techniques like balancing and guiding principles like seniority, conflict within the Democratic caucus during much of this period was minimal. Speakership nominations, in

35. Another example of regional balancing – or, in this case, regional power sharing – in caucus occurred in 1967 (90th Congress), when House Democrats ousted the incumbent House Clerk, Ralph R. Roberts (Ind.), who had served in the office for 16 years (81st–82nd, 84th–89th Congresses). W. Pat Jennings (Va.) defeated Roberts 138-105 in the caucus vote (*CT*, 1/10/1967, p. 3). Jennings, who had served six terms as a House member (84th–89th Congresses) from Virginia, was defeated for reelection to the 90th Congress.

36. On the rise of the seniority rule, see also Polsby, Gallaher, and Rundquist (1969) and Hinckley (1971).

particular, were mostly “unanimous” or “by acclamation.” (See Appendices 5 and 6 for details.) On those rare occasions when speakership nominations were contested and regional/ideological divisions were present, such as in 1933 (73rd Congress) and 1969 (91st Congress), “losers” in caucus accepted the nomination outcome and closed ranks on the House floor.³⁷

On the minority side, organization has been almost as stable. After the Republicans were pushed out of power as a result of the 1930 midterm elections, the progressive wing of the party continued to be a hindrance through the decade. In 1932, at the start of the 72nd Congress, five progressive Republicans voted for George J. Schneider (R-Wisc.) for Speaker, rather than the caucus nominee, Bertrand H. Snell (N.Y.). Probably due to Snell’s precarious hold on power in the Republican caucus — he had won the speakership (and, thus, the Minority Leader) nomination after a grueling eight ballot affair over John Tilson (Conn.) — the five progressives were not disciplined. Republican party defections also occurred on Speaker votes in 1933 (73rd Congress), 1935 (74th Congress), and 1937 (75th Congress), but Snell had by this time consolidated power and proceeded to punish the defectors — William Lemke (R-N.D.) and Usher L. Burdick (N.D.) — by placing them at the end of very minor committees.³⁸ More

37. One exception occurred in the 89th Congress (1965), when Albert William Watson (D-S.C.) answered “present” during the speakership vote. Watson was only a tangential Democrat by that time, as he was stripped of his seniority rights by the Democratic caucus on January 2, 1965, for supporting Republican Barry Goldwater for president in November 1964 (*NYT*, 1/3/1965, p. 1). On February 1, Watson resigned his seat; he later won a special election as a Republican, to fill the vacancy caused by his own resignation. (Another Democrat, John Bell Williams of Mississippi, was stripped of his seniority rights by the caucus for supporting Goldwater; however, Williams would vote for the Democratic speakership nominee, John McCormack [D-Mass.], on the floor.)

38. Lemke would vote for Paul J. Kvale (Farmer-Labor-Minn.) in the 73rd Congress, William P. Lambertson (R-Kans.) in the 74th Congress, and Fred L. Crawford (R-Mich.) in the 75th Congress. Burdick would join Lemke in voting for Lambertson and Crawford.

generally, the progressive element of the Republican Party was driven out beginning in the 74th Congress, when residual members started their own Progressive Party. They continued to weaken in strength until finally disappearing after the 78th Congress (1943–45).

Two serious minority party nomination battles occurred in 1959 (86th Congress) and 1965 (89th Congress), each involving struggles for the “future direction” of the Republican Party. And each involved the titular head of the House Republican Party being ousted — Joseph W. Martin (Mass.) by Charles A. Halleck (Ind.) on a 74–70 vote (86th Congress), and Halleck by Gerald R. Ford (Mich.) on a 73–67 vote (89th Congress). And while the nomination battles and subsequent outcomes were acrimonious, the Martin and Halleck supporters in 1959 and 1965, respectively, fell in line and the Republicans displayed a united front behind their speakership nominee on the floor.

No additional minority party caucus violations occurred until 2001, when James A. Traficant, Jr. (D-Ohio) rebuffed the Democratic speakership nominee, Richard Gephardt (Mo.), and voted instead for the Republican nominee, Dennis Hastert (Ill.). As a result, Traficant was expelled from the Democratic caucus and had his committee assignments stripped (Cohn 2001).³⁹ The other case was Gary Eugene “Gene” Taylor (D-Miss.), who voted for John Murtha (D-Pa.) for Speaker in 2001 (107th Congress), 2003 (108th Congress), and 2005 (109th Congress).⁴⁰ In doing so, he opposed his party’s nominee, Gephardt (107th Congress) and

39. Traficant would later be expelled by the House, after being found guilty of nine rules violations dealing with bribery, racketeering, and tax evasion. He was then convicted of similar charges in Federal court and sentenced to serve eight years in prison.

40. In 1995, Taylor and Mike Parker (D-Miss.), who supported Charlie Rose (D-N.C.) for Speaker in the Democratic caucus in the 104th Congress, voted “present” rather than support Gephardt, the Democratic caucus nominee, on the House floor. Parker would change his party

Nancy Pelosi (D-Calif.).⁴¹ Unlike Traficant, Taylor was allowed to remain in the Democratic caucus and was not obviously sanctioned. When the Democrats regained control of the House in the 110th Congress, Taylor did vote for Pelosi, both in caucus and on the floor.⁴²

The most extensive set of minority party defections occurred at the opening of the 112th Congress. Following the Democrats' "shellacking" in the 2010 midterm elections, which resulted in a loss of 63 House seats for the Democrats, along with control of the chamber, calls for Pelosi to step down as the Democratic leader were frequent. Pelosi survived a challenge in caucus to the minority leader's post by Heath Shuler (D-N.C.), on a 150–43 vote (Hunter 2010b). When the issue of electing the Speaker reached the floor upon the organization of the House, Shuler maintained his challenge, garnering 11 votes for Speaker, including his own (Palmer and Hunter 2011).⁴³ Overall, nineteen Democrats registered a public protest against Pelosi, either voting for someone else or voting "present," making this the most significant

affiliation to Republican later in the session. In 1997 (105th Congress) and 1999 (106th Congress), Taylor did vote for Gephardt in the speakership election on the House floor.

41. In 2003 (108th Congress), Ralph Hall (D-Tex.), Ken Lucas (D-Ky.), and Charles Stenholm (D-Tex.) voted "present" rather than support Pelosi, the Democratic caucus nominee, on the House floor. Hall would change his party affiliation to Republican later in the session

42. Interestingly, Pelosi voted for *herself* for Speaker in 2003 (108th Congress), 2005 (109th Congress), 2007 (110th Congress), 2009 (111th Congress), and 2011 (111th Congress). John Boehner (R-Ohio) also voted for himself for Speaker in 2007 (110th Congress), but did not cast a speakership vote in 2009 or 2011. These appear to be the only cases of major speakership candidates voting for themselves across the history of House speakership elections.

43. Democrats also voting for Shuler were Jason Altmire (Pa.), Dan Boren (Okla.), Jim Cooper (Tenn.), Joe Donnelly (Ind.), Tim Holden (Pa.), Larry Kissell (N.C.), Jim Matheson (Utah), Mike McIntyre (N.C.), Mike Michaud (Maine), and Mike Ross (Ark.)

defection since the progressive bolts of the 1920s.⁴⁴ All of the defectors were on the conservative side of the Democratic caucus, as measured by DW-NOMINATE scores from the 111th Congress.

Conclusion

As this and the prior chapter document, the caucus-induced institutional equilibrium on organizational matters, which first became a fixture of House organization during Reconstruction, evolved into an equilibrium institution (Shepsle 1986) over time, allowing other developments, like the majority party cartel to form. While the caucus bond has been challenged over time — most notably in the 1923 speakership election, which we covered at length in this chapter — it has survived all assaults and persisted, without interruption, through the present day.⁴⁵

Yet, the party caucus has not successfully broadened its authority into the realm of policy. The Radical Republicans during Reconstruction failed in this regard, and while the GOP has continued to dabble with policy-based caucus decision making at various times, it has never instituted caucus rules that were *strictly* binding on party members.⁴⁶ The Democrats *did* draft strict caucus rules on policy matters — specifically, a two-thirds rule that instructed dissident

44. One other Democrat, Peter DeFazio (Ore.), skipped the organization of the House entirely to attend “a meeting on a VA medical facility” back in his district (Associated Press 2011).

45. After the revolt against Cannon, the Speaker became less influential in House politics, with the parties’ Committee on Committees playing a larger role in staffing the various standing committees. In recent decades, the Speaker has reemerged as the central player in House politics.

46. To underscore this, the Republicans designated their organizational apparatus a “conference” rather than a “caucus” during the period of the Wilson presidency, when the Democrats pursued their binding policy caucus.

party members to follow supermajority caucus decisions — and for a time, after the overthrow of Cannon, attempted to institute a binding policy caucus (Haines 1915; Hasbrouck 1927, pp. 29–34). But members chafed at the persistent party whip, especially in the face of constituent pressure, and the arrangement could not be maintained (Green 2002). A binding policy caucus has not been attempted again since.

In recent years, scholars have investigated whether congressional party caucuses in the contemporary era are binding on *procedural* matters in the House, specifically on rules-related votes that allow the majority party to expedite its policy agenda. This scholarship stems from the increased role of partisanship in congressional life since the late-1970s. Various measures of “party strength” indicate that congressional voting is structured significantly along party lines (see, e.g., Poole and Rosenthal 1997). Much has been written as to *why* this is the case (see, e.g., Rohde 1991; Aldrich 1995; Cox and McCubbins 1993, 2005), but many accounts suggest that with greater intraparty homogeneity and interparty polarization came greater delegation by the majority party rank-and-file to majority party leaders. The Speaker, in particular, has grown stronger; party reforms in the 1970s made the Speaker the chair of the Democratic Committee on Committees⁴⁷ and provided him/her with the ability (subject to caucus approval) to assign members to the Rules Committee (Sinclair 2006, pp. 77–78). When the GOP regained majority

47. The DCOC was a new Steering and Policy Committee, and no longer the Democratic contingent on Ways and Means.

status, fidelity to the Republican Conference was stressed,⁴⁸ and “members [in both parties] are now expected to vote the party line on procedural votes” (Sinclair 2006, p. 166).

Thus, many scholars now hold that the majority party in the House acts as a “procedural cartel” in much the same way that the majority party did during the Reed-Cannon years.⁴⁹ The caucus (or conference, in the Republican case), along with the Speaker and committees, appears to be at the heart of such an arrangement, an organizational achievement that was no mean feat in accomplishing.

48. In an interview with a Republican leadership aide, Sinclair (2006, p. 137) reports the following statement: “You don’t need to be beholden to the leadership so much as to the Conference at large.”

49. For research on the existence of “procedural party cartels,” see Cox and McCubbins (1993, 1994, 2002, 2005), Schickler and Rich (1997a, 1997b), Schickler (2001), Peters (2002), Forgette (2004), and Jenkins, Crespín, and Carson (2005).

Table 9-1. Progressive House Republicans and Committee Assignments, 68th and 69th Congresses

Member	68th Congress: Committee (Rank)	69th Congress: Committee (Rank)
Joseph D. Beck (Wisc.)	Labor (2) Railways and Canals (3) Claims (5) Expenditures in Dept. of Agriculture (3)	Labor (8) Railways and Canals (6) Claims (9)
Edward E. Browne (Wisc.)	Foreign Affairs (4)	Alcohol Liquor Traffic (4) Civil Service (8) Expenditures in the Dept. of State (3)
Henry A. Cooper (Wisc.)	Foreign Affairs (7)	Foreign Affairs (13)
James A. Frear (Wisc.)	Ways and Means (5)	Expenditures in the Dept. of Justice (4) Flood Control (9) Indian Affairs (13)
Fiorella H. La Guardia (N.Y.)	Post Office and Post Roads (8)	Alcohol Liquor Traffic (Third-1) Public Buildings and Grounds (Third-1) Public Lands (Third-2) Woman Suffrage (Third-1)
Florian Lampert (Wisc.)	Patents (Chair) Coinage, Weights, and Measures (2) District of Columbia (3) Expenditures in Dept. of Navy (2)	Patents (7) Coinage, Weights, and Measures (9) District of Columbia (13) Territories (10)
John M. Nelson (Wisc.)	Rules (5) Invalid Pensions (3) Roads (3)	Expenditures in the Dept. of Interior (4) Invalid Pensions (8) Roads (13)

Member	68th Congress: Committee (Rank)	69th Congress: Committee (Rank)
Hubert H. Peavey (Wisc.)	Rivers and Harbors (11)	Expenditures in the Post Office Dept. (4) Mileage (4) War Claims (9)
John C. Schafer (Wisc.)	Coinage, Weights, and Measures (8) Insular Affairs (10) Expenditures in the Dept. of War (4)	Railways and Canals (8) Woman Suffrage (3) Expenditures in the Dept. of War (4)
George J. Schneider (Wisc.)	Post Office and Post Roads (12)	Expenditures in the Dept. of Interior (3) Railways and Canals (7)
James H. Sinclair (N.D.)	Agriculture (8)	Alcohol and Liquor Traffic (5) Expenditures in the Dept. of State (4) War Claims (8)
Edward Voight (Wisc.)	Agriculture (4)	Census (10) Expenditures in the Dept. of Agriculture (4) Pensions (8) Revision of Laws (8)

Source: Canon, Nelson, and Stewart (2002)

Table 9-2. Democratic Balancing in Caucus, 72nd through 103rd Congress

Congress	Speaker	Majority Leader
72	John N. Garner (Tex.)	Henry T. Rainey (Ill.)
73	Henry T. Rainey (Ill.)	Joseph W. Byrns (Tenn.)
74	Joseph W. Byrns (Tenn.)	William B. Bankhead (Ala.)
	William B. Bankhead (Ala.)	
75	William B. Bankhead (Ala.)	Sam Rayburn (Tex.)
76	William B. Bankhead (Ala.)	Sam Rayburn (Tex.)
	Sam Rayburn (Tex.)	John W. McCormack (Mass.)
77	Sam Rayburn (Tex.)	John W. McCormack (Mass.)
78	Sam Rayburn (Tex.)	John W. McCormack (Mass.)
79	Sam Rayburn (Tex.)	John W. McCormack (Mass.)
81	Sam Rayburn (Tex.)	John W. McCormack (Mass.)
82	Sam Rayburn (Tex.)	John W. McCormack (Mass.)
84	Sam Rayburn (Tex.)	John W. McCormack (Mass.)
85	Sam Rayburn (Tex.)	John W. McCormack (Mass.)
86	Sam Rayburn (Tex.)	John W. McCormack (Mass.)
87	Sam Rayburn (Tex.)	John W. McCormack (Mass.)
	John W. McCormack (Mass.)	Carl B. Albert (Okla.)
88	John W. McCormack (Mass.)	Carl B. Albert (Okla.)
89	John W. McCormack (Mass.)	Carl B. Albert (Okla.)
90	John W. McCormack (Mass.)	Carl B. Albert (Okla.)
91	John W. McCormack (Mass.)	Carl B. Albert (Okla.)
92	Carl B. Albert (Okla.)	Thomas Hale Boggs (La.)
93	Carl B. Albert (Okla.)	Thomas P. "Tip" O'Neill (Mass.)
94	Carl B. Albert (Okla.)	Thomas P. "Tip" O'Neill (Mass.)
95	Thomas P. "Tip" O'Neill (Mass.)	James C. Wright (Tex.)
96	Thomas P. "Tip" O'Neill (Mass.)	James C. Wright (Tex.)
97	Thomas P. "Tip" O'Neill (Mass.)	James C. Wright (Tex.)
98	Thomas P. "Tip" O'Neill (Mass.)	James C. Wright (Tex.)
99	Thomas P. "Tip" O'Neill (Mass.)	James C. Wright (Tex.)
100	James C. Wright (Tex.)	Thomas S. Foley (Wash.)
101	James C. Wright (Tex.)	Thomas S. Foley (Wash.)
	Thomas S. Foley (Wash.)	Richard A. Gephardt (Mo.)
102	Thomas S. Foley (Wash.)	Richard A. Gephardt (Mo.)
103	Thomas S. Foley (Wash.)	Richard A. Gephardt (Mo.)

Note: The Republicans were the majority party in the 80th and 83rd Congresses.

Chapter 10

Conclusion

We have covered more than 200 years of House organizational history in the last nine chapters. In this final chapter, we bring things full circle and return to key points raised initially in our introductory chapter. We focus first on the role that the party caucus has played in hastening a consistent House organization by the majority party, after which we discuss how a focus on Congress — specifically, the House of Representatives — provides the basis for a richer and more complete view of American party development in the antebellum and postbellum eras. We end with some final thoughts on parties and congressional organization.

Building an Organizational Cartel

The work of Cox and McCubbins has proposed the “legislative cartel” as the principle that guides the organization of the modern Congress. In justifying one of the key assumptions that underlies the legislative cartel model in *Setting the Agenda*, they write the following:

In the United States, the cartel ensures a near-monopoly on agenda-setting offices to the extent that it can control the relevant votes on the floor (on election of the speaker and the appointment of committees). To aid in controlling these floor votes, the cartel establishes an intracartel procedure to decide on the nominee for speaker and on a slate of committee appointments (p. 24 fn 9).

This is essentially the story of our book — *how* the majority party finally got to the point where it could control the floor votes that ultimately determine the Speaker (and other officers) and committee appointments. This finally happened after the Civil War, and the locus of this control (the “intracartel procedure to decide on the nominee”) was the party caucus. The procedural cartel that is central to the legislative theory of Cox and McCubbins follows from this *organizational cartel*, which has been the focus of this book.

Speaker Thomas B. Reed established the practice by which key House positions set the legislative agenda on behalf of the majority party. He would only have pursued this course if he felt confident that the majority party would definitively control key House positions at the outset of a new Congress. By the time Reed was Speaker, he could look back on a quarter-century of institutional history and conclude that the majority party, via its organizational caucus, could count on exercising persistent control over the key power nodes in the House, starting from the opening moments of a Congress, extending through the next two years — all this despite the fact that some members of the majority would be tempted to defect to the minority on individual questions of organization and agenda.

Before the Civil War, the organizational cartel was an aspiration, not a reality. The fact it was merely aspirational is evident in two ways. First, for the most part, disgruntled caucus members could abandon their party's caucus with impunity. Although someone who bolted the party over the election of the Speaker (or one of the other officers) might not gain the cream of the committee assignments and influence in party circles that loyalists enjoyed, neither would he be written out of the party for his disloyalty.

Second, not only could members of the majority party abandon their party on organizational matters with impunity, but the organizational coalitions that elected antebellum Speakers could not always parlay that organizational majority into an enduring agenda-setting majority. Notable were the 26th, 31st, 32nd, and 35th Congresses. These cases demonstrate that achieving an organizational majority may be a necessary condition for the creation of an organizational cartel, but it is not a sufficient condition.

Once the procedural features of the organizational cartel were established during the Civil War and tested in the years thereafter, congressional leaders began to push matters further, testing whether it could bind its members to votes on specific policy-related bills. These efforts were notable failures. The organizational cartel was a firm foundation for building a system of party governance that operated through a system of negative power — keeping divisive issues off the agenda. However, such a system of party governance was, and remains, significantly less adept at exercising positive power, that is, forcing members to make costly policy-related votes on the floor.

Thus, the organizational cartel that eventually emerged in the second half of the nineteenth century, and which continues to today, is a middle-ground equilibrium along a continuum. At one end is an *ad hoc* organization of the House that has no substantive consequences for policymaking; at the other end is an organization that can bind its members to particular policy-related votes.

The organizational cartel has not been seriously challenged since its presence solidified in the period from 1861 to 1891. Two divisive intraparty battles over speakership nominees, one among the majority Republicans in 1881 and the other among the majority Democrats in 1891, tested the boundaries of the caucus bond — but that bond held and warring factions came together on the floor without incident. And the organizational fight at the outset of the 68th Congress in 1923, which *did* spill out onto the floor and delay the election of the Speaker for two days, failed to challenge the infrastructure of the organizational cartel — even the progressive Republican renegades operated under the assumption they would eventually support the GOP nominee for Speaker. Finally, the organizational cartel survived the Conservative Coalition —

the combination of conservative southern Democrats and Republicans — whose unofficial presence from 1937 until the 1980s provided the greatest challenge to the operation of the procedural cartel since its inception under Reed. As a potential threat to the organizational cartel, the Conservative Coalition was the proverbial dog that did not bark.

Undoubtedly, had the Democrats retained their majority following the 2010 election — admittedly a big “if” — the organizational cartel would have faced its biggest challenge since the Roaring Twenties, perhaps ever. Almost two dozen House Democrats announced during the fall campaign that they would refuse to vote for Nancy Pelosi as Speaker (Hunter 2010a) — a threat that held the potential of throwing the organization of the House into chaos when Congress convened on January 3, 2011. Of course, the results of the November election made these threats moot. Still, nineteen Democrats, mostly the Blue Dog remnant of the Conservative Coalition, ended up throwing away their votes when it came to stand behind Pelosi as the Democratic nominee for Speaker. The fact that this display of disloyalty had no material consequences means that it was viewed as an act of position-taking by electorally vulnerable members, not a body-blow to the principle of party organization of the chamber. In other words, it was an accepted form of highly visible dissent meant for public consumption, not a serious assault on the organizational cartel itself.

Without knowing the history of how the organizational cartel came to be the rock on which party governance was built in the House, it would be tempting to conclude that the reason the parties settle their leadership divisions in caucus is because Americans have a distaste for the traditional machinations of nineteenth century party institutions, like conventions, and

anachronistic features of the electoral landscape, like the Electoral College.¹ In other words, one would be tempted to argue that modern Americans have little patience with politicians fighting over leadership positions in smoke-filled rooms, or the uncertainty of elections that do not settle who the real winners and losers are.² For these reasons, members of both parties resolve to stand by their man (or woman), once the caucus has determined who a majority of the caucus supports for Speaker. The alternative would be to risk unsettling political instability that voters would punish at the polls.

Were this true, then we would expect for the organizational cartel to have become a universal feature of American legislatures. While state legislatures often have party caucuses that appear to function like those in the U.S. Congress, they veer away from the organizational cartel model often enough to make it clear that the organizational cartel is simply not a generic feature of American political culture. It is a practice that members of the U.S. House of Representatives have come to expect without a second thought, but it is not a practice that has become generalized to all legislative bodies.

¹ Repeatedly throughout the past decade, public opinion polls have shown that only about one-third of Americans favor keeping the Electoral College, preferring instead some form of popular voting for President. See Gallup, “Public Flunks Electoral College System,” <http://www.gallup.com/poll/13918/public-flunks-electoral-college-system.aspx>, accessed January 11, 2011; Penn, Schoen, Berland, “PSB survey introduced at Aspen Ideas Festival reveals Americans’ views on the U.S. Constitution; Changes to Supreme Court favored,” <http://www.psbresearch.com/files/Aspen%20Ideas%20Press%20Release%20FINAL.pdf>, accessed January 11, 2011.

² In this sense, perhaps a better analogy would be drawn from college sports, particularly college football. In a 2007 Gallup Poll survey of football fans, 69% of respondents expressed preference for a playoff tournament to determine the national collegiate Division I football champion, compared to the 15% who preferred the current system of poll-based rankings.

Just how particular the organizational cartel is in the U.S. House is evident when we compare what was happening in state legislatures at the same time the legislative cartel was becoming the established way of doing business on Capitol Hill. Just as the organizational caucus was entrenching itself in the House, state legislatures regularly found themselves tied in knots over organizational politics that could not be contained by the caucuses. One important example was the election of Republican Edward Shurtleff as Speaker of the Illinois House of Representatives in 1909. Shurtleff walked out of the Republican caucus that was called for the nomination of a speakership candidate, over alcohol-related disputes with the caucus and meddling from the governor, and eventually was elected Speaker with the support of Democrats — Democrats who had already endorsed one of their own for the speakership nomination, requiring Shurtleff to prevail by appealing to the individual votes of Democrats, not the institutional endorsement of the caucus.³

Even legislatures today can find themselves hamstrung legislatively by the inability of the majority caucus to take organizational control of the chamber. The best-known recent case was the New York state senate in 2009, which started out in the hands of the Democrats, who held a narrow 32–30 majority. After holding control of the chamber for five months, the Democrats lost organizational control when two of their own joined with all the Republicans in ousting the chamber’s leadership, installing one of the disloyal Democrats, Pedro Espada, Jr., as president pro tempore — in an arrangement termed by the Republican leadership as a “bipartisan

³ See “Democratic Aid for Shurtleff?” *Chicago Daily Tribune*, January 4, 1909, p. 6; “E.J. King Chosen by Band of Hope,” *Chicago Daily Tribune*, January 5, 1909, p. 1; “Shurtleff Bolts. Wins Democrats?” *Chicago Daily Tribune*, January 6, 1909, p. 1.

coalition.”⁴ Within days, the Democratic caucus agreed to elect a leader more to the liking of the second defector, Hiram Monserrate, leading him to return to the Democratic fold, producing an organizational tie, which was unbreakable, owing to the fact that the position of lieutenant governor — who would normally exercise the casting vote in the New York Senate — was vacant.⁵ The resolution of the crisis came when Governor Patterson appointed a Democratic lieutenant governor, on constitutionally dubious grounds, with Espada eventually returning himself to the Democratic Party.

Other contemporary examples of this sort are not unheard of, such as the election of Thomas Finneran (D-Mass.) as Speaker of the Massachusetts House of Representatives in 1996, in an election precipitated by the resignation of Charles Flaherty, who pleaded guilty of tax evasion. Finneran lost the nomination vote in the Democratic caucus, 56–67, to House Majority Leader Richard Voke. Rather than rally behind his party’s nominee, Finneran reached out to the Republican caucus, combining his 56 Democratic supporters with the votes of all 35 House Republicans to win the Speakership on a 91–67 tally (Page 1996).⁶

While many American state legislatures behave in ways that are similar to the organizational cartel, it is still a practice that varies state-to-state and year-to-year, and cannot be taken for granted in any specific legislative setting.

⁴ “Republican Seize Control of State Senate,” *New York Times*, <http://cityroom.blogs.nytimes.com/2009/06/08/revolt-could-imperil-democratic-control-of-senate/>, last accessed January 14, 2011. The president pro tempore is the highest position held by New York State senators, as the constitutional presiding officer is the lieutenant governor.

⁵ The president pro tempore is the highest position held by New York State senators, as the constitutional presiding officer is the lieutenant governor.

⁶ In 1997, when it came to the election of a Speaker for a full term, Finneran easily received the nomination of the Democratic caucus, and then was elected speaker on a purely party line vote.

A New Take on the Legacy of Martin Van Buren

Casting our sights back to the earliest part of the narrative we have explored, we are compelled to comment further on the role that Martin Van Buren played in developing the organizational capacity of the Democratic Party. The organizational cartel that structures the election of House leaders is a direct descendant of Van Buren's thinking about partisan organization and, in fact, may be the purest expression of this strategic thinking still in use among the parties.

Historians and political scientists alike have lionized the strategic prowess of Van Buren, as he generalized what he learned from New York politics to the nation. The early chapters of this book add a layer of complexity to our understanding of what Van Buren was trying to accomplish, and the role of the House in his party-building plans.

Our antebellum narrative dovetails with Van Buren's better-known efforts to build an electoral machine capable of submerging regional differences among Democrats, in order to win the White House. Even in the early days of the Republic, the presidency was the top political prize; any political organization that hoped to dominate national politics needed to dominate presidential elections. Yet, this book shows that the presidency was not the only institution that caught Van Buren's eye. Congress, through its control of patronage in the Clerk and propaganda in the Printer, possessed resources that were critical pieces to the larger puzzle that comprised the popular side of the Van Buren system. Moreover, Democrats needed to produce once in office, that is, they needed to *legislate* in order to continue achieving their electoral goals. Thus, the power of party needed to be felt in Congress — via the Speaker, and his powers of recognition and appointment, and the committees — in guiding and manufacturing legislation.

Van Buren's focus on controlling the House through the party caucus naturally complemented his efforts to build an organization that could win presidential elections.

In emphasizing the underappreciated role of Congress in Van Buren's party-building efforts, we offer a necessary corrective to the existing scholarly perspective. That is, we contend that historians' near-exclusive focus on the presidency — as an office and arena of mass political struggle — has resulted in a lopsided view of party-building at the national level during the Jacksonian era.⁷ The Jacksonian system did not abolish the separation of powers. Indeed, the scholarly consensus is that during the nineteenth century (with notable exceptions) the real locus of national political power remained in Congress. An ascendant presidency was in fact a twentieth century phenomenon. Thus, any view of party building and development in antebellum America that does not incorporate a rich understanding of the machinations of Congress risks mischaracterizing that system significantly.

While Van Buren was indeed a mastermind, he was ahead of his time, at least with regard to his plans to root control of the House in an organizational cartel. Efforts to create such an organizational cartel in the House from the 1830s to the 1850s proved difficult, and provide ample evidence regarding the constraints on Van Buren's grandest schemes. The biggest constraint was the messiness of House elections. In particular, congressional leaders could not control nominations to the House, nor ensure that all legislators who carried the party label were as dedicated to the "party principle" as Van Buren and his supporters. Especially vexing to Van

⁷ This preoccupation on the presidency and presidential elections as the central feature in historical accounts of how national political events have unfolded across time has been termed the "presidential synthesis." See Cochran (1948) and, more recently, Zelizer (2007) for critiques. Exceptions to the criticism for sweeping historical analyses of American political history ignoring the role of Congress include Brady (1988), Silbey (1992), and Aldrich (1995).

Buren's plans was the fact that he had precisely zero control over the behavior of minority parties for whom a spoils-based party system offered no allure. The rise of slavery as an incendiary issue in national politics always meant that the party principle could be undermined by regional appeals by majority party renegades who prioritized region over party. And if that did not materialize, minor parties like the Free Soil Party and the American Party, whose attention was on what we would now call "social issues," could prove pivotal on the floor.

The history of organizational politics in the U.S. House illustrates the difficult task of bringing together elections and governing through the actions of political parties. Van Buren's activities are immediately recognized by modern students of social choice as an effort to reduce policy dimensionality, so that a majority of officeholders could extract the rents of office-holding. However, no one brought the congressional electorate into the deal. A sufficient number of voters in the antebellum period insisted that politics was about something else — slavery, for instance — meaning that a significant number of their representatives also refused to go along with a game that valued patronage or distributive politics over everything else.

Since the Civil War, and the disappearance of slavery as a viable national issue, other divisive issues — like bimetallism, industrialization, the tariff, and civil rights — have emerged and possessed the *potential* to disrupt organizational politics in the House. But none has. The Republicans' unity on organizational matters through Reconstruction, while they served as the majority party, was copied by the Democrats when they returned to prominence in the mid-1870s. Over time, the value of organizational fidelity became ingrained in both parties, and when disruptions within caucus occurred, resources were brought to bear — usually committee assignments distributed by the Speaker, to smooth over hard feelings and maintain intraparty

harmony. While real *policy* differences might remain within the majority party, all members recognize the value of coordinating to organize the chamber and capture the range of benefits that come with such a majority-controlled organization. Van Buren's vision is indeed a reality.

As American political scientists, we have been taught to act as if American political parties are by their very nature weak and inconsequential, and that fights over the control of party organs is nothing more than a tempest in a teapot. However, the perspective offered by this book helps us appreciate the degree to which the modern party caucuses in Congress, especially the caucuses in the House of Representatives, have become prime venues for the development of party government in the United States.

The importance of the organizational cartel for the general development of political parties in the United States is illustrated through the central role played by the House Democratic Caucus in procedural reform efforts during the 1970s.⁸ Between 1969 and 1975, the Democratic caucus, which had been moving in a liberal direction since the late-1950s, instituted a number of procedural changes to open up the legislative process in the House and make it more representative of the bulk of the Democratic membership (Rohde 1991). These changes included the elimination of the seniority system that automatically governed committee chairmanships, replaced by a new caucus rule that provided for a secret ballot for all chairmanships at the beginning of each Congress; a decentralization of authority from committees to subcommittees; an expansion of resources throughout the congressional ranks, which gave junior members more opportunities to participate; and a strengthening of the powers of the Speaker, who was granted the ability to appoint the chair and Democratic members of the Rules Committee (making Rules

⁸ The material from this and the following paragraph is drawn from Jenkins (2011).

once again an arm of the party leadership), given new authority to determine appointments to all other standing committees (through disproportionate influence on the new Steering and Policy Committee), and provided with the right to refer bills to more than one committee (“multiple referral”) and set deadlines for reporting.

In the early years after the reforms, politics in the House became unwieldy, thanks to a proliferation of participatory efforts by members looking to make their mark and appeal to constituent sentiment. In response, the Democratic rank-and-file looked to the leadership for guidance and coordination. Because the Democratic Party had become increasingly homogenous by the late-1970s, as conservative southerners began disappearing, the caucus was willing to allow leaders more discretion in setting and overseeing the legislative agenda. To control proceedings, the leadership began relying on special (restrictive) rules to structure debate and floor voting (Sinclair 2005). Leaders also took on a more active role at the pre-floor stage, negotiating with committees on the content and language of legislation and generally using their authority to insure that the party’s agenda proceeded expeditiously. By this time, the Republican minority, increasingly homogenous as a conservative group, began adopting similar conference-based rules in the hopes of better countering the Democrats.⁹ When the House changed partisan hands after the 1994 elections, the Republicans under Newt Gingrich (Ga.), and then later under Dennis Hastert (Ill.), used their conference to further centralize decision making authority in the Speaker, who took an ever more active role in committee selection and legislative policy making. When the Democrats recaptured the House following the 2006 elections, new Speaker

⁹ Recall that the Republicans call their caucus a “conference.” See footnote 46 in Chapter 9 for an explanation.

Nancy Pelosi (D-Calif.) followed the Gingrich–Hastert plan in terms of activity and assertiveness, but also relied more upon the expertise of committee chairmen to share in leadership decisions. With the Republicans now back in control of the House at the convening of the 112th Congress, new Speaker John Boehner (R-Ohio) will likely follow the Gingrich–Hastert plan as well, although perhaps with a lighter hand (Hooper 2010).

Because the organizational cartel is an endogenous institution, it is natural to ask where it is most vulnerable to attack, and the likelihood such attack would be successful, thrusting the House back to a *terra incognita* of organizational politics not seen in Washington since the Civil War. In short, what are the chances that the House could find itself once again deadlocked in organizing?

The history we have explored suggests two conditions under which the House will find itself deadlocked. The first is when a faction of the majority party has sympathies with the minority, and thus finds it advantageous to hold up the election of a Speaker in order to extract centrist concessions from the leadership of the majority party. This most recently occurred in 1923, due to the demands of progressive Republicans. The second condition is when a second dimension introduces a cross-cutting cleavage into both parties, making a cross-party organization of the House at least plausible, due to the fact that off-dimension members of both parties could credibly threaten to organize the House together on an alternative basis, cutting the major party establishments out of the deal. This was the common condition for most of the protracted speakership fights before the Civil War.

In the current period, a Democratic cartel seems more vulnerable to an attack because of the first condition, with a Republicans cartel more susceptible to the second condition. For the

Democrats, the most cohesive dissident faction is the Blue Dogs, who are more conservative than the mainstream of the party, and thus could plausibly be enticed to form coalitions with Republicans on a variety of issues, mainly economic, but sometimes social. The anti-Pelosi pledge taken by nearly two dozen House Democratic candidates in 2010 provides evidence of this type of vulnerability lurking over the horizon.

Insuring against the breakdown of a Democratic organizational cartel due to left-right ideological tension is the now well-established practice of disaffected Democrats defecting to the Republican party. Since the passage of the Civil Rights Act in 1964, 23 House members have switched parties, 19 of whom were conservative Democrats who became Republicans, some of whom were already well into Republican ideological territory (Nokken and Poole 2004; Yoshinaka 2005; Nokken 2009).¹⁰ Thus, when Democrats hold a House majority, the member who might wish to vote against the nominee for Speaker under circumstances that would put majority party control of the chamber at risk has available a well-trod path, which is simply to leave the party before being expelled from it.

Republicans seem considerably less vulnerable to fracturing over organizational matters due to left-right ideological divisions, owing to the fact that their most cohesive dissidents, the Tea Party sympathizers, are on the right wing of the party, far from the center of the chamber. Thus, defection to the Democratic Party is not a credible threat. The most Tea Party sympathizers can do is to withhold support for the Republican nominee and hold out for a more

¹⁰ Excluded from this calculation were Joseph Moakley (D-Mass.) and Thomas M. Foglietta (D-Pa.), because the circumstances of their election cloud analysis of their party changes.

conservative Speaker, the alternative being the inability of the House to conduct business at all. Under this scenario, the Tea Party faction would become like the Impracticables of 1849 (Chapter 6).

Another opportunity for organizational chaos with Republicans in the majority could arise if a party like Ross Perot's Reform Party or the Libertarian Party elected enough members to be pivotal in an organization of the House, much like the 34th Congress, when the American Party kept the Republicans and Democrats from holding a majority outright. In such a situation, the Tea Party faction would be tempted to join with a Reform/Libertarian Party contingent, with the Democrats unlikely to help either set of actors (the libertarians or traditional Republicans) organize the House for business. As with the resolution of the speakership contest in 1856, there would also be speculation about whether organization would need to be effected through a plurality vote.

Any of these scenarios is a bit of a stretch, and thus the likelihood of organizational chaos in the next few years is low. Still, these scenarios all are rooted in recent political developments. While they are unlikely, they are not impossible.

As this conclusion is being written, the House Republican Party is girding itself for two years of intense political battle with a Democratic President. The results of this battle will reverberate throughout the rest of the century. Should the House Republicans prove successful in taking on the Democratic President and Senate, it will be because its leaders have harnessed the organizational cartel to its advantage. On paper, a House led by a conservative majority is just one of three seats at the table in passing legislation, when the Senate and presidency are controlled by Democrats. The very fact that House Republicans are emboldened to think of

themselves as the majority party in Washington, even though they only occupy one of these seats, is testimony to how important the organizational and legislative cartels have become in bringing coherence to the House majority party's policy initiatives.

Final Thoughts

For the past two decades, students of legislatures have argued over the relevance of Mayhew's (1974) claim that "[t]he fact that no theoretical treatment of the United States Congress that posits parties as analytical units will go very far" (p. 27).¹¹ The analysis offered in this book suggests that at least part of that argument has overlooked major aspects of the politics of congressional organization and what we are calling the organizational cartel. First, for nearly two hundred years, the most respected and visible members of Congress have acted as if the Speaker's gavel is something of value to be fought over, and that the value comes in the ability of the winners to appoint committees and direct the agenda of the chamber for two years. If, as a general matter, parties have no meaningful role as analytical units, then the efforts of the most ambitious politicians in American have been as deluded as those who search for the Loch Ness Monster, the Holy Grail, or perpetual motion.

At the same time, the construction and maintenance of the organizational cartel illustrates that the "easiest" task for cohesive parties to achieve — staying together to elect the Speaker and share the institutional spoils — is no easy task, prone to destruction by the most primitive of social choice dynamics. The robustness of the organizational cartel is a variable, not a constant. Other American legislatures with otherwise identical structures do not operate assuming the

¹¹ Recently, Mayhew has backed off the claim. See Mayhew (2004, p. xvii).

organizational cartel will dominate — and the House itself spent its first century constructing its foundation. There is nothing in the laws of physics that mandate its appearance. There are plausible scenarios that could eventually lead to an unraveling of the precedents established by the Republican Party during the Civil War, by which all roads to the speakership went through the caucuses, which ultimately led to the historical moment that Reed grasped in 1890. Indeed, the Democrats may have dodged a test of the organizational cartel's persistence by losing the 2010 election.

Still, for over a century, the House has organized its business under the assumption that the majority party elects the Speaker, that the Speaker's power to set the agenda derives from the fact that even his sharpest partisan critics will stand behind him on the floor if he is challenged, and that he will use the agenda-setting levers at his disposal to keep his party from being divided on the floor. The organizational cartel was not handed to the House, it was constructed by it. Having constructed it piece-by-piece and devoted energies to learning how to master it, the organizational cartel is now an integral part of congressional politics, one that will unlikely be abandoned any time soon.

Appendix 1. Summary of House Organization, 1st–112th Congress (1789–2011)

		Majority party		Speaker				Clerk				Printer ^a					
Cong.	Year	Name	% seats held	Name	Party	Ballots	Winning pct.	Name	Party	Ballots	Winning pct.	Name	Party	Ball.	Winning pct.		
1	1789	Pro-Adm.	56.9	Muhlenberg	Pro-Adm.	Unk.	Unk.	Beckley	Pro-Adm.	2	Unk.	Printer appointed by Clerk					
2	1791	Pro-Adm.	56.5	Trumbull	Pro-Adm.	Unk.	Unk.	Beckley	Pro-Adm.	1	100						
3	1793	Anti-Adm.	51.4	Muhlenberg	Anti-Adm.	3	Unk.	Beckley	Pro-Adm.	1	100						
4	1795	Rep.	55.7	Dayton	Fed.	1	58.2	Beckley	Rep.	1	61.5						
5	1797	Fed.	53.8	Dayton	Fed.	1	97.5	Condy	Fed.	1	50.6						
6	1799	Fed.	56.6	Sedgwick	Fed.	2	51.2	Condy	Fed.	1	54.7						
								Oswald	Fed.	1	54.8						
7	1801	Rep.	63.6	Macon	Rep.	1	65.4	Beckley	Rep.	1	66.3						
8	1803	Rep.	72.5	Macon	Rep.	1	71	Beckley	Rep.	1	88.2						
9	1805	Rep.	80.3	Macon	Rep.	3	54.7	Beckley	Rep.	1	82.5						
10	1807	Rep.	81.7	Varnum	Rep.	1	50.4	Magruder	Rep.	4	61						
11	1809	Rep.	64.8	Varnum	Rep.	2	55.1	Magruder	Rep.	1	51.2						
12	1811	Rep.	74.8	Clay	Rep.	1	63	Magruder	Rep.	1	85.8						
13	1813	Rep.	62.6	Clay	Rep.	1	60.1	Magruder	Rep.	1	85.4						
				Cheves	Rep.	1	57	Dougherty	Rep.	2	51.9						
14	1815	Rep.	65	Clay	Rep.	1	71.3	Dougherty	Rep.	1	93.4						
15	1817	Rep.	78.9	Clay	Rep.	1	95.3	Dougherty	Rep.	1	100		Gales & Seaton	Rep.	1	Unk.	
16	1819	Rep.	86	Clay	Rep.	1	94.8	Dougherty	Rep.	1	100	Gales & Seaton	Rep.	1	65.4		
				Taylor	Rep.	22	51.4										
17	1821	Rep.	82.9	Barbour	Rep.	12	51.2	Dougherty	Rep.	1	100	Gales & Seaton	Rep.	1	65.8		
								Clarke	Rep.	11	65.3						

		Majority party		Speaker				Clerk				Printer ^a			
Cong.	Year	Name	% seats held	Name	Party	Ballots	Winning pct.	Name	Party	Ballots	Winning pct.	Name	Party	Ball.	Winning pct.
18	1823	A-C Rep.	33.8	Clay	A-C Rep.	1	76.8	Clarke	A-C Rep.	1	100	Gales & Seaton	A-C Rep.	1	73.8
19	1825	Adams	51.2	Taylor	Adams	2	51.3	Clarke	Adams	1	100	Gales & Seaton	Adams	1	73.2
20	1827	Jack.	53.1	Stevenson	Jack.	1	50.7	Clarke	Jack.	1	100	Green	Jack.	1	51.4
21	1829	Jack.	63.9	Stevenson	Jack.	1	79.6	Clarke	Jack.	1	70.3	Green	Jack.	1	52.4
22	1831	Jack.	59.1	Stevenson	Jack.	1	50.2	Clarke	Jack.	1	100	Gales & Seaton	Whig	14	50.3
23	1833	Jack.	59.6	Stevenson	Jack.	1	65.1	Franklin	Jack.	3	51.5	No election	—	—	—
				Bell	Jack.	10	52.3								
24	1835	Jack.	59.1	Polk	Jack.	1	58.7	Franklin	Jack.	1	100	Blair & Rives	Jack.	1	60.5
25	1837	Dem.	52.9	Polk	Dem.	1	51.8	Franklin	Dem.	1	72.6	Allen	Whig ^e	12	50.2
								Garland	Dem.	3	50.5				
26	1839	Dem.	51.7	Hunter	Whig	11	51.3	Garland	Dem.	1	50.9	Blair & Rives	Jack.	1	53.1
27	1841	Whig	58.7	White	Whig	1	54.8	Clarke	Whig	4	58.2	Gales & Seaton	Whig	1	62.3
28	1843	Dem.	66	Jones	Dem.	1	68.1	McNulty	Dem.	1	65.3	Blair & Rives	Dem.	1	66.3
								French	Dem.	1	100				
29	1845	Dem.	62.3	Davis	Dem.	1	57.1	French	Dem.	1	100	Ritchie & Heiss	Dem.	1	62.1
30	1847	Whig	50.5	Winthrop	Whig	3	50.5	Campbell	Whig	1	50.2	House adopted a low-cost bidding system for Printer			
31	1849	Dem.	48.5	Cobb	Dem.	63	46	Campbell	Whig	20	50.9				
								Young	Dem.	9	51.1				
32	1851	Dem.	54.5	Boyd	Dem.	1	55.1	Forney	Dem.	1	61.7	Armstrong	Dem.	1	57.2

		Majority party		Speaker				Clerk				Printer ^a			
Cong.	Year	Name	% seats held	Name	Party	Ballots	Winning pct.	Name	Party	Ballots	Winning pct.	Name	Party	Ball.	Winning pct.
33	1853	Dem.	67.1	Boyd	Dem.	1	65.9	Forney	Dem.	1	61	Armstrong	Dem.	1	57.8
34	1855	Opp.	42.7	Banks	Amer. ^f	133	48	Cullom	Whig	1	100	Wendell	Dem.	11	56.9
35	1857	Dem.	55.7	Orr	Dem.	1	56.9	Allen	Dem.	1	58.7	Steedman	Dem	1	56.3
36	1859	Rep.	48.7	Pennington	Rep.	44	50	Forney	Rep.	1	50.5	Ford	Rep	18	51.3
37	1861	Rep.	59	Grow	Rep.	1	62.3	Etheridge	Unionist ^d	1	59	House eliminated the position of Printer			
38	1863	Rep.	46.2	Colfax	Rep.	1	55.5	McPherson	Rep.	1	59.4				
39	1865	Rep.	70.5	Colfax	Rep.	1	79.4	McPherson	Rep.	1	58.6				
40	1867	Rep.	76.6	Colfax	Rep.	1	80.9	McPherson	Rep.	1 ^c	100				
				Pomeroy	Rep.	1	100								
41	1869	Rep.	70.4	Blaine	Rep.	1	70.3	McPherson	Rep.	1 ^c	70				
42	1871	Rep.	56	Blaine	Rep.	1	57.5	McPherson	Rep.	1 ^c	100				
43	1873	Rep.	68.2	Blaine	Rep.	1	70.3	McPherson	Rep.	1 ^c	100				
44	1875	Dem.	62.1	Kerr	Dem.	1	61.3	Adams	Dem.	1 ^c	100				
				Randall	Dem.	1	65.6								
45	1877	Dem.	52.9	Randall	Dem.	1	53	Adams	Dem.	1 ^c	100				
46	1879	Dem.	48.1	Randall	Dem.	1	50.9	Adams	Dem.	1 ^c	100				
47	1881	Rep.	51.6	Keifer	Rep.	1	51.9	McPherson	Rep.	1	51.7				
48	1883	Dem.	60.3	Carlisle	Dem.	1	61.7	Clark	Dem.	1 ^c	100				
49	1885	Dem.	56	Carlisle	Dem.	1	56.3	Clark	Dem.	1 ^c	100				
50	1887	Dem.	51.4	Carlisle	Dem.	1	52.2	Clark	Dem.	1 ^c	100				
51	1889	Rep.	53.9	Reed	Rep.	1	51.7	McPherson	Rep.	1 ^c	100				
52	1891	Dem.	71.7	Crisp	Dem.	1	71.5	Kerr	Dem.	1 ^c	100				

		Majority party		Speaker				Clerk				Printer ^a			
Cong.	Year	Name	% seats held	Name	Party	Ballots	Winning pct.	Name	Party	Ballots	Winning pct.	Name	Party	Ball.	Winning pct.
53	1893	Dem.	61.2	Crisp	Dem.	1	62.3	Kerr	Dem.	1 ^c	100				
54	1895	Rep.	71.2	Reed	Rep.	1	70.2	McDowell	Rep.	1 ^c	100				
55	1897	Rep.	57.7	Reed	Rep.	1	59.5	McDowell	Rep.	1 ^c	100				
56	1899	Rep.	52.4	Henderson	Rep.	1	52.8	McDowell	Rep.	1 ^c	100				
57	1901	Rep.	56	Henderson	Rep.	1	55.5	McDowell	Rep.	1 ^c	100				
58	1903	Rep.	53.6	Cannon	Rep.	1	54.2	McDowell	Rep.	1 ^c	100				
59	1905	Rep.	65	Cannon	Rep.	1	65.5	McDowell	Rep.	1 ^c	100				
60	1907	Rep.	57	Cannon	Rep.	1	56.8	McDowell	Rep.	1 ^c	100				
61	1909	Rep.	56	Cannon	Rep.	1	53.4	McDowell	Rep.	1 ^c	100				
62	1911	Dem.	58.3	Clark	Dem.	1	59.8	Trimble	Dem.	1 ^c	100				
63	1913	Dem.	66.9	Clark	Dem.	1	67	Trimble	Dem.	1 ^c	100				
64	1915	Dem.	52.9	Clark	Dem.	1	52.6	Trimble	Dem.	1 ^c	100				
65	1917	Rep. ^b	49.5	Clark	Dem.	1	50.7	Trimble	Dem.	1	50.5				
66	1919	Rep.	55.2	Gillett	Rep.	1	57	Page	Rep.	1 ^c	100				
67	1921	Rep.	69.2	Gillett	Rep.	1	70.7	Page	Rep.	1 ^c	100				
68	1923	Rep.	51.8	Gillett	Rep.	9	51.9	Page	Rep.	1 ^c	100				
69	1925	Rep.	56.8	Longworth	Rep.	1	54.5	Page	Rep.	1 ^c	100				
70	1927	Rep.	54.7	Longworth	Rep.	1	54	Page	Rep.	1 ^c	100				
71	1929	Rep.	62.1	Longworth	Rep.	1	63.8	Page	Rep.	1 ^c	100				
72	1931	Rep./Dem.	49.9	Garner	Dem.	1	50.7	Trimble	Dem.	1 ^c	100				
73	1933	Dem.	71.9	Rainey	Dem.	1	72.2	Trimble	Dem.	1 ^c	100				
74	1935	Dem.	74	Byrns	Dem.	1	74.4	Trimble	Dem.	1 ^c	100				

		Majority party		Speaker				Clerk				Printer ^a			
Cong.	Year	Name	% seats held	Name	Party	Ballots	Winning pct.	Name	Party	Ballots	Winning pct.	Name	Party	Ball.	Winning pct.
				Bankhead	Dem.	1	100								
75	1937	Dem.	76.8	Bankhead	Dem.	1	76.8	Trimble	Dem.	1 ^c	100				
76	1939	Dem.	60.2	Bankhead	Dem.	1	59.3	Trimble	Dem.	1 ^c	100				
				Rayburn	Dem.	1	100								
77	1941	Dem.	61.4	Rayburn	Dem.	1	60.2	Trimble	Dem.	1 ^c	100				
78	1943	Dem.	51.1	Rayburn	Dem.	1	50.9	Trimble	Dem.	1 ^c	100				
79	1945	Dem.	55.7	Rayburn	Dem.	1	56.9	Trimble	Dem.	1 ^c	100				
								Megill	Dem.						
80	1947	Rep.	56.6	Martin	Rep.	1	57.3	Andrews	Rep.	1 ^c	100				
81	1949	Dem.	60.5	Rayburn	Dem.	1	61.3	Roberts	Dem.	1 ^c	100				
82	1951	Dem.	54	Rayburn	Dem.	1	54.2	Roberts	Dem.	1 ^c	100				
83	1953	Rep.	50.8	Martin	Rep.	1	51.9	Snader	Rep.	1 ^c	100				
84	1955	Dem.	53.3	Rayburn	Dem.	1	53.5	Roberts	Dem.	1 ^c	100				
85	1957	Dem.	53.8	Rayburn	Dem.	1	53	Roberts	Dem.	1 ^c	100				
86	1959	Dem.	64.8	Rayburn	Dem.	1	65.2	Roberts	Dem.	1 ^c	100				
87	1961	Dem.	60.2	Rayburn	Dem.	1	60	Roberts	Dem.	1 ^c	100				
				McCormack	Dem.	1	59.9								
88	1963	Dem.	59.5	McCormack	Dem.	1	59.1	Roberts	Dem.	1 ^c	100				
89	1965	Dem.	67.8	McCormack	Dem.	1	67.5	Roberts	Dem.	1 ^c	100				
90	1967	Dem.	56.8	McCormack	Dem.	1	56.9	Jennings	Dem.	1 ^c	100				
91	1969	Dem.	55.9	McCormack	Dem.	1	56.3	Jennings	Dem.	1 ^c	100				
92	1971	Dem.	58.6	Albert	Dem.	1	58.7	Jennings	Dem.	1 ^c	100				

		Majority party		Speaker				Clerk				Printer ^a			
Cong.	Year	Name	% seats held	Name	Party	Ballots	Winning pct.	Name	Party	Ballots	Winning pct.	Name	Party	Ball.	Winning pct.
93	1973	Dem.	55.6	Albert	Dem.	1	55.7	Jennings	Dem.	1 ^c	100				
94	1975	Dem.	66.9	Albert	Dem.	1	66.4	Jennings	Dem.	1 ^c	100				
								Henshaw	Dem.						
95	1977	Dem.	67.1	O'Neill	Dem.	1	66.8	Henshaw	Dem.	1 ^c	100				
96	1979	Dem.	63.7	O'Neill	Dem.	1	63.5	Henshaw	Dem.	1 ^c	100				
97	1981	Dem.	55.6	O'Neill	Dem.	1	60	Henshaw	Dem.	1 ^c	100				
98	1983	Dem.	61.8	O'Neill	Dem.	1	62.4	Guthrie	Dem.	1 ^c	100				
99	1985	Dem.	58.2	O'Neill	Dem.	1	58.1	Guthrie	Dem.	1 ^c	100				
100	1987	Dem.	59.3	Wright	Dem.	1	59.2	Anderson	Dem.	1 ^c	100				
101	1989	Dem.	59.8	Wright	Dem.	1	59.5	Anderson	Dem.	1 ^c	100				
				Foley	Dem.	1	60.2								
102	1991	Dem.	61.4	Foley	Dem.	1	61.1	Anderson	Dem.	1 ^c	100				
103	1993	Dem.	59.3	Foley	Dem.	1	59.2	Anderson	Dem.	1 ^c	100				
104	1995	Rep.	52.9	Gingrich	Rep.	1	52.5	Carle	Rep.	1 ^c	100				
105	1997	Rep.	52.4	Gingrich	Rep.	1	50.8	Carle	Rep.	1 ^c	100				
								Trandahl	Rep.						
106	1999	Rep.	51.3	Hastert	Rep.	1	52	Trandahl	Rep.	1 ^c	100				
107	2001	Rep.	50.8	Hastert	Rep.	1	51.7	Trandahl	Rep.	1 ^c	100				
108	2003	Rep.	52.6	Hastert	Rep.	1	52.5	Trandahl	Rep.	1 ^c	100				
109	2005	Rep.	53.3	Hastert	Rep.	1	52.9	Trandahl	Rep.	1 ^c	100				
								Haas	Rep.	1 ^c	100				
110	2007	Dem.	53.6	Pelosi	Dem.	1	53.6	Haas	Rep.	1 ^c	100				

		Majority party		Speaker				Clerk				Printer ^a			
Cong.	Year	Name	% seats held	Name	Party	Ballots	Winning pct.	Name	Party	Ballots	Winning pct.	Name	Party	Ball.	Winning pct.
								Miller	Dem.	1 ^c	100				
111	2009	Dem.	59.1	Pelosi	Dem.	1	59.4	Miller	Dem.	1 ^c	100				
112	2011	Rep.	55.6	Boehner	Rep.	1	55.8	Haas	Rep.	1 ^c	100				

Note: Party seat percentages taken from the House Clerk's webpage (http://clerk.house.gov/art_history/house_history/partyDiv.html), which uses the Matis (1989) party codes from the 1st through 100th Congresses.

^aFrom the 15th through 22nd Congress (election of Gales & Seaton), the House Printer was elected for the *following* Congress. Beginning with the 24th Congress, the House elected its Printer for the *current* Congress. Printers are listed in the Congress that elected them.

^bThe Democrats were able to organize the House with the help of three Progressives, a Prohibitionist, and a Socialist.

^cElected unanimously by resolution, not by ballot.

^dEtheridge's partisanship is suspect. He is listed in various sources as "American," "Whig," "Conservative," and "Unionist." At the time of his election as Clerk, "Unionist" is probably the best characterization.

^eAllen was elected by a coalition of conservative Democrats and Whigs. Shortly thereafter, he moved over to the states' rights wing of the Whig Party (Smith 1977, p. 160).

^fBanks was elected as a member of the American Party in November 1854, but switched to Republican by December 1855, when the 34th Congress convened.

Party names follow the labels assigned by Martis (1989). They are abbreviated as follows:

Pro-A: Pro-Administration

Anti-A: Anti-Administration

R: Republican

F: Federalist

A-C R: Adams-Clay Republican

Jack: Jackson

Dem: Democrat

Whig: Whig

Amer: American

Appendix 2

Election of House Speaker, 1st—112th Congresses

1st Congress (Election date: April 1, 1789)

Frederick A. Muhlenberg (Pro-Adm.-Pa.) was elected by a “majority of votes,” with reports of 23 votes for Muhlenberg and 7 votes split between two other candidates. Jonathan Trumbull, Jr. was also nominated.

Source: *House Journal*, 1-1, p. 6; *The Independent Gazetteer* (Philadelphia), April 9, 1789, p. 3; Risjord (1992), p. 631.

2nd Congress (Election date: October 24, 1791)

Jonathan Trumbull, Jr. (Anti-Adm.-Ct.) elected by a “majority of votes.” No further details provided.

Source: *House Journal*, 2-1, p. 434; *American Mercury* (Hartford, CT), October 31, 1791, p. 3.

3rd Congress (Election date: December 2, 1793)

Frederick A. Muhlenberg (Anti-Adm.-Pa.) was elected on the third ballot.

Ballot:	1	2	3
Frederick Muhlenberg	21	33	37
Theodore Sedgwick	24	29	27
Abraham Baldwin	14		
Gilman	1		
Smith (sc)	3		
Boudinot	2		
Goodhue	1		
Scattering		some	a few
Total Votes	66	?	?
Necessary to a choice	34	?	?

Source: *General Advertiser* (Philadelphia), December 3, 1793, p. 3.

4th Congress (Election date: December 7, 1795)

Jonathan Dayton (F-N.J.) was elected on the first ballot. Dayton received 46 votes, to 31 for Frederick Muhlenberg and 2 votes scattering. (Total votes: 79. Necessary to a choice: 40.)

Source: *Aurora General Advertiser* (Philadelphia), December 8, 1795, p. 3; *The Daily Advertiser* (New York), December 10, 1795, p. 2.

5th Congress (Election date: May 15, 1797)

Jonathan Dayton (F-N.J.) was elected on the first ballot. Dayton received 78 votes, to 1 for George Dent and 1 for Abraham Baldwin. (Total votes: 80. Necessary to a choice: 41.)

Source: *Federal Gazette & Baltimore Daily Advertiser*, May 17, 1797, p. 3; *Alexandria Advertiser* (Virginia), May 19, 1797, p. 2.

6th Congress (Election date: December 2, 1799)

Theodore Sedgwick (R-Mass.) elected on the second ballot. On the first ballot, Sedgwick received 42 votes, to 27 for Nathaniel Macon, 13 for George Dent, 2 for John Rutledge, Jr., and 1 for Thomas Sumter. (Total votes: 85. Necessary to a choice: 43.) On the second ballot, Sedgwick received 44 votes, to 38 for Macon, 3 for Dent, and 1 for Rutledge. (Total votes: 86. Necessary to a choice: 44.)

Source: *Annals of Congress*, 6-1, p. 186.

7th Congress (Election date: December 7, 1801)

Nathaniel Macon (R-N.C.) was elected on the first ballot. Macon received 53 votes, to 26 for James A. Bayard and 2 for Samuel Smith. (Total votes: 81. Necessary to a choice: 41.)

Source: *Commercial Advertiser* (New York), December 12, 1801, p. 3; *New York Evening Post*, December 12, 1801, p. 3.

8th Congress (Election date: October 17, 1803)

Nathaniel Macon (R-N.C.) was elected on the first ballot. Macon received 76 votes, to 30 for Joseph Varnum and 1 for John Dawson. (Total votes: 107. Necessary to a choice: 54.)

Source: *Commercial Advertiser* (New York), October 21, 1803, p. 3.

9th Congress (Election date: December 2, 1805)

Nathaniel Macon (R-N.C.) was elected on the third ballot.

Ballot:	1	2	3
Nathaniel Macon	51	53	58
Joseph Varnum	26	26	23
John C. Smith	16	17	18
John Dawson	10	7	3
Andrew Gregg	2	3	2
Thomas Moore			1
David Holmes			1
Total Votes	105	106	106
Necessary to a Choice	53	54	54

Source: *Aurora General Advertiser* (Philadelphia), December 6, 1805, p. 3.

Note: Discrepancies exist regarding the vote totals of Macon, Varnum, and Gregg on the first ballot, with different sources reporting as many as 52 votes for Macon, 27 for Varnum, and 3 for Gregg.

10th Congress (Election date: October 26, 1807)

Joseph B. Varnum (R-Mass.) was elected on the first ballot. Varnum received 59 votes, to 17 for Charles Goldsborough, 17 for Burwell Bassett, 8 for Josiah Masters, 7 for Thomas Blount, 4 for John Dawson, 2 for John Smilie, 1 for Benjamin Tallmadge, 1 for Timothy Pitkin, and 1 for R. Nelson. (Total votes: 117. Necessary to a choice: 59.)

Source: *Annals of Congress*, 10–1, p. 782.

11th Congress (Election date: May 22, 1809)

Joseph B. Varnum (R-Mass.) was elected on the second ballot. On the first ballot, Varnum received 60 votes, to 36 for Nathaniel Macon, 20 for Timothy Pitkin, 1 for Roger Nelson, 1 for Charles Goldsborough, and 2 blank. (Total votes: 120. Necessary to a choice: 61.) On the second ballot, Varnum received 65 votes, to 45 for Macon, 6 for Pitkin, 1 for Benjamin Howard, 1 for Nelson, and 1 for Goldsborough. (Total votes: 118. Necessary to a choice: 60.)

Source: *Annals of Congress*, 11–1, pp. 54–56.

12th Congress (Election date: November 4, 1811)

Henry Clay (R-Ky.) was elected on the first ballot. Clay received 75 votes, to 38 for Bibb, 3 for Macon, 2 for Nelson, and 1 for Bassett. (Necessary to a choice: 60.)

Source: *National Intelligencer* (Washington), November 6, 1811, p. 1; *The Balance and State Journal* (Albany), November 12, 1811, p. 362.

13th Congress (Election date: May 24, 1813)

Henry Clay (R-Ky.) was elected on the first ballot. Clay received 89 votes, to 54 for Timothy Pitkin, 2 for Nathaniel Macon, 1 for Breckenridge, 1 for Nelson, and 1 for Bibb. (Total votes: 148. Necessary to a choice: 75.)

Source: *Annals of Congress*, 13-1, p. 106; *Boston Daily Advertiser*, May 31, 1813, p. 2.

Note: Clay resigned the speakership in order to attend the peace talks in Europe.

13th Congress – Replacement Election (Election date: January 19, 1814)

Langdon Cheves (R-S.C.) was elected on the first ballot. Cheves received 94 votes, to 59 for Felix Grundy, and 12 scattering. (Total votes: 165. Necessary to a choice: 83.)

Source: *Annals of Congress*, 13-2, p. 1057; *The Repertory* (Boston), January 27, 1814, p. 1.

14th Congress (Election date: December 4, 1815)

Henry Clay (R-Ky.) was elected on the first ballot. Clay received 87 votes, to 13 for Hugh Nelson, 9 for Timothy Pitkin, 7 for Nathaniel Macon, 2 for Joseph Lewis, 1 for T. Pickering, and 3 blanks. (Total votes: 122. Necessary to a choice: 62.)

Source: *Niles' Weekly Register*, December 9, 1815, p. 254.

15th Congress (Election date: December 1, 1817)

Date:	November 14								November 15		
Ballot:	12	13	14	15	16	17	18	19	20	21	22
Scattering	3	3	3	6	--	--	--	--	1	--	1
Total Votes	148	145	144	146	145	144	144	145	141	147	148
Necessary to a Choice	75	73	73	74	73	73	73	73	71	74	75

Source: *Annals of Congress*, 16–2, pp. 435–38; *Niles' Weekly Register*, November 18, 1820, p. 186.

Note: Eleven additional members arrived and took their seats prior to the Nov. 14th balloting; another five appeared and were seated prior to the Nov. 15th balloting.

Note: Lowndes is credited with 32 votes on the 10th ballot by the account provided in *Niles' Weekly Register*.

17th Congress (Election date: December 4, 1821)
Philip P. Barbour (R-Va.) elected on 12th ballot.

Date:	December 3, 1821							December 4				
Ballot:	1	2	3	4	5	6	7	8	9	10	11	12
John W. Taylor	60	58	61	60	67	72	77	64	69	70	68	67
Caeser A. Rodney	45	60	61	69	72	65	59	36	15	4	5	3
Louis McLane	29	31	30	23	16	8	--	--	--	2	--	--
Samuel Smith	20	10	5	8	10	19	26	25	18	10	6	4
Hugh Nelson	5	--	2	--	--	--	--	--	--	--	--	--
Scattering	2	2	--	--	--	--	--	12	3	2	5	4
Philip P. Barbour	--	--	--	--	--	--	--	35	64	83	85	88
Henry Baldwin	--	--	--	--	--	--	--	--	4	3	4	6
Total Votes	161	161	159	160	165	164	162	172	173	174	173	172
Necessary to a Choice	81	81	80	81	83	83	82	87	87	88	87	87

Source: *Annals of Congress*, 17-1, pp. 514-17; *Niles' Weekly Register*, December 8, 1821, pp. 233-34.

Note: Seven additional members arrived and took their seats prior to the Dec. 4th balloting.

Note: Nelson is credited with 0 votes on the 1st ballot by the account provided in *Niles'*.

18th Congress (Election date: December 1, 1823)

Henry Clay (R-Ky.) was elected on the first ballot. Clay received 139 votes, to 42 for Philip P. Barbour. (Total votes: 181. Necessary to a Choice: 91.)

Source: *Annals of Congress*, 18-1, p. 795.

19th Congress (Election date: December 6, 1825)

John W. Taylor (Adams-N.Y.) was elected on the second ballot. On the first ballot, Taylor received 89 votes, to 41 for John W. Campbell, 36 for Louis McLane, 17 for Andrew Stevenson, 6 for Lewis Condict, and 5 scattering. (Total votes: 194. Necessary to a choice: 98.) On the second ballot, Taylor received 99 votes, to 42 for Campbell, 44 for McLane, 5 for Stevenson, and 3 scattering. (Total votes: 193. Necessary to a choice: 97.)

Source: *Register of Debates*, 19-1, pp. 795-96.

20th Congress (Election date: December 3, 1827)

Andrew Stevenson (J-Va.) was elected on the first ballot. Stevenson received 104 votes, to 94 for John W. Taylor, 4 for Philip P. Barbour, and 3 scattering. (Total votes: 205. Necessary to a choice: 103.)

Source: *Register of Debates*, 20-1, p. 811.

21st Congress (Election date: December 7, 1829)

Andrew Stevenson (J-Va.) was elected on the first ballot. Stevenson received 152 votes, to 21 for William D. Martin, 4 for Joel B. Sutherland, 4 for Henry R. Storrs, 3 for John W. Taylor, with 7 votes scattering. (Total votes: 191. Necessary to a choice: 96.)

Source: *Republican Star & General Advertiser* (Easton, MD), December 15, 1829, p.3;
The Boston Patriot, December 9, 1829, p. 2.

22nd Congress (Election date: December 5, 1831)

Andrew Stevenson (J-Va.) was elected on the first ballot. Stevenson received 98 votes, to 54 for Joel B. Sutherland (Penn.), 15 for C. A. Wickliffe (Ky.), 18 for John W. Taylor (N.Y.), 4 for Lewis Condict (N.J.), and 6 scattering. (Total votes: 195. Necessary to a choice: 98.)

Source: *Register of Debates*, 22-1, p. 1420.

23rd Congress (Election date: December 2, 1833)

Andrew Stevenson (J-Va.) was elected on the first ballot. Stevenson received 142 votes, to 39 for Lewis Williams, 15 for Edward Everett, 4 for John Bell, 2 for Richard Coulter, 2 for R. H. Wilde, 2 for C. F. Mercer, 1 for John Davis, 1 for Samuel A. Foot, 1 for John Vance, 1 for James K. Polk, and 8 blank. (Total votes: 218. Necessary to a choice: 110.)

Source: *Congressional Globe*, 23-1, p. 3; *Register of Debates*, 23-1, p. 2136.

Note: Stevenson resigned the speakership to become American minister to London.

Note: Both the *Register* and the *Globe* indicate that there were 218 votes cast in the election, making 110 the number necessary for a choice. But both sources only report candidate totals that add up to 217 votes.

23rd Congress – Replacement Election (Election date: June 2, 1834)

John Bell (J-Tenn.) was elected on 10th ballot.

Ballot:	1	2	3	4	5	6	7	8	9	10
R. H. Wilde (Ga.)	64	64	59	49	37	24	16	11	11	11
James K. Polk (Tenn.)	42	53	57	59	67	67	73	78	76	78
Joel B. Sutherland (Penn.)	34	30	26	25	16	16	10	9	4	2
John Bell (Tenn.)	30	39	47	49	57	65	76	97	104	114
Jesse Speight (N.C.)	18	16	8	4	3	1	3	3	2	1
James M. Wayne (Ga.)	15	13	15	25	30	36	26	13	8	6
Lewis Williams (N.C.)	4	--	--	--	--	--	--	--	--	--
Edward Everett (Mass.)	3	1	--	--	--	--	--	--	--	--
Thomas Chilton (Ky.)	2	--	--	--	--	--	--	--	--	--
Henry Hubbard (N.H.)	2	1	1	2	1	--	--	--	--	--
Roger L. Gamble (Ga.)	1	1	--	--	--	--	--	--	--	--
G. R. Gilmer (Ga.)	1	1	--	--	--	--	--	--	--	--
Benjamin Hardin	--	1	--	--	--	--	--	--	--	--
Amos Lane	--	1	--	--	--	--	--	--	--	--
William S. Archer	--	--	1	--	--	--	--	--	--	--
David Crockett	--	--	1	--	--	--	--	--	--	--
Thomas Marshall	--	--	--	1	--	--	--	--	--	--
John Q. Adams	--	--	--	--	2	--	--	--	--	--
Richard Coulter	--	--	--	--	1	--	1	--	--	--
Horace Binney	--	--	--	--	--	--	--	1	--	--
Blank	4	2	4	7	5	5	10	7	6	6
Total Votes	220	223	219	221	219	214	215	219	211	218
Necessary to a Choice	111	112	110	111	110	108	108	110	106	110

Source: *Register of Debates*, 23-1, pp. 4371-73; *Congressional Globe*, 23-1, p. 421.

Note: On third ballot, the tellers discovered two votes folded together (in the same hand writing), both for John Bell. These votes were not counted. See *Register*.

Note: Wayne is credited with 0 votes on the 10th ballot by the account provided in the *Register*. The *Globe* account of 6 votes is likely correct, as the *Register's* individual-vote total falls 6 votes short of the announced total.

Note: *Register* reports 0 blanks on the seventh ballot.

24th Congress (Election date: December 7, 1835)

James K. Polk (J-Tenn.) was elected on the first ballot. Polk received 132 votes, to 84 for John Bell, 3 for Charles F. Mercer, 2 of John Quincy Adams, 1 for Francis Granger, and 3 blanks. (Total votes: 225. Necessary to a choice: 113.)

Source: *Congressional Globe*, 24-1, p. 3.

25th Congress (Election date: September 4, 1837)

James K. Polk (D-Tenn.) was elected on the first ballot. Polk received 116 votes, to 103 for John Bell, and 5 scattering. (Total votes: 224. Necessary to a choice: 113.)

Source: *Congressional Globe*, 25-1, p. 3.

26th Congress (Election date: December 16, 1839)

Robert M. T. Hunter (W-Va.) elected on the 11th ballot.

Date:	December 14, 1839						December 16				
Ballot:	1	2	3	4	5	6	7	8	9	10	11
John W. Jones (Va.)	113	113	110	101	71	39	2	--	--	14	55
John Bell (Tenn.)	102	99	1	2	22	21	64	80	33	12	--
William C. Dawson (Ga.)	11	11	103	77	4	1	5	5	6	3	--
Francis W. Pickens (S.C.)	5	5	7	8	6	4	--	1	1	5	9
Dixon H. Lewis (Ala.)	3	5	6	14	49	79	110	113	110	73	1
George W. Hopkins (Va.)	1	1	--	--	1	1	1	1	1	1	--
Robert M. T. Hunter (Va.)	--	1	5	29	68	63	22	16	59	85	119
John Q. Adams (Mass.)	--	--	1	1	1	--	--	1	1	1	--
John C. Clark (N.Y.)	--	--	1	--	1	--	--	--	--	--	--
Henry A. Wise (Va.)	--	--	--	1	--	--	--	--	--	--	--
Waddy Thompson (S.C.)	--	--	--	1	--	--	--	--	--	--	--
Levi Lincoln (Mass.)	--	--	--	--	4	11	--	--	--	2	--
Francis Granger (N.Y.)	--	--	--	--	2	1	12	--	--	2	--

Date:	December 14, 1839						December 16				
Ballot:	1	2	3	4	5	6	7	8	9	10	11
George Evans (Maine)	--	--	--	--	2	--	1	--	--	--	--
Thomas Corwin (Ohio)	--	--	--	--	2	1	--	--	--	1	--
Zadok Casey (Ill.)	--	--	--	--	1	3	3	5	5	8	10
Linn Banks (Va.)	--	--	--	--	--	1	--	--	--	--	--
George Dromgoole (Va.)	--	--	--	--	--	1	1	1	1	1	--
R. Barnwell Rhett (S.C.)	--	--	--	--	--	1	--	--	--	--	--
David Petrikin (Penn.)	--	--	--	--	--	1	--	--	--	--	--
Francis Thomas (Md.)	--	--	--	--	--	--	4	7	11	10	3
John Sergeant (Penn.)	--	--	--	--	--	--	1	--	--	--	--
Joseph Underwood (Ky.)	--	--	--	--	--	--	1	--	--	--	--
Cave Johnson (Tenn.)	--	--	--	--	--	--	1	1	--	--	--
Henry W. Connor (N.C.)	--	--	--	--	--	--	1	--	--	--	--
Lewis Williams (N.C.)	--	--	--	--	--	--	--	1	--	--	--
John Campbell (S.C.)	--	--	--	--	--	--	--	--	2	--	--
Edward Curtis (N.Y.)	--	--	--	--	--	--	--	--	1	--	--
George M. Keim (Penn.)	--	--	--	--	--	--	--	--	--	12	24
William Medill (Ohio)	--	--	--	--	--	--	--	--	--	2	--
Charles Atherton (N.H.)	--	--	--	--	--	--	--	--	--	--	4
Thomas Davee (Maine)	--	--	--	--	--	--	--	--	--	--	3
David Starkweather (Ohio)	--	--	--	--	--	--	--	--	--	--	1
Nathan Clifford (Maine)	--	--	--	--	--	--	--	--	--	--	1
Tilghman Howard (Ind.)	--	--	--	--	--	--	--	--	--	--	1
Linn Boyd (Ky.)	--	--	--	--	--	--	--	--	--	--	1
Total Votes	235	235	234	234	234	228	229	232	231	232	232
Necessary to a Choice	118	118	118	118	118	115	115	117	116	117	117

Source: *House Journal*, 26-1, pp. 57-79.

Note: This election was the first using the *viva voce* voting rule. All subsequent speakership elections were determined by *viva voce*, unless otherwise noted.

27th Congress (Election date: May 31, 1841)

John White (W-Ky.) was elected on the first ballot. White received 121 votes, to 84 for John W. Jones, 8 for Henry A. Wise, 5 for Joseph Lawrence, 1 for William Cost Johnson, 1 for Nathan Clifford, and 1 for George N. Briggs. (Total votes: 221. Necessary to a choice: 111.)

Source: *House Journal*, 27-1, pp. 10-11.

28th Congress (Election date: December 4, 1843)

John W. Jones (D-Va.) was elected on the first ballot. Jones received 128 votes, to 59 for John White (Ky.), and 1 for William Wilkins (Penn.). (Total votes: 188. Necessary to a choice: 95.)

Source: *House Journal*, 28-1, p. 7-8.

29th Congress (Election date: December 1, 1845)

John W. Davis (D-Ind.) was elected on the first ballot. Davis received 120 votes, to 71 for Samuel F. Vinton, 9 for Moses Norris, 5 for William S. Miller, 1 for Robert C. Winthrop, 1 for Daniel M. Barringer, 1 for John G. Chapman, 1 for John H. Campbell, and 1 for Andrew Stewart. (Total votes: 210. Necessary to a choice: 106.)

Source: *House Journal*, 29-1, pp. 7-9.

30th Congress (Election date: December 6, 1847)

Robert C. Winthrop (W-Mass.) was elected on the third ballot.

	1	2	3
Robert C. Winthrop (W-Mass.)	108	109	110
Linn Boyd (D-Ky.)	61	82	64
Robert McClelland (D-Ill.)	23	13	14
John A. McClernand	11	5	8
James J. McKay	5	–	–
Howell Cobb	3	2	4
James Wilson	2	3	2
Henry C. Murphy	1	–	–
Charles J. Ingersoll	1	–	–
John P. Gaines	1	–	–

	1	2	3
Joseph R. Ingersoll	1	1	–
Timothy Jenkins	1	–	–
Charles Hudson	1	1	1
John Gayle	1	–	–
Armistead Burt	–	1	4
R. Barnwell Rhett	–	1	7
John J. Hermanson	–	1	–
Jacob Thompson	–	–	1
Isaac E. Holmes	–	–	1
Joseph A. Woodward	–	–	1
Richard French	–	–	1
Total Votes	220	219	218
Necessary to a Choice	111	110	110

Source: *House Journal*, 30–1, pp. 8–14.

31st Congress (Election date: December 22, 1849)
Howell Cobb (D-Ga.) was elected on the 61st ballot.

Date:	12/3/1849				12/4					
Ballot:	1	2	3	4	5	6	7	8	9	10
Robert C. Winthrop	96	96	96	96	96	97	97	97	97	97
Howell Cobb	103	102	102	102	102	101	100	99	100	99
David Wilmot	8	8	7	7	10	9	9	9	8	9
Meredith P. Gentry	6	6	6	6	6	6	6	6	6	6
Emery D. Potter	-	-	1	1	1	3	3	4	4	4
Horace Mann	2	2	2	2	2	2	2	2	2	2
William A. Richardson	-	-	-	-	2	2	3	2	2	3
Chauncey F. Cleveland	1	1	2	2	1	1	1	1	1	1
Frederick P. Stanton	-	1	1	1	1	1	1	1	1	2
James A. Seddon	1	1	1	2	-	-	-	-	-	-
Scattering	4	4	3	2	3	2	2	3	3	1
Total Votes	221	221	221	221	224	224	224	224	224	224
Necessary to a Choice	111	111	111	111	113	113	113	113	113	113

Date:	12/5				12/6				12/7	
Ballot:	11	12	13	14	15	16	17	18	19	20
Robert C. Winthrop	97	97	98	99	101	100	100	99	102	102
Howell Cobb	98	97	93	89	89	73	66	63	63	62
William A. Richardson	4	4	6	8	9	19	25	27	29	28
Emery D. Potter	4	5	9	10	10	16	17	18	15	18
Meredith P. Gentry	5	5	5	5	5	5	5	5	5	5
Amos Tuck	-	-	-	-	7	8	8	9	-	-
Joseph M. Root	7	7	7	7	-	1	-	-	-	-

David Wilmot	-	-	-	-	-	-	-	-	8	7
Chauncey F. Cleveland	2	2	2	3	2	2	1	1	-	-
Horace Mann	2	2	1	-	-	-	-	-	-	-
Scattering	4	4	2	2	2	1	3	3	3	3
Total Votes	223	223	223	223	225	225	225	225	225	225
Necessary to a Choice	112	112	112	111	113	113	113	113	113	113

Date:	12/7		12/8						12/10	
Ballot:	21	22	23	24	25	26	27	28	29	30
Robert C. Winthrop	101	102	102	102	102	102	102	101	102	102
Emery D. Potter	19	18	29	40	48	61	70	76	76	77
Howell Cobb	66	65	31	16	9	7	6	5	5	5
William Richardson	23	23	23	16	12	6	5	4	1	1
Linn Boyd	-	-	3	14	22	22	17	14	5	4
David Wilmot	7	7	7	7	8	7	7	7	6	6
Meredith P. Gentry	5	5	4	5	5	5	5	5	5	5
James S. Green	-	-	-	1	-	-	-	1	10	12
Daniel F. Miller	-	-	5	8	8	-	-	-	-	-
John K. Miller	-	-	-	-	-	6	5	3	3	4
Thomas H. Bayly	-	-	2	3	2	2	2	2	1	1
William Strong	-	2	5	5	-	-	-	-	-	-
Richard K. Meade	-	-	2	2	1	1	1	1	1	1
John A. McClernand	1	1	2	1	2	1	-	1	-	-
James McDowell	-	-	3	2	1	-	-	-	-	-
William J. Brown	-	-	-	-	1	-	-	-	2	2
David T. Disney	-	-	2	1	-	-	-	-	-	-
Scattering	3	2	4	2	4	5	5	4	7	4

Scattering	7	5	3	3	3	4	3	2	2	6
Total Votes	224	224	224	224	224	224	223	225	226	226
Necessary to a Choice	113	113	113	113	113	113	112	113	114	114

Date:	12/13	12/14			12/15			12/17		
Ballot:	41	42	43	44	45	46	47	48	49	50
Linn Boyd	26	51	68	82	82	85	85	86	87	87
Robert C. Winthrop	59	36	25	27	20	14	10	70	72	75
Edward Stanly	21	30	40	49	55	67	66	3	1	1
Emery D. Potter	24	24	24	22	22	17	18	17	14	15
Thaddeus Stevens	4	11	13	12	24	23	27	18	11	9
Charles S. Morehead	11	9	10	6	8	5	4	16	22	18
Howell Cobb	40	18	6	1	1	1	1	1	1	1
William Strong	1	-	-	2	3	5	2	3	4	3
David Wilmot	4	6	6	6	-	-	-	-	-	-
David T. Disney	1	2	-	-	1	3	3	4	5	3
Robert M. McLane	2	8	7	-	-	-	-	-	-	1
William Duer	-	5	5	3	1	1	1	-	-	-
David Outlaw	1	2	3	2	1	1	1	2	1	2
Charles M. Conrad	1	-	3	-	-	-	1	1	2	2
George W. Julian	2	2	2	2	-	-	-	-	1	1
Edward McGaughey	3	3	1	1	-	-	-	-	-	-
Henry W. Hilliard	2	3	2	1	-	-	-	-	-	-
Thomas H. Bayly	6	-	-	-	-	-	-	-	-	-
John A. McClelland	2	1	1	1	1	-	-	-	-	-
Edward D. Baker	-	1	2	1	1	-	-	-	-	-
James McDowell	2	2	1	-	-	-	-	-	-	-

Humphrey Marshall	1	2	1	-	-	-	-	-	-	-
Robert C. Schenck	2	-	-	1	1	-	-	-	-	-
Samuel F. Vinton	-	2	1	-	-	-	-	-	-	1
Willis A. Gorman	2	1	-	-	-	-	-	-	-	-
Scattering	8	6	4	4	5	4	5	2	2	2
Total Votes	225	225	225	223	226	226	224	223	223	221
Necessary to a Choice	113	113	113	112	114	114	113	112	112	111

Date:	12/17	12/18				12/19			12/20	12/22
Ballot:	51	52	53	54	55	56	57	58	59	60
Robert C. Winthrop	57	95	97	97	97	84	88	86	13	90
Linn Boyd	87	66	59	51	47	37	33	32	28	3
John A. McClermand	-	13	18	23	26	35	40	46	50	-
Howell Cobb	1	7	8	11	16	15	13	10	2	95
William Strong	4	-	-	4	16	17	17	17	15	4
Edward Stanly	2	-	-	-	-	1	-	-	75	-
Charles S. Morehead	14	4	4	5	5	4	4	4	1	4
Emery D. Potter	13	11	10	8	-	-	-	-	1	3
George W. Julian	2	7	7	4	3	4	4	5	-	-
David T. Disney	4	9	9	8	4	-	-	-	-	-
Thaddeus Stevens	6	3	2	2	2	2	2	2	2	-
David Wilmot	-	-	-	-	-	1	1	1	7	9
James G. King	5	-	-	-	-	5	5	4	-	-
Hugh White	16	-	-	-	-	-	-	-	-	-
James McDowell	-	-	-	-	-	4	5	5	2	-
Edward C. Cabell	-	1	1	-	-	1	-	1	6	4
John L. Robinson	1	2	3	3	2	1	-	-	-	-

John K. Miller	-	-	-	1	-	1	1	1	6	-
Charles M. Conrad	4	-	-	-	-	2	2	1	1	-
Henry W. Hilliard	1	-	-	1	2	1	2	1	-	-
Edward McGaughey	-	-	-	-	-	1	1	1	1	3
Robert C. Schenck	3	-	-	-	-	-	-	-	3	-
Robert M. McLane	1	1	2	1	-	-	-	-	1	-
Edward D. Baker	-	1	1	-	-	3	-	-	-	-
Christopher Williams	-	-	-	-	-	-	-	2	-	-
William H. Bissell	-	-	-	-	-	2	2	1	-	-
Scattering	1	3	2	3	2	3	3	4	4	2
Total Votes	222	223	223	222	222	224	223	224	218	217
Necessary to a Choice	112	112	112	112	112	113	112	113	110	109

Date:	12/22		
Ballot:	61	62	63
Howell Cobb	96	97	102
Robert C. Winthrop	92	97	100
David Wilmot	9	9	8
Charles S. Morehead	4	4	4
William Strong	4	4	3
Emery D. Potter	3	3	1
Linn Boyd	3	3	1
Edward C. Cabell	2	2	-
Edward McGaughey	3	-	-
Scattering	4	2	3
Total Votes	220	221	221
Necessary to a Choice	111	111	--

Source: *House Journal*, 31-1, pp. 8-163.

Note: William Hebard is recorded as having voted for both Winthrop and Cobb on the 21st ballot. Hebard, a Whig, voted for Winthrop on every other ballot for Speaker. Cobb was elected Speaker on the 63rd ballot under a plurality rule resolution adopted by the House. Immediately following the 63rd ballot, Edward Stanley offered the resolution that “Howell Cobb, a representative from the State of Georgia, be declared duly elected Speaker of the House of Representatives for the thirty-first Congress,” which passed on a 149–35 vote (*House Journal* 31-1, p. 163-64).

32nd Congress (Election date: December 1, 1851)

Linn Boyd (D-Ky.) was elected on the first ballot. Boyd received 118 votes, to 22 for Edward Stanly, 21 for Joseph R. Chandler, 15 for Thaddeus Stephens, 9 for Thomas Bayly, 6 for John L. Taylor, 4 for Alexander Evans, 4 for Thomas S. Boccock, 3 for Meredith P. Gentry, 2 for Junius Hillyer, 1 for John W. Howe, 1 for Willis A. Gorman, 1 for Richard I. Bowie, 1 for David Outlaw, 1 for John Allison, 1 for William S. Ashe, 1 for E. Carrington Cabell, 1 for James Meacham, 1 for Preston King, and 1 for George W. Jones. (Total votes: 214. Necessary to a choice: 108.)

Source: *House Journal*, 32-1, pp. 8-10.

33rd Congress (Election date: December 5, 1853)

Linn Boyd (D-Ky.) was elected on the first ballot. Boyd received 143 votes, to 35 for Joseph R. Chandler, 11 for Lewis D. Campbell, 7 for Presley Ewing, 6 for Solomon Haven, 4 for James L. Orr, 3 for John G. Miller, 3 for William Preston, 2 for Thomas M. Howe, 1 for William S. Ashe, 1 for John S. Millson, and 1 for John C. Breckinridge. (Total Votes: 217. Necessary to a Choice: 109.)

Source: *House Journal*, 33-1, pp. 8-10.

34th Congress (Election date: February 2, 1856)

Nathaniel Banks (R-Mass.) was elected on the 133rd ballot.

Date:	12/3				12/4					12/5					
Ballot:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Richardson (D-Ill.)	74	74	74	72	78	75	75	75	75	72	74	73	74	74	74
Campbell (R-Ohio)	53	55	55	56	58	57	54	51	51	48	47	75	79	81	80
Marshall (A-Ky.)	30	30	30	30	19	18	20	18	16	25	26	21	22	13	6
Banks (R-Mass.)	21	22	23	22	23	25	28	32	31	32	37	12	9	8	8
Fuller (A-Pa.)	17	18	18	17	20	22	20	20	21	21	19	19	21	21	19
Pennington (R-N.J.)	7	7	8	8	8	9	10	9	10	9	9	6	7	5	7
Scattering	23	18	16	17	18	17	17	17	19	13	11	13	10	21	25
Total Votes	225	224	224	222	224	223	224	222	223	220	223	219	222	223	219
Necessary to a Choice	113	113	113	112	111	112	113	112	112	111	112	110	112	112	110

Date:	12/6						12/7						12/8		
Ballot:	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Richardson (D-Ill.)	72	73	72	71	71	71	73	73	74	72	72	73	73	73	73
Campbell (R-Ohio)	79	69	62	57	48	46	74	75	1	1	1	1	0	0	0
Banks (R-Mass.)	6	14	18	18	23	21	11	10	41	44	46	49	86	97	98
Fuller (A-Pa.)	20	21	21	23	22	21	20	16	19	22	27	28	26	18	28
Pennington (R-N.J.)	9	10	11	14	19	20	9	9	18	18	17	17	8	6	5
Scattering	36	31	33	31	33	32	34	38	67	62	58	47	26	27	15
Total Votes	222	218	217	214	216	211	221	221	220	219	221	215	219	221	219
Necessary to a Choice	112	110	109	108	109	106	111	111	111	110	111	108	110	111	110

Date:	12/8			12/10						12/11					
Ballot:	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45
Richardson (D-Ill.)	72	72	73	74	76	76	76	75	76	74	74	75	75	74	74
Banks (R-Mass.)	99	100	100	100	105	106	106	107	107	107	107	106	107	107	106
Fuller (A-Pa.)	29	30	30	31	29	29	28	28	28	27	28	27	28	28	27
Scattering	21	19	19	16	15	15	14	15	15	16	16	17	16	16	16
Total Votes	221	221	222	221	225	226	224	225	226	224	225	225	226	225	223
Necessary to a Choice	111	111	112	111	113	114	113	113	114	113	113	113	114	113	112

Date:	12/12					12/13					12/14				12/15
Ballot:	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60
Richardson (D-Ill.)	74	74	74	75	75	75	75	74	74	73	73	74	73	74	74
Banks (R-Mass.)	106	106	105	105	105	105	104	104	104	104	106	106	106	105	105
Fuller (A-Pa.)	33	32	32	35	33	33	32	34	35	38	40	41	41	41	40
Scattering	11	11	12	9	11	11	11	10	9	7	5	5	5	4	5
Total Votes	224	223	223	224	224	224	222	222	222	222	224	226	225	224	224
Necessary to a Choice	113	112	112	113	113	113	112	112	112	112	113	114	113	113	113

Date:	12/15	12/17				12/19	12/20	12/24	12/27					12/28		
Ballot:	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	
Richardson (D-Ill.)	74	73	73	73	73	75	73	72	66	67	67	67	68	68	68	
Banks (R-Mass.)	105	106	105	106	102	106	103	101	100	103	103	103	101	100	101	
Fuller (A-Pa.)	40	37	38	38	38	34	34	31	30	31	31	31	30	31	31	
Scattering	7	7	7	6	6	9	11	11	9	10	10	10	8	8	8	
Total Votes	226	223	223	223	219	224	221	215	205	211	211	211	207	207	208	
Necessary to a Choice	114	112	112	112	110	113	111	108	103	106	106	106	104	104	105	

Date:	12/28	12/29								1/2		1/3			
Ballot:	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
Richardson (D-Ill.)	67	68	68	68	68	68	68	67	66	72	71	73	73	73	72
Banks (R-Mass.)	101	101	103	102	101	102	100	99	98	103	101	102	102	102	101
Fuller (A-Pa.)	31	32	32	31	30	30	30	29	29	32	30	33	33	33	30
Scattering	9	8	8	8	9	9	10	10	10	11	11	11	11	11	11
Total Votes	208	209	211	209	208	209	208	205	203	218	213	219	219	219	214
Necessary to a Choice	105	105	106	105	105	105	105	103	102	110	107	110	110	110	108

Date:	1/4		1/5		1/7				1/9						
Ballot:	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105
Richardson (D-Ill.)	73	73	72	72	73	73	73	72	72	68	65	68	67	67	63
Banks (R-Mass.)	104	104	105	98	101	99	97	99	97	90	88	92	92	92	88
Fuller (A-Pa.)	34	34	32	29	29	30	30	30	33	32	28	28	26	29	28
Scattering	10	10	10	11	11	12	14	15	12	10	11	11	11	11	9
Total Votes	221	221	219	210	214	214	214	216	214	200	192	199	196	199	188
Necessary to a Choice	111	111	110	106	108	108	108	109	108	101	97	100	99	100	95

Date:	1/9	1/11	1/13	1/14			1/15			1/16	1/18	1/19	1/21		
Ballot:	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120
Richardson (D-Ill.)	62	70	69	66	65	64	65	65	66	65	68	69	66	67	67
Banks (R-Mass.)	88	98	94	95	95	95	92	92	93	88	94	94	92	91	91
Fuller (A-Pa.)	27	32	34	34	33	33	34	33	33	29	32	31	31	29	28
Scattering	10	12	10	16	16	16	16	16	17	13	9	8	8	8	8
Total Votes	187	212	207	211	209	208	207	206	209	195	203	202	197	195	194
Necessary to a Choice	94	107	104	106	105	105	104	104	105	98	102	102	99	98	98

Date:	1/21	1/23	1/24		1/25			1/28	1/29	2/2			
Ballot:	121	122	123	124	125	126	127	128	129	130	131	132	133
Richardson (D-Ill.)	67	65	0	0	0	0	0	0	0	0	0	0	0
Banks (R-Mass.)	91	90	96	95	94	94	94	97	99	102	102	102	103
Fuller (A-Pa.)	29	30	12	25	28	29	25	35	34	14	13	13	6
Orr (D-S.C.)	0	0	68	68	66	65	64	67	69	0	0	0	0
Aiken (D-S.C.)	0	0	0	0	0	0	0	0	0	93	93	92	100
Scattering	8	9	27	13	12	11	12	7	8	6	6	6	5
Total Votes	195	194	203	201	200	199	195	206	210	215	214	213	214
Necessary to a Choice	98	98	102	101	101	100	98	104	106	108	108	107	--

Source: *House Journal*, 34-1, pp. 8-444.

35th Congress (Election date: December 7, 1857)

James L. Orr (D-S.C.) was elected on the first ballot. Orr received 128 votes, to 84 for Galusha A. Grow, 3 for Lewis D. Campbell, 3 for Felix K. Zollicoffer, 2 for Henry Winter Davis, 2 for James B. Ricaud, 1 for Valentine B. Horton, 1 for Francis P. Blair, Jr., and 1 for Humphrey Marshall. (Total votes: 225. Necessary to a choice: 113.)

Source: *House Journal*, 35-1, pp. 8-10

36th Congress (Election date: February 1, 1860)

William Pennington (R-N.J.) was elected on the 44th ballot.

Date:	12/5	12/7	12/9	12/14	12/15		12/16		12/17		12/19
Ballot:	1	2	3	4	5	6	7	8	9	10	11
Thomas S. Boccock (D-Va.)	86	88	88	86	85	85	86	83	85	84	85
John Sherman (R-Ohio)	66	107	110	108	110	110	96	111	111	111	112
Galusha A. Grow (R-Pa.)	43	0	0	0	0	0	0	0	0	0	0
Alexander R. Boteler (A-Va.)	14	1	2	1	1	5	1	25	23	15	21
John A. Gilmer (A-N.C.)	3	22	20	22	22	18	36	1	1	1	1
Scattering	18	13	11	10	8	8	8	8	8	17	11
Total Votes	230	231	231	227	226	226	227	228	228	228	230
Necessary to a Choice	116	116	116	114	114	114	114	115	115	115	116

Date:	12/19		12/20			12/21	12/22		12/23	12/24	12/27
Ballot:	12	13	14	15	16	17	18	19	20	21	22
Thomas S. Bocoock (D-Va.)	19	12	8	7	6	0	0	1	10	20	14
John Sherman (R-Ohio)	112	110	111	110	109	106	95	108	103	100	101
Alexander R. Boteler (A-Va.)	29	31	39	43	38	0	0	0	0	0	0
John A. Gilmer (A-N.C.)	1	1	3	2	2	6	36	21	19	17	14
John G. Davis (AL-Ind.)	7	13	8	14	7	4	4	5	7	11	5
John S. Phelps (D-Mo.)	16	6	0	2	1	0	1	1	1	1	1
John McQueen (D-S.C.)	3	2	3	3	1	3	1	1	3	1	1
William Barksdale (D-Miss.)	5	20	15	10	5	0	0	0	2	1	2
William Maclay (D-N.Y.)	5	1	0	0	4	0	1	0	1	9	12
Miles Taylor (D-La.)	12	7	6	2	2	0	0	0	2	0	0
George Houston (D-Ala.)	2	1	3	1	7	0	1	3	8	17	15
John McClermand (D-Ill.)	2	4	21	25	28	1	0	0	1	3	0
John S. Millson (D-Va.)	0	0	0	0	0	95	79	69	27	2	0
Charles Scott (D-Calif.)	0	0	0	0	0	0	0	0	0	3	17
Scattering	17	18	12	7	13	10	5	13	28	21	26
Total Votes	230	226	229	226	223	225	223	222	212	206	208
Necessary to a Choice	116	114	115	114	112	114	112	112	107	104	105
Date:	12/28	12/29	1/4	1/5		1/6	1/7	1/9		1/11	
Ballot:	23	24	25	26	27	28	29	30	31	32	33
Thomas S. Bocoock (D-Va.)	7	0	7	2	56	32	0	0	0	0	0
John Sherman (R-Oh.)	101	102	101	104	103	109	103	105	105	105	108
John A. Gilmer (KN-N.C.)	2	14	14	17	9	4	14	22	19	18	19
John G. Davis (AL-Ind.)	4	3	9	3	6	9	0	0	1	1	4
John McClermand (D-Ill.)	5	0	33	2	9	37	0	0	0	0	0
Horace Maynard (O-Tenn.)	65	0	0	0	0	0	0	0	0	0	0
Clement Vallandigham (D-Ohio)	2	0	12	69	2	0	0	0	0	0	0
Charles Scott (D-Calif.)	3	83	0	0	0	0	0	0	0	0	0
Andrew J. Hamilton (ID-Tex.)	1	0	0	0	1	0	89	88	88	88	81
Scattering	18	8	31	16	25	32	5	4	6	7	9
Total Votes	208	210	207	213	211	223	211	219	219	219	221
Necessary to a Choice	105	106	104	107	106	112	106	110	110	110	111
Date:	1/11	1/25	1/26			1/27	1/30			1/31	2/1
Ballot:	34	35	36	37	38	39	40	41	42	43	44
Thomas S. Bocoock (D-Va.)	1	51	58	55	51	1	1	1	0	1	0
John Sherman (R-Oh.)	106	105	109	110	109	106	0	0	0	0	0
John A. Gilmer (KN-N.C.)	25	3	2	1	4	0	0	0	0	5	16
John G. Davis (AL-Ind.)	8	6	5	7	7	1	2	2	1	0	0
William Pennington (R-N.J.)	0	0	0	0	1	1	115	115	115	116	117
John McClermand (D-Ill.)	0	0	3	3	2	0	0	0	2	91	85
William N. H. Smith (O-N.C.)	1	26	37	36	33	112	113	113	113	1	4
Andrew J. Hamilton (ID-Tex.)	75	4	0	0	0	0	0	0	0	0	0
Scattering	5	20	12	14	19	7	3	1	2	19	11
Total Votes	221	215	226	226	226	228	234	232	233	233	233
Necessary to a Choice	111	108	114	114	114	115	118	117	117	117	117

Source: *House Journal*, 36-1, pp. 8-164.

37th Congress (Election date: July 4, 1861)

Galusha A. Grow (R-Pa.) was elected on the first ballot. Grow received 99 votes, to 12 for John J. Crittenden, 11 for Francis P. Blair, Jr., 7 for John S. Phelps, 7 for Clement L. Vallandigham, 7 for Erastus Corning, 6 for Samuel S. Cox, 3 for William A. Richardson, 2 for John A. McClernand, 1 for John W. Crisfield, 1 for Charles B. Calvert, 1 for Hendrick B. Wright, 1 for John W. Noell, and 1 for George H. Pendleton. (Total votes: 159. Necessary to a choice: 80).

Source: *House Journal*, 37-1, pp. 8-9; *Congressional Globe*, 37-1, p. 4.

38th Congress (Election date: December 7, 1863)

Schuyler Colfax (R-Ind.) was elected on the first ballot. Colfax received 101 votes, to 42 for Samuel S. Cox, 12 for John L. Dawson, 10 for Robert Mallory, 8 for Henry G. Stebbins, 6 for Austin A. King, 2 for Francis P. Blair, Jr., and 1 for John D. Stiles. (Total votes: 182. Necessary to a choice: 92.)

Source: *House Journal*, 38-1, pp. 9-11; *Congressional Globe*, 38-1, pp. 6-7.

Note: *Congressional Globe* miscounts total votes as 181.

39th Congress (Election date: March 4, 1865)

Schuyler Colfax (R-Ind.) was elected on the first ballot. Colfax received 139 votes, to 36 for James Brooks. (Total votes: 175. Necessary to a choice: 88.)

Source: *House Journal*, 39-1, pp. 7-8; *Congressional Globe*, 39-1, p. 5.

40th Congress (Election date: March 4, 1867)

Schuyler Colfax (R-Ind.) was elected on the first ballot. Colfax received 127 votes, to 30 for Samuel S. Marshall. (Total votes: 157. Necessary to a choice: 79)

Source: *House Journal*, 40-1, pp. 6-7; *Congressional Globe*, 40-1, p. 4.

Note: Colfax resigned the speakership on March 3, 1869. *Congressional Globe* 40-3, pp. 1867-68.

40th Congress – Replacement Election (Election date: March 3, 1869)

Theodore M. Pomeroy (R-N.Y.) was elected unanimously via resolution moved by Henry L. Dawes (R-Mass.).

Source: *House Journal*, 40-3, p. 513; *Congressional Globe*, 40-3, p. 1868.

Note: Pomeroy served a single day as Speaker.

41st Congress (Election date: March 4, 1869)

James G. Blaine (R-Maine) was elected on the first ballot. Blaine received 135 votes, to 57 for Michael C. Kerr. (Total votes: 192. Necessary to a choice: 97.)

Source: *House Journal*, 41-1, pp. 8-9; *Congressional Globe*, 41-1, pp. 4-5.

42nd Congress (Election date: March 4, 1871)

James G. Blaine (R-Maine) was elected on the first ballot. Blaine received 126 votes, to 93 for George W. Morgan. (Total votes: 219. Necessary to a choice: 110.)

Source: *House Journal*, 42-1, pp. 7-9; *Congressional Globe*, 42-1, p. 6.

Note: *Congressional Globe* reports 92 votes for Morgan.

43rd Congress (Election date: December 2, 1873)

James G. Blaine (R-Maine) was elected on the first ballot. Blaine received 189 votes, to 76 for Fernando Wood, 2 for Samuel S. Cox, 1 for Hester Clymer, and 1 for Alexander A. Stephens. (Total votes: 269. Necessary to a choice: 135.)

Source: *House Journal*, 43-1, pp. 9-10; *Congressional Record*, 43-1, p. 6.

44th Congress (Election date: December 6, 1875)

Michael C. Kerr (D-Ind.) was elected on the first ballot. Kerr received 173 votes, to 106 for James G. Blaine, 1 for Alexander Campbell, 1 for William B. Anderson, and 1 for Alpheus S. Williams. (Total votes: 282. Necessary to a choice: 142.)

Source: *Congressional Record*, 44-1, p. 167.

Note: Kerr died between sessions of the 44th Congress.

44th Congress – Replacement Election (Election date: December 4, 1876)

Samuel J. Randall (D-Pa.) was elected on the first ballot. Randall received 162 votes, to 82 for James A. Garfield, 1 for Charles G. Williams, 1 for W. R. Morrison, and 1 for George F. Hoar. (Total votes: 247. Necessary to a choice: 124.)

Source: *Congressional Record*, 44-1, p. 6.

Note: *Congressional Record* miscounts total votes as 246 and necessary to a choice as 114.

45th Congress (Election date: October 15, 1877)

Samuel J. Randall (D-Pa.) was elected on the first ballot. Randall received 149 votes, to 132 for James A. Garfield. (Total votes: 281. Necessary to a choice: 141.)

Source: *Congressional Record*, 45-1, p. 53.

46th Congress (Election date: March 18, 1879)

Samuel J. Randall (D-Pa.) was elected on the first ballot. Randall received 144 votes, to 125 for James A. Garfield, 13 for Hendrick B. Wright, and 1 for William D. Kelley (Total votes: 283. Necessary to a choice: 142.)

Source: *Congressional Record*, 46-1, p. 5.

47th Congress (Election date: December 5, 1881)

J. Warren Keifer (R-Ohio) was elected on the first ballot. Keifer received 148 votes, to 129 for Samuel J. Randall, and 8 for Nicholas Ford (Total votes: 285. Necessary to a choice: 143.)

Source: *Congressional Record*, 47-1, p. 8-9.

Note: *Congressional Record* notes 8 members not voting.

48th Congress (Election date: December 3, 1883)

John G. Carlisle (D-Ky.) was elected on the first ballot. Carlisle received 190 votes, to 113 for J. Warren Keifer, 2 for George D. Robinson, 1 for E. S. Lacey, 1 for J. W. Wasdworth, and 1 for John S. Wise (Total votes: 308. Necessary to a choice: 155.)

Source: *Congressional Record*, 48-1, pp. 4-5.

Note: *Congressional Record* notes 13 members not voting.

49th Congress (Election date: December 7, 1885)

John G. Carlisle (D-Ky.) was elected on the first ballot. Carlisle received 178 votes, to 138 for Thomas B. Reed (Total votes: 316. Necessary to a choice: 159.)

Source: *Congressional Record*, 49-1, pp. 106-07.

Note: *Congressional Record* notes 9 members not voting.

50th Congress (Election date: December 5, 1887)

John G. Carlisle (D-Ky.) was elected on the first ballot. Carlisle received 163 votes, to 147 for Thomas B. Reed, and 2 for Charles N. Brumm. (Total votes: 312. Necessary to a choice: 157.)

Source: *Congressional Record*, 50-1, p. 6.

Note: *Congressional Record* notes 13 members not voting.

51st Congress (Election date: December 2, 1889)

Thomas B. Reed (R-Maine) was elected on the first ballot. Reed received 166 votes, to 154 for John G. Carlisle, and 1 for Amos J. Cummings. (Total votes: 321. Necessary to a choice: 161.)

Source: *Congressional Record*, 51-1, pp. 80-81.

52nd Congress (Election date: December 8, 1891)

Charles F. Crisp (D-Ga.) was elected on the first ballot. Crisp received 228 votes, to 83 for Thomas B. Reed, and 8 for Thomas E. Watson. (Total votes: 319. Necessary to a choice: 160.)

Source: *Congressional Record*, 52-1, pp. 7-8.

Note: *Congressional Record* notes 12 members not voting.

53rd Congress (Election date: August 7, 1893)

Charles F. Crisp (D-Ga.) was elected on the first ballot. Crisp received 213 votes, to 121 for Thomas B. Reed, and 8 for Jerry Simpson. (Total votes: 342. Necessary to a choice: 122.)

Source: *Congressional Record*, 53-1, p. 201.

Note: *Congressional Record* reports that 343 votes were cast. *Record* also lists eight names under Simpson's column while reporting a vote total of 7. The *New York Times* (August, 8, 1893, p. 2) reports 343 votes cast, with Crisp receiving 214, Reed 122, and Simpson 7, but provides no individual votes.

54th Congress (Election date: December 2, 1895)

Thomas B. Reed (R-Maine) was elected on the first ballot. Reed received 240 votes, to 95 for Charles F. Crisp, 6 for John C. Bell, and 1 for David B. Culberson. (Total votes: 342. Necessary to a choice: 172.)

Source: *Congressional Record*, 54-1, pp. 3-4.

55th Congress (Election date: March 15, 1897)

Thomas B. Reed (R-Maine) was elected on the first ballot. Reed received 200 votes, to 114 for Joseph W. Bailey, 21 for John C. Bell, and 1 for Francis G. Newlands. (Total votes: 336. Necessary to a choice: 169.)

Source: *Congressional Record*, 55-1, p. 15.

56th Congress (Election date: December 4, 1899)

David B. Henderson (R-Iowa) was elected on the first ballot. Henderson received 181 votes, to 156 for James D. Richardson, 4 for John C. Bell, and 2 for Francis G. Newlands. (Total votes: 343. Necessary to a choice: 172.)

Source: *Congressional Record*, 56-1, pp. 4-5.

Note: *Congressional Record* notes 12 members not voting.

Note: The House Clerk in the *Congressional Record* reports that tellers announced the following tally: Henderson 177, Richardson 153, Bell 4, and Newlands 2. The individual accounting, however, corresponds to the 181 (Henderson) and 156 (Richardson) reported above.

57th Congress (Election date: December 2, 1901)

David B. Henderson (R-Iowa) was elected on the first ballot. Henderson received 192 votes, to 152 for James D. Richardson, 1 for William L. Stark, and 1 for Amos J. Cummings. (Total votes: 346. Necessary to a choice: 174.)

Source: *Congressional Record*, 57-1, p. 44.

Note: *Congressional Record* notes 9 members not voting.

58th Congress (Election date: December 9, 1903)

Joseph G. Cannon (R-Ill.) was elected on the first ballot. Cannon received 198 votes, to 167 for John Sharp Williams. (Total votes: 365. Necessary to a choice: 183.)

Source: *Congressional Record*, 58-1, pp. 147-48.

Note: *Congressional Record* notes 19 members not voting.

59th Congress (Election date: December 4, 1905)

Joseph G. Cannon (R-Ill.) was elected on the first ballot. Cannon received 243 votes, to 128 for John Sharp Williams. (Total votes: 371. Necessary to a choice: 186.)

Source: *Congressional Record*, 59-1, pp. 40-41.

Note: *Congressional Record* notes 15 members not voting.

60th Congress (Election date: December 2, 1907)

Joseph G. Cannon (R-Ill.) was elected on the first ballot. Cannon received 213 votes, to 162 for John Sharp Williams. (Total votes: 375. Necessary to a choice: 188.)

Source: *Congressional Record*, 60-1, pp. 4-5.

Note: *Congressional Record* notes 13 members not voting.

61st Congress (Election date: March 15, 1909)

Joseph G. Cannon (R-Ill.) was elected on the first ballot. Cannon received 204 votes, to 166 for Champ Clark, 8 for Henry A. Cooper, 2 for George W. Norris, 1 John J. Esch, and 1 for William P. Hepburn. (Total votes: 382. Necessary to a choice: 192.)

Source: *Congressional Record*, 61-1, p. 18.

Note: *Congressional Record* notes 7 members not voting.

62nd Congress (Election date: April 4, 1911)

Champ Clark (D-Mo.) was elected on the first ballot. Clark received 220 votes, to 131 for James A. Mann, 16 for Henry A. Cooper, and 1 for George W. Norris. (Total votes: 368. Necessary to a choice: 185.)

Source: *Congressional Record*, 62-1, pp. 6-7.

Note: *Congressional Record* notes 1 member voting “present.” This was not included in the total number of votes cast, as it would be later (beginning in 1915).

63rd Congress (Election date: April 7, 1913)

Champ Clark (D-Mo.) was elected on the first ballot. Clark received 272 votes, to 111 for James A. Mann, 18 for Victor Murdock, 4 for Henry A. Cooper, and 1 for John M. Nelson. (Total votes: 406. Necessary to a choice: 204.)

Source: *Congressional Record*, 63-1, pp. 63-64.

64th Congress (Election date: December 6, 1915)

Champ Clark (D-Mo.) was elected on the first ballot. Clark received 222 votes, to 195 for James A. Mann, and 5 answering “present.” (Total votes: 422. Necessary to a choice: 212.)

Source: *Congressional Record*, 64-1, pp. 5-6.

Note: Assertions of being “present” were counted as votes by the tellers.

65th Congress (Election date: April 2, 1917)

Champ Clark (D-Mo.) was elected on the first ballot. Clark received 217 votes, to 205 for James A. Mann, 2 for Frederick H. Gillett, 2 for Irvine L. Enroot, and 2 answering “present.” (Total votes: 428. Necessary to a choice: 215.)

Source: *Congressional Record*, 65-1, pp. 107-08.

Note: Assertions of being “present” were counted as votes by the tellers.

66th Congress (Election date: May 19, 1919)

Frederick H. Gillett (R-Mass.) was elected on the first ballot. Gillett received 228 votes, to 172 for Champ Clark. (Total votes: 400. Necessary to a choice: 201.)

Source: *Congressional Record*, 66-1, pp. 7-8.

67th Congress (Election date: April 11, 1921)

Frederick H. Gillett (R-Mass.) was elected on the first ballot. Gillett received 297 votes, to 122 for Claude Kitchin, and 1 answering “present.” (Total votes: 420. Necessary to a choice: 221.)

Source: *Congressional Record*, 67-1, pp. 79-80.

Note: Assertion of being “present” was counted as a vote by the tellers.

68th Congress (December 5, 1923)

Frederick H. Gillett (R-Mass.) was elected on the ninth ballot.

	December 3, 1923				Dec. 4				Dec. 5
Ballot:	1	2	3	4	5	6	7	8	9
Frederick H. Gillett	197	194	195	197	197	195	196	197	215
Finis J. Garrett	195	194	196	196	197	197	198	198	197
Henry A. Cooper	17	17	17	17	17	17	17	17	--
Martin B. Madden	5	6	5	5	5	5	5	5	2
Total Votes	414	411	413	415	416	414	416	417	414
Necessary to a Choice	208	206	207	208	209	208	209	209	208

Source: *Congressional Record*, 68-1, pp. 8-13, 15-16.

Note: *Congressional Record* notes 4, 3, 3, 3, 3, 3, 3, 3, and 4 members answering “present” on ballots 1 through 9, respectively. Unlike the speakership elections in the 64th, 65th, and 67th Congresses, however, these assertions of being “present” were not counted as votes by the tellers (or the Clerk).

69th Congress (Election date: December 7, 1925)

Nicholas Longworth (R-Ohio) was elected on the first ballot. Longworth received 229 votes, to 173 for Finis J. Garrett, and 13 for Henry A. Cooper, and 5 answering “present.” (Total votes: 420. Necessary to a choice: 221.)

Source: *Congressional Record*, 69-1, p. 381.

Note: Unlike the speakership election in the 68th Congress, but like the speakership elections in the 64th, 65th, and 67th Congresses, the assertions of being “present” (by 5 members) were counted as votes by the tellers.

70th Congress (Election date: December 5, 1927)

Nicholas Longworth (R-Ohio) was elected on the first ballot. Longworth received 225 votes, to 187 for Finis J. Garrett, and 5 answering “present.” (Total votes: 417. Necessary to a choice: 209.)

Source: *Congressional Record*, 70-1, pp. 7-8.

Note: Assertions of being “present” were counted as votes by the tellers.

71st Congress (Election date: April 15, 1929)

Nicholas Longworth (R-Ohio) was elected on the first ballot. Longworth received 254 votes, to 143 for John N. Garner, and 1 answering “present.” (Total votes: 398. Necessary to a choice: 200.)

Source: *Congressional Record*, 71-1, pp. 23-24.

Note: Assertion of being “present” was counted as a vote by the tellers.

72nd Congress (Election date: December 7, 1931)

John N. Garner (D-Tex.) was elected on the first ballot. Garner received 218 votes, to 207 for Bertrand H. Snell, 5 for George J. Schneider, and 3 answering “present.” (Total votes: 430. Necessary to a choice: 216.)

Source: *Congressional Record*, 72-1, p. 8.

Note: Like the speakership election in the 68th Congress, but *unlike* the speakership elections in the 64th-65th, 67th, and 69th-71st Congresses, the assertions of being “present” were not counted as votes by the tellers.

73rd Congress (Election date: March 9, 1933)

Henry T. Rainey (D-Ill.) was elected on the first ballot. Rainey received 302 votes, to 110 for Bertrand H. Snell, 5 for Paul J. Kvale, and 1 answering “present.” (Total votes: 418. Necessary to a choice: 210.)

Source: *Congressional Record*, 73-1, pp. 69-70.

Note: Assertion of being “present” was counted as a vote by the tellers.

Note: Rainey died on August 19, 1934, two months after the conclusion of the 73rd Congress.

74th Congress (Election date: January 3, 1935)

Joseph W. Byrns (D-Tenn.) was elected on the first ballot. Byrns received 317 votes, to 95 for Bertrand H. Snell, 9 for George J. Schneider, 2 for H. P. Lambertson, and 3 answering “present.” (Total votes: 426. Necessary to a choice: 214.)

Source: *Congressional Record*, 74-1, p. 11.

Note: Assertions of being “present” were counted as votes by the tellers.

Note: Byrns died on June 4, 1936, during the second session of the 74th Congress.

74th Congress – Replacement Election (Election date: June 4, 1936)

William B. Bankhead (D-Ala.) was elected via resolution moved by John J. O’Connor (D-N.Y.).

Source: *Congressional Record*, 74-2, p. 9016.

75th Congress (Election date: January 5, 1937)

William B. Bankhead (D-Ala.) was elected on the first ballot. Bankhead received 324 votes, to 83 for Bertrand H. Snell, 10 for George J. Schneider, 2 for Fred L. Crawford, and 3 answering “present.” (Total votes: 422. Necessary to a choice: 212.)

Source: *Congressional Record*, 75-1, p. 11.

Note: *Congressional Record* notes the individual vote tallies above, but reports that 421 votes were cast.

Note: Assertions of being “present” were counted as votes by the tellers.

76th Congress (Election date: January 3, 1939)

William B. Bankhead (D-Ala.) was elected on the first ballot. Bankhead received 249 votes, to 168 for Joseph W. Martin, Jr., 1 for Bernard J. Gehrmann, 1 for Merlin Hull, and 1 answering “present.” (Total votes: 420. Necessary to a choice: 211.)

Source: *Congressional Record*, 76-1, pp. 10-11.

Note: Assertion of being “present” was counted as a vote by the tellers.

Note: Bankhead died on September 15, 1940, during the third session of the 76th Congress.

76th Congress – Replacement Election (Election date: September 16, 1940)

Sam Rayburn (D-Tex.) was elected via resolution moved by John W. McCormack (D-Mass.).

Source: *Congressional Record*, 76-3, p. 12231.

77th Congress (Election date: January 3, 1941)

Sam Rayburn (D-Tex.) was elected on the first ballot. Rayburn received 247 votes, to 159 for Joseph W. Martin, Jr., 2 for Merlin Hull, 1 for Bernard J. Gehrmann, and 1 answering “present.” (Total votes: 410. Necessary to a choice: 206.)

Source: *Congressional Record*, 77-1, pp. 6-7.

Note: Assertion of being “present” was counted as a vote by the tellers.

78th Congress (Election date: January 6, 1943)

Sam Rayburn (D-Tex.) was elected on the first ballot. Rayburn received 217 votes, to 206 for Joseph W. Martin, Jr., Harry Sauthoff, 1 for Merlin Hull, and 1 answering “present.” (Total votes: 426. Necessary to a choice: 214.)

Source: *Congressional Record*, 78-1, p. 6.

Note: Assertion of being “present” was counted as a vote by the tellers.

79th Congress (Election date: January 3, 1945)

Sam Rayburn (D-Tex.) was elected on the first ballot. Rayburn received 224 votes, to 168 for Joseph W. Martin, Jr., and 2 answering “present.” (Total votes: 394. Necessary to a choice: 198.)

Source: *Congressional Record*, 79-1, p. 8.

Note: Assertions of being “present” were counted as votes by the tellers.

80th Congress (Election date: January 3, 1947)

Joseph W. Martin, Jr. (R-Mass.) was elected on the first ballot. Martin received 244 votes, to 182 for Sam Rayburn. (Total votes: 426. Necessary to a choice: 214.)

Source: *Congressional Record*, 80-1, p. 35.

81st Congress (Election date: January 3, 1949)

Sam Rayburn (D-Tex.) was elected on the first ballot. Rayburn received 255 votes, to 160 for Joseph W. Martin, Jr., and 1 answering “present.” (Total votes: 416. Necessary to a choice: 209.)

Source: *Congressional Record*, 81-1, pp. 8-9.

Note: Assertion of being “present” was counted as a vote by the tellers.

Note: *Congressional Record* notes 16 members not voting.

82nd Congress (Election date: January 3, 1951)

Sam Rayburn (D-Tex.) was elected on the first ballot. Rayburn received 231 votes, to 192 for Joseph W. Martin, Jr., and 3 answering “present.” (Total votes: 426. Necessary to a choice: 214.)

Source: *Congressional Record*, 82-1, p. 7.

Note: Assertions of being “present” were counted as votes by the tellers.

Note: *Congressional Record* notes 8 members not voting.

83rd Congress (Election date: January 3, 1953)

Joseph W. Martin, Jr. (R-Mass.) was elected on the first ballot. Martin received 220 votes, to 201 for Sam Rayburn, and 3 answering “present.” (Total votes: 424. Necessary to a choice: 213.)

Source: *Congressional Record*, 83-1, p. 13.

Note: Assertions of being “present” were counted as votes by the tellers.

Note: *Congressional Record* notes 9 members not voting.

84th Congress (Election date: January 5, 1955)

Sam Rayburn (D-Tex.) was elected on the first ballot. Rayburn received 228 votes, to 198 for Joseph W. Martin, Jr., and 2 answering “present.” (Total votes: 426. Necessary to a choice: 214.)

Source: *Congressional Record*, 84-1, pp. 8-9.

Note: Assertions of being “present” were not counted as votes by the tellers (similar to 68th and 72nd Congresses).

Note: *Congressional Record* notes 6 members not voting.

85th Congress (Election date: January 3, 1957)

Sam Rayburn (D-Tex.) was elected on the first ballot. Rayburn received 227 votes, to 199 for Joseph W. Martin, Jr., and 2 answering “present.” (Total votes: 428. Necessary to a choice: 215.)

Source: *Congressional Record*, 85-1, pp. 45-46.

Note: Assertions of being “present” were counted as votes by the tellers.

Note: *Congressional Record* notes 5 members not voting.

86th Congress (Election date: January 7, 1959)

Sam Rayburn (D-Tex.) was elected on the first ballot. Rayburn received 281 votes, to 148 for Charles A. Halleck, and 2 answering “present.” (Total votes: 431. Necessary to a choice: 216.)

Source: *Congressional Record*, 86-1, p. 13.

Note: Assertions of being “present” were counted as votes by the tellers.

Note: *Congressional Record* notes the individual vote tallies above, but (mistakenly) reports that the tellers attributed 149 votes to Halleck.

Note: *Congressional Record* notes 5 members not voting.

87th Congress (Election date: January 3, 1961)

Sam Rayburn (D-Tex.) was elected on the first ballot. Rayburn received 258 votes, to 170 for Charles A. Halleck, and 2 answering “present.” (Total votes: 430. Necessary to a choice: 216.)

Source: *Congressional Record*, 87-1, p. 22-23.

Note: Assertions of being “present” were counted as votes by the tellers.

NOTE: Rayburn died on November 16, 1961, between the first and second sessions of 87th Congress.

87th Congress – Replacement Election (Election date: January 10, 1962)

John W. McCormack (D-Mass.) was elected on the first ballot. McCormack received 248 votes, to 166 for Charles A. Halleck, and 2 answering “present.” (Total votes: 414. Necessary to a choice: 208.)

Source: *Congressional Record*, 87-2, p. 5.

Note: Assertions of being “present” were not counted as votes by the tellers.

Note: *Congressional Record* notes 13 members not voting.

88th Congress (Election date: January 9, 1963)

John W. McCormack (D-Mass.) was elected on the first ballot. McCormack received 256 votes, to 175 for Charles A. Halleck, and 2 answering “present.” (Total votes: 433. Necessary to a choice: 217.)

Source: *Congressional Record*, 88-1, pp. 11-12.

Note: Assertions of being “present” were counted as votes by the tellers.

89th Congress (Election date: January 4, 1965)

John W. McCormack (D-Mass.) was elected on the first ballot. McCormack received 289 votes, to 139 for Gerald R. Ford, and 3 answering “present.” (Total votes: 428. Necessary to a choice: 215.)

Source: *Congressional Record*, 89-1, p. 17.

Note: Assertions of being “present” were not counted as votes by the tellers.

90th Congress (Election date: January 10, 1967)

John W. McCormack (D-Mass.) was elected on the first ballot. McCormack received 246 votes, to 186 for Gerald R. Ford, and 2 answering “present.” (Total votes: 432. Necessary to a choice: 217.)

Source: *Congressional Record*, 90-1, pp. 12-13.

Note: Assertions of being “present” were not counted as votes by the tellers.

91st Congress (Election date: January 3, 1969)

John W. McCormack (D-Mass.) was elected on the first ballot. McCormack received 241 votes, to 187 for Gerald R. Ford, and 2 answering “present.” (Total votes: 428. Necessary to a choice: 216.)

Source: *Congressional Record*, 91-1, pp. 13-14.

Note: Assertions of being “present” were not counted as votes by the tellers.

92nd Congress (Election date: January 21, 1971)

Carl Albert (D-Okla.) was elected on the first ballot. Albert received 250 votes, to 176 for Gerald R. Ford. (Total votes: 426. Necessary to a choice: 214.)

Source: *Congressional Record*, 92-1, pp. 10-11.

93rd Congress (Election date: January 3, 1973)

Carl Albert (D-Okla.) was elected on the first ballot. Albert received 236 votes, to 188 for Gerald R. Ford. (Total votes: 424. Necessary to a choice: 213.)

Source: *Congressional Record*, 93-1, p. 13.

94th Congress (Election date: January 14, 1975)

Carl Albert (D-Okla.) was elected on the first ballot. Albert received 287 votes, to 143 for John J. Rhodes, and 2 answering “present.” (Total votes: 432. Necessary to a choice: 217.)

Source: *Congressional Record*, 94-1, p. 17.

Note: Assertions of being “present” were counted as votes by the tellers.

95th Congress (Election date: January 4, 1977)

Thomas P. O’Neill, Jr. (D-Mass.) was elected on the first ballot. O’Neill received 290 votes, to 142 for John J. Rhodes, and 2 answering “present.” (Total votes: 434. Necessary to a choice: 218.)

Source: *Congressional Record*, 95-1, pp. 50-51.

Note: Assertions of being “present” were counted as votes by the tellers.

96th Congress (Election date: January 15, 1979)

Thomas P. O’Neill, Jr. (D-Mass.) was elected on the first ballot. O’Neill received 268 votes, to 152 for John J. Rhodes, and 2 answering “present.” (Total votes: 422. Necessary to a choice: 212.)

Source: *Congressional Record*, 96-1, pp. 4-5.

Note: Assertions of being “present” were counted as votes by the tellers.

97th Congress (Election date: January 5, 1981)

Thomas P. O’Neill, Jr. (D-Mass.) was elected on the first ballot. O’Neill received 234 votes, to 182 for Robert M. Michel, and 2 answering “present.” (Total votes: 418. Necessary to a choice: 210.)

Source: *Congressional Record*, 97-1, pp. 94-95.

Note: *Congressional Record* notes the individual vote tallies above, but reports that the tellers counted 419 total votes.

Note: Assertions of being “present” were counted as votes by the tellers.

Note: *Congressional Record* also notes 2 members not voting.

98th Congress (Election date: January 3, 1983)

Thomas P. O’Neill, Jr. (D-Mass.) was elected on the first ballot. O’Neill received 260 votes, to 155 for Robert M. Michel, and 2 answering “present.” (Total votes: 417. Necessary to a choice: 209.)

Source: *Congressional Record*, 98-1, pp. 30-31.

Note: *Congressional Record* notes the individual vote tally for O’Neill was 259, different from the 260 reported by the tellers.

Note: Assertions of being “present” were counted as votes by the tellers.

Note: *Congressional Record* also notes 2 members not voting.

99th Congress (Election date: January 3, 1985)

Thomas P. O'Neill, Jr. (D-Mass.) was elected on the first ballot. O'Neill received 247 votes, to 175 for Robert M. Michel, and 3 answering "present." (Total votes: 425. Necessary to a choice: 213.)

Source: *Congressional Record*, 99-1, pp. 378-79.

Note: Assertions of being "present" were counted as votes by the tellers.

100th Congress (Election date: January 6, 1987)

Jim Wright (D-Tex.) was elected on the first ballot. Wright received 254 votes, to 173 for Robert M. Michel, and 2 answering "present." (Total votes: 429. Necessary to a choice: 215.)

Source: *Congressional Record*, 100-1, pp. 2-3.

Note: Assertions of being "present" were counted as votes by the tellers.

101st Congress (Election date: January 3, 1989)

Jim Wright (D-Tex.) was elected on the first ballot. Wright received 253 votes, to 170 for Robert M. Michel, and 2 answering "present." (Total votes: 425. Necessary to a choice: 213.)

Source: *Congressional Record*, 101-1, p. 68.

Note: Assertions of being "present" were counted as votes by the tellers.

Note: *Congressional Record* notes 1 member not voting.

Note: Wright resigned from the House of Representatives on June 6, 1989, during the first session of the 101st Congress.

101st Congress – Replacement Election (Election date: June 6, 1989)

Thomas S. Foley (D-Wash.) was elected on the first ballot. Foley received 251 votes, to 164 for Robert M. Michel, and 2 answering "present." (Total votes: 417. Necessary to a choice: 209.)

Source: *Congressional Record*, 101-1, pp. 10800-01.

Note: Assertions of being "present" were counted as votes by the tellers.

Note: *Congressional Record* notes 17 members not voting.

102nd Congress (Election date: January 3, 1991)

Thomas S. Foley (D-Wash.) was elected on the first ballot. Foley received 262 votes, to 165 for Robert M. Michel, and 2 answering "present." (Total votes: 429. Necessary to a choice: 215.)

Source: *Congressional Record*, 102-1, pp. 36-37.

Note: Assertions of being "present" were counted as votes by the tellers.

Note: *Congressional Record* notes 1 member not voting.

103rd Congress (Election date: January 5, 1993)

Thomas S. Foley (D-Wash.) was elected on the first ballot. Foley received 255 votes, to 172 for Robert M. Michel, and 2 answering "present." (Total votes: 431. Necessary to a choice: 216.)

Source: *Congressional Record*, 103-1, pp. 46-47.

Note: Assertions of being "present" were counted as votes by the tellers.

Note: *Congressional Record* notes 1 member not voting.

104th Congress (Election date: January 4, 1995)

Newt Gingrich (R-Ga.) was elected on the first ballot. Gingrich received 228 votes, to 202 for Richard A. Gephardt, and 4 answering “present.” (Total votes: 434. Necessary to a choice: 218.)

Source: *Congressional Record*, 104-1, pp. 441-42.

Note: Assertions of being “present” were counted as votes by the tellers.

105th Congress (Election date: January 7, 1997)

Newt Gingrich (R-Ga.) was elected on the first ballot. Gingrich received 216 votes, to 205 for Richard A. Gephardt, 2 for James Leach, 1 for Robert M. Michel, 1 for Robert Walker, and 6 answering “present.” (Total votes: 425. Necessary to a choice: 213.)

Source: *Congressional Record*, 105-1, p. 117.

Note: Assertions of being “present” were not counted as votes by the tellers. Tally was based explicitly on “votes cast for a person by name.”

Note: Congressional Record notes 1 member not voting.

Note: An issue was raised that about Gingrich not receiving a majority all members-elect. The House Clerk used the 1923 (68th House) case as a precedent – explicitly citing Cannon’s Precedents, volume 6, section 24 – stating that a majority of members-elect present and voting by surname was the principle.

106th Congress (Election date: January 6, 1999)

J. Dennis Hastert (R-Ill.) was elected on the first ballot. Hastert received 222 votes, to 205 for Richard A. Gephardt, and 2 answering “present.” (Total votes: 427. Necessary to a choice: 214.)

Source: *Congressional Record*, 106-1, p. 43.

Note: *Congressional Record* mistakenly reports the individual vote tallies for Hastert as 220, but accurately records notes the tellers’ tally as 222.

Note: Assertions of being “present” were not counted as votes by the tellers.

Note: *Congressional Record* notes 7 members not voting.

107th Congress (Election date: January 3, 2001)

J. Dennis Hastert (R-Ill.) was elected on the first ballot. Hastert received 222 votes, to 206 for Richard A. Gephardt, 1 for John P. Murtha, and 2 answering “present.” (Total votes: 429.

Necessary to a choice: 215.)

Source: *Congressional Record*, 107-1, p. 21.

Note: Assertions of being “present” were not counted as votes by the tellers. Tally was based explicitly on “votes cast for a person by name.”

Note: *Congressional Record* notes 3 members not voting.

108th Congress (Election date: January 7, 2003)

J. Dennis Hastert (R-Ill.) was elected on the first ballot. Hastert received 228 votes, to 201 for Nancy Pelosi, 1 for John P. Murtha, and 4 answering “present.” (Total votes: 434. Necessary to a choice: 218.)

Source: *Congressional Record*, 108-1, pp. 3-4.

Note: Assertions of being “present” were counted as votes by the tellers.

Note: *Congressional Record* notes 1 member not voting.

109th Congress (Election date: January 4, 2005)

J. Dennis Hastert (R-Ill.) was elected on the first ballot. Hastert received 226 votes, to 199 for Nancy Pelosi, 1 for John P. Murtha, and 1 answering “present.” (Total votes: 427. Necessary to a choice: 214.)

Source: *Congressional Record*, 109-1, p. 37-38.

Note: Assertions of being “present” were counted as votes by the tellers.

Note: *Congressional Record* notes 7 members not voting.

110th Congress (Election date: January 4, 2007)

Nancy Pelosi (D-Calif.) was elected on the first ballot. Pelosi received 233 votes, to 202 for John A. Boehner. (Total votes: 435. Necessary to a choice: 218.)

Source: *Congressional Record*, 110-1, p. H3.

111th Congress (Election date: January 6, 2009)

Nancy Pelosi (D-Calif.) was elected on the first ballot. Pelosi received 255 votes, to 174 for John A. Boehner. (Total votes: 429. Necessary to a choice: 215.)

NOTE: *Congressional Record* notes 5 members not voting.

Source: *Congressional Record*, 111-1, pp. H3-4.

112th Congress (Election date: January 5, 2011)

John A. Boeher (R-Ohio) was elected on the first ballot. Boehner received 241 votes, to 173 for Nancy Pelosi, 11 for Heath Shuler, 2 for John Lewis, 1 for Jim Costa, 1 for Dennis Cardoza, 1 for Jim Cooper, 1 for Marcy Kaptur, 1 for Steny Hoyer, and 1 answering “present.” (Total votes: 432. Necessary to a choice: 217.)

Source: *Congressional Record*, 112-1, p H3.

Note: Assertion of being “present” was not counted as a vote by the tellers. Tally was based explicitly on “votes cast for a person by name.”

Note: *Congressional Record* notes 2 members not voting.

Appendix 3

Election of House Clerk, 1st — 112th Congresses

1st Congress (Election date: April 1, 1789)

John Beckley was elected on the second ballot. Samuel Stockton was also nominated (and presumably received some votes), but no further details were provided.

Source: *House Journal*, 1-1, p. 6; *The Independent Gazetteer* (Philadelphia), April 9, 1789, p. 3.

2nd Congress (Election date: October 24, 1791)

John Beckley was elected unanimously on the first ballot.

Source: *Annals of Congress*, 2-1, p. 142.

3rd Congress (Election date: December 2, 1793)

John Beckley was elected unanimously on the first ballot.

Source: *General Advertiser* (Philadelphia), December 3, 1793, p. 3; *The Daily Advertiser* (New York), December 5, 1793, p. 3.

4th Congress (Election date: December 7, 1795)

John Beckley was elected on the first ballot. Beckley received 48 votes, to 30 for Peter Baynton. (Total votes: 78. Necessary to a choice: 40.)

Source: *Aurora General Advertiser* (Philadelphia), December 8, 1795, p. 3; *The Daily Advertiser* (New York), December 10, 1795, p. 2.

5th Congress (Election date: May 15, 1797)

Jonathan W. Condy was elected on the first ballot. Condy received 41 votes, to 40 for John Beckley. (Total votes: 81. Necessary to a choice: 41.)

Source: *Annals of Congress*, 5-1, p. 52; *Federal Gazette & Baltimore Daily Advertiser*, May 17, 1797, p. 3.

6th Congress (Election date: December 2, 1799)

Jonathan W. Condy was elected on the first ballot. Condy received 47 votes, to 39 for John Beckley. (Total votes: 86. Necessary to a choice: 44.)

Source: *Annals of Congress*, 6-1, p. 186.

Note: Condy resigned on December 9, 1800, due to ill health.

6th Congress – Replacement Election (Election date: December 9, 1800)

John Holt Oswald was elected on the first ballot. Oswald received 51 votes, to 42 for John Beckley. (Total votes: 93. Necessary to a choice: 47.)

Source: *Alexandria Advertiser and Commercial Intelligencer* (Virginia), December 11, 1800, p. 3; *The Gazette of the United States* (Philadelphia), December 13, 1800, p. 3; *House Journal*, 6-2, p. 736.

Note: Newspapers report Oswald's middle initial as "C".

7th Congress (Election date: December 7, 1801)

John Beckley was elected on the first ballot. Beckley received 57 votes, to 29 for John Holt Oswald. (Total votes: 86. Necessary to a choice: 44.)

Source: *Commercial Advertiser* (New York), December 12, 1801, p. 3; *New York Evening Post*, December 12, 1801, p. 3.

8th Congress (Election date: October 17, 1803)

John Beckley was elected on the first ballot. Macon received 93 votes, to 4 for E. B. Caldwell and 1 each for two or three others (not heard). (Total votes: 99 or 100. Necessary to a choice: 50 or 51.)

Source: *Commercial Advertiser* (New York), October 21, 1803, p. 3.

9th Congress (Election date: December 2, 1805)

John Beckley was elected on the first ballot. Beckley received 85 votes, to 18 for Thomas Lambert. (Total votes: 103. Necessary to a choice: 52.)

Source: *Aurora General Advertiser* (Philadelphia), December 6, 1805, p. 3.

10th Congress (Election date: October 26, 1807)

Patrick Magruder was elected on the fourth ballot.

Ballot:	1	2	3	4
Nicholas B. Vanzandt	37	52	16	
Patrick Magruder	26	28	52	72
James Elliot	16	15	27	
J. W. King	16	10	9	
(Unknown candidate 1)	14	--	--	
(Unknown candidate 2)	14	--	--	
(Unknown candidate 3)	5	--	--	
(Unknown candidate 4)	1	--	--	
William Lambert	--	7	8	
Theodosius Hansford	--	4	5	
C. Minifie	--	1	--	
Total Votes	129	117	117	?
Necessary to a Choice	65	59	59	59

Source: *Annals of Congress*, 10-1, p. 783-85.

Note: The details of the last ballot were not provided, only Magruder's total and the

number of votes necessary to a choice.

Note: Before the third ballot, Randolph took the floor and accused Vanzandt of leaking comments he had made in an executive session of the House. Vanzandt denied this. While some called for a postponement of the balloting for Clerk, the House refused and balloting continued.

11th Congress (Election date: May 22, 1809)

Patrick Magruder was elected on the first ballot. Magruder received 63 votes, to 38 for Daniel Brent, 14 for Nicholas B. Vanzandt, 7 for William Lambert, and 1 for Mr. Scott. (Total votes: 123. Necessary to a choice: 62.)

Source: *Annals of Congress*, 11-1, p. 56.

12th Congress (Election date: November 4, 1811)

Patrick Magruder was elected on the first ballot. Magruder received 97 votes, to 16 for William Lambert. (Total votes: 113. Necessary to a choice: 57.)

Source: *National Intelligencer* (Washington), November 6, 1811, p. 1; *The Balance and State Journal* (Albany), November 12, 1811, p. 362.

13th Congress (Election date: May 24, 1813)

Patrick Magruder was elected on the first ballot. Magruder received 111 votes, to 19 for George Richards. (Total votes: 130. Necessary to a choice: 66.)

Source: *Annals of Congress*, 13-1, p. 107; *The Columbian* (New York), May 27, 1813, p. 3; *Boston Daily Advertiser*, May 31, 1813, p. 2.

Note: Magruder fell under controversy concerning his evacuation from the capitol during the British invasion of Washington. Facing a resolution removing him office, Magruder resigned on January 28, 1815.

13th Congress – Replacement Election (Election date: January 30, 1815)

Patrick Dougherty was elected on the second ballot. On the first ballot, Dougherty received 80 votes, to 35 for Thomas L. McKenney, 19 for Samuel Burch, 13 for O. B. Brown, 4 for Nicholas B. Vanzandt, and 6 scattering. (Total Votes: 157. Necessary to a choice: 79.) On the second ballot, Dougherty received 83 votes, to 73 for McKenney, and 4 scattering. (Total Votes: 160. Necessary to a choice: 81.)

Source: *Annals of Congress*, 13-3, p. 1114.

Note: It appears that Dougherty received a majority on the first ballot, but that fact was not noted in the *Annals*.

14th Congress (Election date: December 4, 1815)

Patrick Dougherty was elected on the first ballot. Dougherty received 114 votes, with 8 scattering. (Total votes: 122. Necessary to a choice: 62.)

Source: *Annals of Congress* 14-1, p. 375; *Niles' Weekly Register*, December 9, 1815, p. 254.

15th Congress (Election date: December 1, 1817)

Patrick Dougherty was elected unanimously (144 votes) on the first ballot. (Total Votes: 144. Necessary to a choice: 73.)

Source: *Annals of Congress*, 15-1, p. 398.

16th Congress (Election date: December 6, 1819)

Thomas Dougherty was elected unanimously via resolution.

Source: *Annals of Congress*, 16-1, p. 703

17th Congress (December 4, 1821)

Thomas Dougherty was elected unanimously via resolution.

Source: *Annals of Congress*, 17-1, p. 517.

NOTE: Dougherty died during the recess between the 1st and 2nd sessions.

17th Congress – Replacement Election (Election date: December 3, 1822)

Matthew St. Clair Clarke was elected on 11th ballot.

Date:	December 2						December 3				
Ballot:	1	2	3	4	5	6	7	8	9	10	11
William Milnor	14	12	9	7	—	—	11	9	—	—	—
Samuel Burch	10	6	—	—	—	—	—	—	—	—	—
Levi H. Clarke	19	22	24	26	21	12	19	5	—	—	—
B.S. Chambers	17	20	20	25	28	29	26	25	23	7	—
S.D. Franks	15	13	13	8	10	9	16	20	15	2	—
Tobias Watkins	12	10	12	6	—	—	3	—	—	—	—
Robert Temple	13	15	23	28	46	54	46	47	50	55	48
Edward W. DuVal	5	—	—	—	—	—	—	—	—	—	—
S.A. Foot	9	9	8	6	—	—	13	16	16	13	—
James H. Pleasants	13	13	15	17	8	17	12	3	—	—	—
Mr. Briggs	5	—	—	—	—	—	—	—	—	—	—
J.S. Williams	4	—	—	—	—	—	—	—	—	—	—
Matthew St. Clair Clarke	9	12	14	17	21	24	5	29	15	71	98
Mr. Goldsborough	—	4	—	7	—	—	—	—	—	—	—

Date:	December 2						December 3				
Ballot:	1	2	3	4	5	6	7	8	9	10	11
Scattering	9	4	11	—	9	3	—	—	—	—	4
Total Votes	154	140	149	147	143	148	151	154	119	148	150
Necessary to a Choice	78	71	75	74	72	75	76	78	60	75	76

Source: *Annals of Congress*, 17-2, pp. 327-29.

Note: Tellers made a mistake in crediting a number of votes to Levi H. Clarke on the seventh ballot that rightfully belong to Matthew St. Clair Clarke. This error was reported in the *Annals*.

18th Congress (Election date: December 1, 1823)

Matthew St. Clair Clarke was elected unanimously via resolution moved by Mr. Campbell (Ohio).

Source: *Annals of Congress*, 18-1, p. 796.

19th Congress (Election date: December 5, 1825)

Matthew St. Clair Clarke was elected via resolution moved by Mr. Lathrop.

Source: *Register of Debates*, 19-1, p. 796; *Niles' Weekly Register*, December 10, 1825, p. 233.

20th Congress (Election date: December 3, 1827)

Matthew St. Clair Clarke was elected unanimously by resolution moved by Mr. Sawyer (N.C.).

Source: *Register of Debates*, 20-1, p. 812; *Niles' Weekly Register*, December 8, 1827, p. 239.

21st Congress (Election date: December 7, 1829)

Matthew St. Clair Clarke was elected on the first ballot. Clarke received 135 votes, to 54 for Virgil Maxcy, and 3 scattering. (Total Votes: 192. Necessary to a choice: 97.)

Source: *Niles' Weekly Register*, December 12, 1829, p. 254; *Charleston Courier*, December 7, 1829, p. 2; *Daily National Intelligencer*, December 8, 1829, p. 3.

22nd Congress (Election date: December 5, 1831)

Matthew St. Clair Clarke was elected unanimously by resolution moved by Mr. Speight.

Source: *Register of Debates*, 22-1, p. 1421.

23rd Congress (Election date: December 2, 1833)

Walter S. Franklin was elected on the third ballot.

Ballot:	1	2	3
Matthew St. Clair Clarke	113	112	110

Walter S. Franklin	107	114	117
Eleezer Early	2	—	—
Walter F. Clarke	1	—	—
Thomas C. Love	5	—	—
Blank	3	2	2
Total Votes	231	228	229
Necessary to a Choice	116	115	115

Source: *Register of Debates*, 23-1, p. 2137; *Congressional Globe*, 23-1, p. 3.

24th Congress (Election date: December 7, 1835)

Walter S. Franklin was elected “without objection” via resolution moved by Mr. Beardsley.

Source: *Congressional Globe*, 24-1, p. 3; *Register of Debates*, 24-1, p. 1946; *Niles’ Weekly Register*, December 12, 1835, p. 248.

25th Congress (Election date: September 4, 1837)

Walter S. Franklin was elected on the first ballot. Franklin received 146 votes, to 48 for Samuel Shock, 7 for Matthew St. Clair Clarke, and 8 blanks. (Total votes: 209. Necessary to a choice: 105.)

Source: *Congressional Globe*, 25-1, p. 3.

NOTE: Franklin died on September 20, 1838, between the second and third sessions, in Lancaster, Pennsylvania.

25th Congress – Replacement Election (December 3, 1838)

Hugh A. Garland was elected on the third ballot.

Ballot:	1	2	3
Matthew St. Clair Clarke	55	88	104
Hugh A. Garland	48	59	106
Edward Livingston	31	26	
Samuel Shoch	21	13	—
Arnold Naudain	20	4	—
Henry Buehler	16	13	—
James H. Birch	9	—	—
John Bigler	8	6	—

Ballot:	1	2	3
Reuben M. Whitney	2	—	—
Total Votes	210	209	210
Necessary to a Choice	106	105	106

Source: *House Journal*, 25-3, pp. 10-14.

Note: This election was the first using the *viva voce* voting rule. All subsequent clerkship elections were determined by *viva voce*, unless otherwise noted.

26th Congress (Election date: December 21, 1839)

Hugh A. Garland was elected on the first ballot. Garland received 118 votes, to 105 for Matthew St. Clair Clarke, and 8 for Richard C. Mason. (Total votes: 231. Necessary to a choice: 116.)

Source: *House Journal*, 26-1, pp. 97-99.

27th Congress (Election date: May 31, 1841)

Matthew St. Clair Clarke elected on the fourth ballot.

Ballot:	1	2	3	4
Francis O. J. Smith	90	90	80	67
Hugh A. Garland	81	61	15	6
Matthew St. Clair Clarke	38	51	91	128
Richard C. Mason	13	17	32	19
Total Votes	222	219	218	220
Necessary to a Choice	112	110	110	111

Source: *House Journal*, 27-1, pp. 13-18.

28th Congress (Election date: December 6, 1843)

Caleb J. McNulty was elected on the first ballot. McNulty received 124 votes, to 66 for Matthew St. Clair Clarke. (Total votes: 190. Necessary to a choice: 96.)

Source: *House Journal*, 28-1, pp. 28-29.

Note: McNulty was suspected of embezzlement and dismissed as Clerk by unanimous vote on January 18, 1845. See *House Journal*, 28-1, p. 230, 233.

28th Congress – Replacement Election (January 18, 1845)

Benjamin B. French was elected unanimously via resolution moved by Mr. Hopkins.

Source: *House Journal*, 28-1, p. 233.

29th Congress (December 2, 1845)

Benjamin B. French was elected unanimously via resolution moved by Mr. Cobb.

Source: *House Journal*, 29-1, p. 13.

30th Congress (December 8, 1847)

Thomas J. Campbell was elected on the first ballot. Campbell received 113 votes, to 109 for Benjamin B. French, 1 Samuel L. Gouverneur, 1 for Nathan Sergeant, and 1 for George Kent. (Total votes: 225. Necessary to a choice: 113.)

Source: *House Journal* 30-1, pp. 15-17.

31st Congress (January 11, 1850)

Thomas J. Campbell was elected on the 20th ballot.

Date:	January 3		January 7					January 8		
Ballot:	1	2	3	4	5	6	7	8	9	10
John W. Forney	98	103	107	107	106	106	107	106	105	105
Thomas J. Campbell	77	81	94	95	102	72	13	13	13	13
Calvin W. Pilleo	8	6	6	6	4	4	4	4	5	4
John H.C. Mudd	7	5	2	—	—	—	—	—	—	—
Samuel L. Gouverneur	5	1	—	—	1	—	1	1	1	1
Philander B. Prindle	4	4	1	—	2	6	1	1	—	—
Nathan Sargent	3	3	3	3	2	2	—	—	—	—
De Witt C. Clarke	2	2	2	1	1	—	—	1	1	1
Samuel P. Benson	2	—	—	—	—	—	—	—	—	—
Solomon Foot	2	3	3	5	—	25	92	94	93	93
Benjamin B. French	—	1	2	2	2	4	2	1	1	—
Total Votes	208	209	220	219	220	219	220	221	219	217
Necessary to a Choice	105	105	111	110	111	110	111	111	110	109

Date:	January 9				January 10			January 11		
Ballot:	11	12	13	14	15	16	17	18	19	20
John W. Forney	106	105	105	103	102	96	93	93	97	96
Thomas J. Campbell	—	—	—	—	—	32	28	96	103	112

Calvin W. Pilleo	4	4	4	4	4	4	3	—	—	—
Samuel L. Gouverneur	1	—	—	—	—	—	1	1	—	—
Philander B. Prindle	—	—	—	1	—	63	63	2	2	1
De Witt C. Clarke	3	5	—	—	—	—	—	—	—	—
Solomon Foot	104	103	103	98	103	2	2	3	3	2
Benjamin B. French	1	3	4	4	3	11	18	18	13	9
Matthew St. Clair Clarke	—	—	5	7	3	—	—	—	—	—
George P. Fisher	—	—	—	—	—	7	9	—	—	—
John Smith	—	—	—	—	—	1	—	—	—	—
Total Votes	218	220	221	217	215	216	217	213	208	220
Necessary to a Choice	110	111	111	109	108	109	109	107	110	111

Source: *House Journal*, 31-1, pp. 216-20, 237-51, 259-65, 267-68, 277-83, 286-91.

Note: Campbell died on April 13, 1850.

31st Congress – Replacement Election (Election date: April 17, 1850)

Richard M. Young was elected on the ninth ballot.

Date:	April 16					April 17			
Ballot:	1	2	3	4	5	6	7	8	9
Philander B. Prindle	48	47	44	45	32	30	26	16	5
Richard M. Young	22	35	44	55	63	72	73	70	96
Hiram Walbridge	17	19	18	15	11	5	4	2	—
John W. Forney	17	13	12	9	6	5	3	3	—
James C. Walker	17	19	29	33	51	47	49	55	82
Albert Smith	15	15	12	9	8	3	—	—	—
Adam J. Glossbrenner	12	12	9	5	3	4	3	2	—
Matthew St. Clair Clarke	12	11	10	8	5	6	8	13	1
James H. Forsyth	10	—	—	—	—	—	—	—	—
James W. Moorhead	10	10	8	3	—	—	—	—	—

Date:	April 16					April 17			
Ballot:	1	2	3	4	5	6	7	8	9
J. H. Clay Mudd	6	4	2	—	—	—	—	—	—
Edmund Burke	1	—	—	—	—	—	—	—	—
Ethan A. Stansbury	—	—	—	—	—	7	8	6	—
Jesse E. Dow	—	—	—	—	—	1	—	—	—
Albert Smith	—	—	—	—	—	—	1	1	—
Charles B. Flood	—	—	—	—	—	—	—	4	—
Ethan A. Stansbury	—	—	—	—	—	—	—	—	4
Total Votes	187	185	188	182	178	180	175	172	188
Necessary to a Choice	94	93	95	92	90	91	88	87	95

Source: *House Journal*, 31-1, pp. 789-805.

32nd Congress (Election date: December 1, 1851)

John W. Forney was elected on the first ballot. Forney received 128 votes, to 72 for James C. Walker, 3 for E. A. Stansbury, 2 for George Darsey, and 2 for Richard M. Young. (Total votes: 207. Necessary to a choice: 104.)

Source: *House Journal*, 32-1, pp. 11-13.

33rd Congress (Election date: December 5, 1853)

John W. Forney was elected on the first ballot. Forney received 122 votes, to 27 for Richard M. Young, 18 for Philander B. Prindle, 12 for Ebenezer Hutchinson, 10 for E. P. Smith, 6 for James C. Walker, 2 for W. H. Bogart, 1 for Charles Brown, 1 for G. W. Mumford, and 1 for John M. Barclay. (Total votes: 200. Necessary to choice: 101.)

Source: *House Journal*, 33-1, pp. 12-14.

34th Congress (Election date: February 4, 1856)

William Cullom was elected via resolution moved by Mr. Sage, 126-89.

Source: *House Journal*, 34-1, pp. 449-52.

35th Congress (Election date: December 7, 1857)

James C. Allen was elected on the first ballot. Allen received 128 votes, to 85 for B. Gratz Brown, 4 for William Cullom, and 2 for John M. Sullivan. (Total votes: 219. Necessary to a choice: 110.)

Source: *House Journal*, 35-1, pp. 11-13; *Congressional Globe*, 35-1, p. 3.

36th Congress (Election date: February 3, 1860)

John W. Forney was elected on the first ballot. Forney received 112 votes, to 77 for James C. Allen, 23 for Nathaniel G. Taylor, 8 for D. L. Dalton, and 1 for Z. W. McKnew. (Total votes: 221. Necessary to a choice: 111.)

Source: *House Journal*, 36-1, pp. 172-74; *Congressional Globe*, 36-1, pp. 662-63.

37th Congress (Election date: July 4, 1861)

Emerson Etheridge was elected on the first ballot. Etheridge received 92 votes, to 41 for John W. Forney, 21 for John E. Dietrich, and 2 for Thomas B. Florence. (Total votes: 156. Necessary to a choice: 79).

Source: *House Journal*, 37-1, pp. 14-16; *Congressional Globe*, 37-1, p. 10.

38th Congress (Election date: December 8, 1863)

Edward McPherson was elected on the first ballot. McPherson received 101 votes, to 69 for Emerson Etheridge. (Total votes: 170. Necessary to a choice: 86.)

NOTE: *Congressional Globe* reports McPherson's vote total as 102.

Source: *House Journal*, 38-1, pp. 14-16; *Congressional Globe*, 38-1, p. 11.

39th Congress (Election date: December 4, 1865)

Edward McPherson was elected via resolution moved by James F. Wilson, 138-35.

Source: *House Journal*, 39-1, pp. 8-9; *Congressional Globe*, 39-1, p. 5.

40th Congress (Election date: March 4, 1867)

Edward McPherson was elected via resolution moved by Mr. Dawes.

Source: *House Journal*, 40-1, p. 9; *Congressional Globe*, 40-1, p. 5.

41st Congress (Election date: March 5, 1869)

Edward McPherson was elected on the first ballot. McPherson received 128 votes, to 55 for Charles C. Carrigan. (Total votes: 183. Necessary to a choice: 92.)

Source: *House Journal*, 41-1, pp. 15-16; *Congressional Globe*, 41-1, p. 19.

42nd Congress (Election date: March 4, 1871)

Edward McPherson was elected via resolution moved by Mr. Dawes. A substitute amendment, which replaced McPherson with James G. Berrett, a Democratic candidate, was defeated, 87-126.

Source: *House Journal*, 42-1, p. 11-12; *Congressional Globe*, 42-1, pp. 10-11.

43rd Congress (Election date: December 2, 1873)

Edward McPherson was elected via resolution moved by Mr. Maynard. A substitute amendment, which replaced McPherson with George C. Weddeburn, a Democratic candidate, was defeated, 86-178.

Source: *House Journal*, 43-1, pp. 11-12; *Congressional Record*, 43-1, pp. 6-7.

44th Congress (Election date: December 6, 1875)

George M. Adams (Ky.) was elected via resolution moved by Mr. Lamar. A substitute amendment, which replaced Adams with Edward McPherson, was defeated.

Source: *Congressional Record*, 44-1, p. 173.

45th Congress (Election date: October 15, 1877)

George M. Adams (Ky.) was elected via resolution moved by Mr. Clymer. A substitute amendment, which replaced Adams with Jeremiah Rusk, a Republican candidate, was defeated.

Source: *Congressional Record*, 45-1, p. 54.

46th Congress (Election date: March 18, 1879)

George M. Adams (Ky.) was elected via resolution moved by Mr. Clymer. A substitute amendment, which replaced Adams with a Joseph H. Rainey (S.C.), a Republican candidate, was defeated, 119-145. A second substitute amendment, which replaced Adams with Lee Crandall (Ala.), a Greenbacker, was also defeated, 7 yeas and nays not counted.

Source: *Congressional Record*, 46-1, pp. 9-10.

47th Congress (Election date: December 5, 1881)

Edward McPherson was elected on the first ballot. McPherson received 148 votes, to 129 for George M. Adams, and 9 for Gilbert De La Matyr. (Total votes: 286. Necessary to a choice: 144.)

Source: *Congressional Record*, 47-1, p. 16.

48th Congress (Election date: December 4, 1883)

John B. Clark, Jr. (Mo.) was elected via resolution moved by Mr. Geddes. A substitute amendment, which replaced Clark with Edward McPherson was defeated.

Source: *Congressional Record*, 48-1, p. 26-27.

49th Congress (Election date: December 7, 1885)

John B. Clark, Jr. (Mo.) was elected via resolution moved by Mr. Tucker. A substitute amendment, which replaced Clark with W. O. Crosby, a Republican candidate, was defeated.

Source: *Congressional Record*, 49-1, p. 107-08.

50th Congress (Election date: December 5, 1887)

John B. Clark, Jr. (Mo.) was elected via resolution moved by Samuel S. Cox (D-N.Y.). A substitute amendment, which replaced Clark with Edward McPherson (Pa.), a Republican candidate, was defeated. A second substitute amendment, which replaced Clark with Robert Shilling (Wisc.) was also defeated.

Source: *Congressional Record*, 50-1, p. 7.

51st Congress (Election date: December 2, 1889)

Edward McPherson (Pa.) was elected via resolution moved by Thomas J. Henderson (R-Ill.). A substitute amendment, which replaced McPherson with John B. Clark (Mo.) was defeated.

Source: *Congressional Record*, 51-1, pp. 81-82.

52nd Congress (Election date: December 8, 1891)

James Kerr (Pa.) was elected via resolution moved by William S. Holman (D-Ind.). A substitute amendment, which replaced Kerr with Edward McPherson, was defeated.

Source: *Congressional Record*, 52-1, p. 9.

53rd Congress (Election date: August 7, 1893)

James Kerr (Pa.) was elected via resolution moved by William S. Holman (D-Ind.). A substitute amendment, which replaced Kerr with Edward McPherson, was defeated.

Source: *Congressional Record*, 53-1, p. 202.

54th Congress (Election date: December 2, 1895)

Alexander McDowell (Pa.) was elected via resolution moved by Charles H. Grosvenor (R-Ohio). A substitute amendment, which replaced McDowell with James Kerr, was defeated.

Source: *Congressional Record*, 54-1, p. 5.

55th Congress (Election date: March 15, 1897)

Alexander McDowell (Pa.) was elected via resolution moved by Charles H. Grosvenor (R-Ohio). A substitute amendment, which replaced McDowell with James Kerr, was defeated. A second substitute amendment, which replaced McDowell with J. A. Edgerton (Nebr.), was also defeated.

Source: *Congressional Record*, 55-1, p. 16.

56th Congress (Election date: December 4, 1899)

Alexander McDowell (Pa.) was elected via resolution moved by Charles H. Grosvenor (R-Ohio). A substitute amendment, which replaced McDowell with James Kerr, was defeated.

Source: *Congressional Record*, 56-1, p. 6.

57th Congress (Election date: December 2, 1901)

Alexander McDowell (Pa.) was elected via resolution moved by Joseph G. Cannon (R-Ill.). A substitute amendment, which replaced McDowell with James Kerr, was defeated.

Source: *Congressional Record*, 57-1, p. 45.

58th Congress (Election date: December 9, 1903)

Alexander McDowell (Pa.) was elected via resolution moved by William P. Hepburn (R-Iowa). A substitute amendment, which replaced McDowell with Charles A. Edwards (Nebr.), was defeated.

Source: *Congressional Record*, 58-1, p. 148.

59th Congress (Election date: December 4, 1905)

Alexander McDowell (Pa.) was elected via resolution moved by William P. Hepburn (R-Iowa). A substitute amendment, which replaced McDowell with W. S. Cowherd (Mo.), was defeated.

Source: *Congressional Record*, 59-1, p. 41.

60th Congress (Election date: December 2, 1907)

Alexander McDowell (Pa.) was elected via resolution moved by William P. Hepburn (R-Iowa).

A substitute amendment, which replaced McDowell with Charles A. Edwards (Tex.), was defeated.

Source: *Congressional Record*, 60-1, p. 5.

61st Congress (Election date: March 15, 1909)

Alexander McDowell (Pa.) was elected via resolution moved by Frank D. Currier (R-N.H.). A substitute amendment, which replaced McDowell with W. P. Kimball (Ky.), was defeated.

Source: *Congressional Record*, 61-1, p. 19.

62nd Congress (Election date: April 4, 1911)

South Trimble (Ky.) was elected via resolution moved by Albert S. Burlison (D-Tex.). A substitute amendment, which replaced Trimble with Alexander McDowell (Pa.), was defeated.

Source: *Congressional Record*, 62-1, p. 8.

63rd Congress (Election date: April 7, 1913)

South Trimble (Ky.) was elected via resolution moved by Palmer (D-Pa.). A substitute amendment, which replaced Trimble with Alexander McDowell (Pa.), was defeated. A second substitute amendment, which replaced Trimble with Nevin Detrich (Pa.), was also defeated.

Source: *Congressional Record*, 63-1, p. 67-68.

64th Congress (Election date: December 6, 1915)

South Trimble (Ky.) was elected via resolution moved by Edward W. Saunders (D-Va.). A substitute amendment, which replaced Trimble with Clarence N. Price (Kans.), was defeated.

Source: *Congressional Record*, 64-1, p. 6.

65th Congress (Election date: April 2, 1917)

South Trimble (Ky.) was elected on the first ballot. Trimble received 217 votes, to 213 for William Tyler Page (Md.). (Total votes: 430. Necessary to a choice: 216.)

Source: *Congressional Record*, 65-1, pp. 108-09.

66th Congress (Election date: May 19, 1919)

William Tyler Page (Md.) was elected via resolution moved by Horace M. Towner (R-Iowa). A substitute amendment, which replaced Page with South Trimble (Ky.), was defeated.

Source: *Congressional Record*, 66-1, p. 8.

67th Congress (Election date: April 11, 1921)

William Tyler Page (Md.) was elected via resolution moved by Frank W. Mondell (R-Wyo.). A substitute amendment, which replaced Page with South Trimble (Ky.), was defeated.

Source: *Congressional Record*, 67-1, pp. 82-83.

68th Congress (Election date: December 5, 1923)

William Tyler Page (Md.) was elected via resolution moved by Sydney Anderson (R-Minn.). A substitute amendment, which replaced Page with South Trimble (Ky.), was defeated.

Source: *Congressional Record*, 68-1, pp. 18-19.

69th Congress (Election date: December 7, 1925)

William Tyler Page (Md.) was elected via resolution moved by Willis C. Hawley (R-Ore.). A substitute amendment, which replaced Page with South Trimble (Ky.), was defeated.

Source: *Congressional Record*, 69-1, p. 382.

70th Congress (Election date: December 5, 1927)

William Tyler Page (Md.) was elected via resolution moved by Willis C. Hawley (R-Ore.). A substitute amendment, which replaced Page with South Trimble (Ky.), was defeated.

Source: *Congressional Record*, 70-1, pp. 10-11.

71st Congress (Election date: April 15, 1929)

William Tyler Page (Md.) was elected via resolution moved by Willis C. Hawley (R-Ore.). A substitute amendment, which replaced Page with South Trimble (Ky.), was defeated.

Source: *Congressional Record*, 71-1, p. 25.

72nd Congress (Election date: December 7, 1931)

South Trimble (Ky.) was elected via resolution moved by William W. Arnold (D-Ill.). A substitute amendment, which replaced Trimble with William Tyler Page (Md.), was defeated.

Source: *Congressional Record*, 72-1, p. 9.

73rd Congress (Election date: March 9, 1933)

South Trimble (Ky.) was elected via resolution moved by Clarence F. Lea (D-Calif.). A substitute amendment, which replaced Trimble with William Tyler Page (Md.), was defeated.

Source: *Congressional Record*, 73-1, pp. 74-75.

74th Congress (Election date: January 3, 1935)

South Trimble (Ky.) was elected via resolution moved by Edward T. Taylor (D-Colo.). A substitute amendment, which replaced Trimble with William Tyler Page (Md.), was defeated.

Source: *Congressional Record*, 74-1, pp. 12-13.

75th Congress (Election date: January 5, 1937)

South Trimble (Ky.) was elected via resolution moved by Robert L. Doughton (D-N.C.). A substitute amendment, which replaced Trimble with William Tyler Page (Md.), was defeated.

Source: *Congressional Record*, 75-1, p. 13.

76th Congress (Election date: January 3, 1939)

South Trimble (Ky.) was elected via resolution moved by John W. McCormack (D-Mass.). A substitute amendment, which replaced Trimble with William Tyler Page (Md.), was defeated.

Source: *Congressional Record*, 76-1, p. 12.

77th Congress (Election date: January 3, 1941)

South Trimble (Ky.) was elected via resolution moved by Richard M. Duncan (D-Mo.). A

substitute amendment, which replaced Trimble with William Tyler Page (Md.), was defeated.

Source: *Congressional Record*, 77-1, pp. 7-8.

78th Congress (Election date: January 6, 1943)

South Trimble (Ky.) was elected via resolution moved by Harry R. Sheppard (D-Calif.). A substitute amendment, which replaced Trimble with John Andrews (Mass.), was defeated.

Source: *Congressional Record*, 78-1, p. 12.

79th Congress (Election date: January 3, 1945)

South Trimble (Ky.) was elected via resolution moved by Jere Cooper (D-Tenn.). A substitute amendment, which replaced Trimble with John Andrews (Mass.), was defeated.

Source: *Congressional Record*, 79-1, pp. 9-10.

Note: Harry Newlin Megill was appointed acting Clerk effective August 2, 1946. See *Congressional Record*, 79-1, pp. 10768, 10781. Megill was empowered earlier in the session, on May 23, 1946, to act on Trimble's behalf, while Trimble was temporarily absent from the House. *Congressional Record*, 79-1, p. 5527. Trimble died on November 23, 1946.

80th Congress (Election date: January 3, 1947)

John Andrews (Mass.) was elected via resolution moved by Roy O. Woodruff (R-Mich.). A substitute amendment, which replaced Andrews with Ralph R. Roberts (Ind.), was defeated.

Source: *Congressional Record*, 80-1, p. 37.

81st Congress (Election date: January 3, 1949)

Ralph R. Roberts (Ind.) was elected via resolution moved by Francis E. Walter (D-Pa.). A substitute amendment, which replaced Roberts with John Andrews (Mass.), was defeated.

Source: *Congressional Record*, 81-1, p. 10.

82nd Congress (Election date: January 3, 1951)

Ralph R. Roberts (Ind.) was elected via resolution moved by Jere Cooper (D-Tenn.). A substitute amendment, which replaced Roberts with Irving Swanson (Wisc.), was defeated.

Source: *Congressional Record*, 82-1, pp. 8-9.

83rd Congress (Election date: January 3, 1953)

Lyle O. Snader (Ill.) was elected via resolution moved by Clifford R. Hope (R-Kans.). A substitute amendment, which replaced Snader with Ralph R. Roberts (Ind.), was defeated.

Source: *Congressional Record*, 83-1, pp. 14-15.

84th Congress (Election date: January 5, 1955)

Ralph R. Roberts (Ind.) was elected via resolution moved by John J. Rooney (D-N.Y.). A substitute amendment, which replaced Roberts with Lyle O. Snader (Ill.), was defeated.

Source: *Congressional Record*, 84-1, p. 10.

85th Congress (Election date: January 3, 1957)

Ralph R. Roberts (Ind.) was elected via resolution moved by Charles M. Price (D-Ill.). A substitute amendment, which replaced Roberts with Lyle O. Snader (Ill.), was defeated.

Source: *Congressional Record*, 85-1, p. 47.

86th Congress (Election date: January 7, 1959)

Ralph R. Roberts (Ind.) was elected via resolution moved by Charles M. Price (D-Ill.). A substitute amendment, which replaced Roberts with Harry L. Brookshire (Ohio), was defeated.

Source: *Congressional Record*, 86-1, p. 14.

87th Congress (Election date: January 3, 1961)

Ralph R. Roberts (Ind.) was elected via resolution moved by Francis E. Walter (D-Pa.). A substitute amendment, which replaced Roberts with Harry L. Brookshire (Ohio), was defeated.

Source: *Congressional Record*, 87-1, p. 25.

88th Congress (Election date: January 9, 1963)

Ralph R. Roberts (Ind.) was elected via resolution moved by Francis E. Walter (D-Pa.). A substitute amendment, which replaced Roberts with Harry L. Brookshire (Ohio), was defeated.

Source: *Congressional Record*, 88-1, p. 13.

89th Congress (Election date: January 4, 1965)

Ralph R. Roberts (Ind.) was elected via resolution moved by Eugene J. Keogh (D-N.Y.).

Source: *Congressional Record*, 89-1, p. 20.

90th Congress (Election date: January 10, 1967)

W. Pat Jennings (Va.) was elected via resolution moved by Daniel D. Rostenkowki (D-Ill.). A substitute amendment, which replaced Jennings with Harry L. Brookshire (Ohio), was defeated.

Source: *Congressional Record*, 90-1, p. 27.

91st Congress (Election date: January 3, 1969)

W. Pat Jennings (Va.) was elected via resolution moved by Daniel D. Rostenkowki (D-Ill.). A substitute amendment, which replaced Jennings with Harry L. Brookshire (Ohio), was defeated.

Source: *Congressional Record*, 91-1, p. 34.

92nd Congress (Election date: January 21, 1971)

W. Pat Jennings (Va.) was elected via resolution moved by Olin E. Teague (D-Tex.). A substitute amendment, which replaced Jennings with Joe Bartlett (Ohio), was defeated.

Source: *Congressional Record*, 92-1, p. 13.

93rd Congress (Election date: January 3, 1973)

W. Pat Jennings (Va.) was elected via resolution moved by Olin E. Teague (D-Tex.). A substitute amendment, which replaced Jennings with Joe Bartlett (Ohio), was defeated.

Source: *Congressional Record*, 93-1, pp. 16-17.

94th Congress (Election date: January 14, 1975)

W. Pat Jennings (Va.) was elected via resolution moved by Phillip Burton (D-Calif.). A substitute amendment, which replaced Jennings with Joe Bartlett (Ohio), was defeated.

Source: *Congressional Record*, 94-1, pp. 19-20.

Note: Jennings resigned on November 15, 1975, during the first session of the 94th Congress. Edmund L. Henshaw, Jr. (Va.) was appointed acting Clerk effective at the close of business on November 15, 1975 (and reported on November 17, 1975). See *Congressional Record*, 94-1, p. 36901.

95th Congress (Election date: January 4, 1977)

Edmund L. Henshaw, Jr. (Va.) was elected via resolution moved by Thomas S. Foley (D-Wash.). A substitute amendment, which replaced Henshaw with Joe Bartlett (Ohio), was defeated.

Source: *Congressional Record*, 95-1, p. 52.

96th Congress (Election date: January 15, 1979)

Edmund L. Henshaw, Jr. (Va.) was elected via resolution moved by Thomas S. Foley (D-Wash.). A substitute amendment, which replaced Henshaw with Joe Bartlett (Ohio), was defeated.

Source: *Congressional Record*, 96-1, pp. 6-7.

97th Congress (Election date: January 5, 1981)

Edmund L. Henshaw, Jr. (Va.) was elected via resolution moved by Gillis W. Long (D-La.). A substitute amendment, which replaced Henshaw with Hyde H. Murray (Md.), was defeated.

Source: *Congressional Record*, 97-1, p. 97.

98th Congress (Election date: January 3, 1983)

Benjamin J. Guthrie (Va.) was elected via resolution moved by Gillis W. Long (D-La.). A substitute amendment, which replaced Guthrie with Hyde H. Murray (Md.), was defeated.

Source: *Congressional Record*, 98-1, p. 33.

99th Congress (Election date: January 3, 1985)

Benjamin J. Guthrie (Va.) was elected via resolution moved by Richard Gephardt (D-Mo.). A substitute amendment, which replaced Guthrie with Hyde H. Murray (Md.), was defeated.

Source: *Congressional Record*, 99-1, p. 392.

100th Congress (Election date: January 5, 1987)

Donnald K. Anderson (Calif.) was elected via resolution moved by Richard Gephardt (D-Mo.). A substitute amendment, which replaced Anderson with Hyde H. Murray (Md.), was defeated.

Source: *Congressional Record*, 100-1, pp. 5-6.

101st Congress (Election date: January 3, 1989)

Donnald K. Anderson (Calif.) was elected via resolution moved by William H. Gray (D-Pa.).

Source: *Congressional Record*, 101-1, p. 71.

102nd Congress (Election date: January 3, 1991)

Donnald K. Anderson (Calif.) was elected via resolution moved by Steny H. Hoyer (D-Md.). A substitute amendment, which replaced Anderson with William R. Pitts, Jr. (Va.), was defeated.

Source: *Congressional Record*, 102-1, p. 39.

103rd Congress (Election date: January 5, 1993)

Donnald K. Anderson (Calif.) was elected via resolution moved by Steny H. Hoyer (D-Md.). A substitute amendment, which replaced Anderson with William R. Pitts, Jr. (Va.), was defeated.

Source: *Congressional Record*, 103-1, p. 48-49.

104th Congress (Election date: January 4, 1995)

Robin H. Carle (Va.) was elected via resolution moved by John A. Boehner (R-Ohio). A substitute amendment, which replaced Carle with Thomas O'Donnell (Md.), was defeated.

Source: *Congressional Record*, 104-1, p. 447.

105th Congress (Election date: January 7, 1997)

Robin H. Carle (Va.) was elected via resolution moved by John A. Boehner (R-Ohio). A substitute amendment, which replaced Carle with Marti Thomas (D.C.), was defeated.

Source: *Congressional Record*, 105-1, p. 120.

Note: Carle announced on December 21, 1998, that she would be resigning her post effective January 1, 1999. Jeffrey J. Trandahl was appointed Clerk effective January 1, 1999. *Congressional Record*, 106-1, p. H228.

106th Congress (Election date: January 6, 1999)

Jeffrey J. Trandahl (Va.) was elected via resolution moved by J. C. Watts (R-Okla.). A substitute amendment, which replaced Trandahl with Dan Turton (Va.), was defeated.

Source: *Congressional Record*, 106-1, p. 46.

107th Congress (Election date: January 3, 2001)

Jeffrey J. Trandahl (S.D.) was elected via resolution moved by J. C. Watts (R-Okla.). A substitute amendment, which replaced Trandahl with Dan Turton (Va.), was defeated.

Source: *Congressional Record*, 107-1, p. 24.

108th Congress (Election date: January 7, 2003)

Jeffrey J. Trandahl (S.D.) was elected via resolution moved by Deborah D. Pryce (R-Ohio). A substitute amendment, which replaced Trandahl with George Crawford (Calif.), was defeated.

Source: *Congressional Record*, 108-1, pp. 6-7.

109th Congress (Election date: January 4, 2005)

Jeffrey J. Trandahl (S.D.) was elected via resolution moved by Deborah D. Pryce (R-Ohio). A substitute amendment, which replaced Trandahl with Jerry Hartz (Iowa), was defeated.

Source: *Congressional Record*, 109-1, pp. H6-7.

Note: Trandahl resigned on November 18, 2005, during the first session of the 109th Congress. Karen L. Haas was appointed Clerk effective November 18, 2005.

Congressional Record, 109-1, p. H11026.

109th Congress – Replacement Election (Election date: December 6, 2005)

Karen L. Haas (Md.) was elected via resolution moved by Deborah D. Pryce (R-Ohio). A motion to reconsider was laid on the table.

Source: *Congressional Record*, 109-1, p. H11071.

110th Congress (Election date: January 4, 2007)

Karen L. Haas (Md.) was elected via resolution moved by John B. Larson (D-Conn.). A substitute amendment, which replaced Haas with Paula Nowakowski (Mich.), was defeated.

Source: *Congressional Record*, 110-1, p. H6.

Note: Haas announced on February 6, 2007, that she would be resigning her post effective February 14, 2007. *Congressional Record*, 110-1, p. H1229-30.

110th Congress – Replacement Election (Election date: February 6, 2007)

Lorraine C. Miller (Tex.) was elected via resolution moved by Steny H. Hoyer (D-Md.). A motion to reconsider was laid on the table.

Source: *Congressional Record*, 110-1, pp. H1230-33.

Note: Miller's term as Clerk took effect on February 15, 2007. *Congressional Record*, 110-1, p. H1230.

111th Congress (Election date: January 6, 2009)

Lorraine C. Miller (Tex.) was elected via resolution moved by Xavier Becerra (D-Calif.). A substitute amendment, which replaced Miller with Paula Nowakowski (Mich.), was defeated.

Source: *Congressional Record*, 111-1, p. H6.

112th Congress (Election date: January 5, 2011)

Karen L. Haas (Md.) was elected via resolution moved by Jeb Hensarling (R-Tex.). A substitute amendment, which replaced Haas with John Lawrence (N.J.), was defeated.

Source: *Congressional Record*, 112-1, p. H6.

Appendix 4

Election of House Printer, 15th— 36th Congresses

15th Congress (Election date: March 3, 1819)

Joseph Gales, Jr. and William W. Seaton were elected on the first ballot. No details on the vote.

Source: *Annals of Congress*, 15-2, p. 1441; *House Journal*, 15-2, p. 354.

16th Congress (Election date: March 3, 1821)

Joseph Gales, Jr. and William W. Seaton were elected on the first ballot. Gales and Seaton received 87 votes, to 31 for Elliott & Irvine, 9 for Davis & Force, and 6 for E. De Krafft. (Total votes: 133. Necessary to a choice: 67.)

Source: *Annals of Congress*, 16-2, pp. 1291-92.

17th Congress (Election date: February 25, 1823)

Joseph Gales, Jr. and William W. Seaton were elected on the first ballot. Gales and Seaton received 102 votes, to 43 for Andrew Way, Jr., and 10 scattering. (Total votes: 155. Necessary to a choice: 78.)

Source: *Annals of Congress*, 17-2, p. 1097.

Note: *Annals* mistakenly reports that 79 votes were necessary to a choice.

18th Congress (Election date: February 21, 1825)

Joseph Gales, Jr. and William W. Seaton were elected on the first ballot. Gales and Seaton received 141 votes, to 40 for Hezekiah Niles, 8 for Davis & Force, and 2 for Jonathan Elliot. (Total votes: 191. Necessary to a choice: 96.)

Source: *Niles' Weekly Register*, February 26, 1825, p. 414.

19th Congress (Election date: February 29, 1827)

Joseph Gales, Jr. and William W. Seaton were elected on the first ballot. Gales and Seaton received 134 votes, to 25 for Rowland & Greer, 8 for Duff Green, 1 for M. M. Noah, 1 illegible, and 14 blank. (Total votes: 183. Necessary to a choice: 92.)

Source: *House Journal*, 19-2, pp. 1266-67.

20th Congress (Election date: February 10, 1829)

Duff Green was elected on the first ballot. Green received 107 votes, to 95 for Joseph Gales, Jr. and William W. Seaton, 2 for Edward De Krafft, 1 for Amos Kendall, 1 for D. S. Carr, and 2 blanks. (Total votes: 208. Necessary to a choice: 105.)

Source: *House Journal*, 20-2, pp. 270-71.

21st Congress (Election date: February 2, 1831)

Duff Green was elected on the first ballot. Green received 108 votes, to 76 for Joseph Gales, Jr. and William W. Seaton, 16 for William Greer, 1 for Way & Gideon, 3 scattering, and 2 blanks. (Total votes: 206. Necessary to a choice: 104.)

Source: *Niles' Weekly Register*, February 5, 1831, p. 408.

22nd Congress (Election date: February 15, 1833)

Joseph Gales, Jr. and William W. Seaton were elected on the 14th ballot.

	February 14, 1833										February 15			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Gales & Seaton	60	69	77	78	80	79	78	78	83	84	91	94	93	99
Francis P. Blair	88	93	96	95	93	97	96	98	97	95	90	91	90	94
Duff Green	25	25	20	16	14	14	14	12	14	11	7	3	2	1
Thurlow Weed	12	7	--	1	--	1	1	--	1	2	--	--	--	--
William Greer & Son	8	3	--	--	--	--	--	--	--	--	--	--	--	--
Condy Raguet	5	4	5	10	8	7	5	4	6	5	7	5	2	1
Scattering	1	--	--	--	--	1	--	--	--	--	--	--	--	--
Blank	4	--	3	4	--	6	9	4	4	5	4	3	2	2
Total Votes	203	201	201	204	195	205	203	196	205	202	199	196	189	197
Necessary to a Choice	102	101	101	103	98	103	102	99	103	102	100	99	95	99

Source: *Register of Debates*, 22-2, pp. 1725-26.

23rd Congress

No election.

24th Congress (Election date: December 7, 1835)

Francis P. Blair and John C. Rives were elected on the first ballot. Blair and Rives received 138 votes, to 59 for Joseph Gales, Jr. and William W. Seaton, 26 for Bradford & Learned, 2 for Duff Green, 1 for Thurlow Weed, and 2 blanks. (Total votes: 228. Necessary to a choice: 115.)

Source: *Congressional Globe*, 24-1, p. 3.

Note: *Congressional Globe* reports the aforementioned vote breakdown, but announces an aggregate vote of 223 and votes necessary to a choice of 112.

25th Congress (Election date: September 7, 1837)

Thomas Allen was elected on the 12th ballot.

	September 5, 1837					September 6			September 7			
	1	2	3	4	5	6	7	8	9	10	11	12
Gales & Seaton	100	102	101	103	100	93	81	68	48	21	8	9
Blair & Rives	103	103	103	100	104	107	101	101	104	105	102	101

	September 5, 1837					September 6			September 7			
	1	2	3	4	5	6	7	8	9	10	11	12
Thomas Allen	22	22	23	22	23	27	42	53	70	99	111	113
Scattering	1	1	1	2	--	--	--	--	3	2	2	1
Blank	4	2	--	--	1	3	4	5	3	2	2	1
Total Votes	230	230	228	227	228	230	228	227	228	229	225	225
Necessary to a Choice	116	116	115	114	115	116	115	114	115	115	113	113

Source: *Congressional Globe*, 25-1, pp. 11, 13, 15-16.

26th Congress (Election date: January 31, 1840)

Francis P. Blair and John C. Rives were elected on the first ballot. Blair and Rives received 110 votes, to 92 for Joseph Gales, Jr. and William W. Seaton, 2 for Thomas W. White, 1 for Jacob Gideon, 1 for S. Stambaugh, and 1 for Duff Green. (Total votes: 207. Necessary to a choice: 104.)

Source: *House Journal*, 26-1, pp. 261-63.

27th Congress (Election date: July 11, 1841)

Joseph Gales, Jr. and William W. Seaton were elected on the first ballot. Gales and Seaton received 134 votes, to 75 for Francis P. Blair and John C. Rives, and 6 for Peter Force. (Total votes: 215. Necessary to a choice: 108.)

Source: *House Journal*, 27-1, pp. 88-89.

28th Congress (Election date: December 7, 1843)

Francis P. Blair and John C. Rives were elected on the first ballot. Blair and Rives received 124 votes, to 62 for Joseph Gales, Jr. and William W. Seaton, and 1 for Jacob Gideon. (Total votes: 187. Necessary to a choice: 94.)

Source: *House Journal*, 28-1, pp. 35-37.

29th Congress (Election date: December 3, 1845)

Thomas Ritchie and John P. Heiss elected on the first ballot. Ritchie and Heiss received 123 votes, to 69 for Fisk & Dow, 4 for Joseph Gales, Jr. and William W. Seaton, and 2 for Jefferson & Co. (Total votes: 198. Necessary to a choice: 100.)

Source: *Congressional Globe*, 29-1, pp. 18-19.

30th and 31st Congresses

No election. Printers were selected by the House Clerk in accordance with low-cost bidding law.

32nd Congress (Election date: August 27, 1852)

Robert Armstrong was elected on the first ballot. Armstrong received 107 votes, to 28 for John T. Towers, 20 for Joseph Gales, Jr. and William W. Seaton, 9 for George S. Gideon, 6 for G.

Bailey, 4 for William C. Bryant, 3 for Horace Greeley, 3 for John C. Rives, 2 for J. M. Daniel, 2 for W. G. Brownlow, 2 for H. J. Raymond, and 1 for John Forsyth. (Total votes: 187. Necessary to a choice: 94.)

Source: *House Journal*, 32-1, pp. 1096-97.

33rd Congress (Election date: December 7, 1853)

Robert Armstrong was elected on the first ballot. Armstrong received 126 votes, to 64 for Joseph Gales, 20 for Beverley Tucker, 3 for Gamaliel Bailey, 1 for Lemuel Towers, 1 for Gideon & Co., 1 for Horace Greeley, 1 for Roger Pryor, and 1 for John C. Rives. (Total votes: 218. Necessary to a choice: 110.)

Source: *House Journal*, 33-1, pp. 41-43.

34th Congress (Election date: February 13, 1856)

Cornelius Wendell was elected on the 11th ballot.

	February 6, 1856			February 11			February 12			Feb. 13	
	1	2	3	4	5	6	7	8	9	10	11
Oran Follett	80	77	74	68	68	65	65	63	54	36	26
Cornelius Wendell	68	68	66	66	74	71	69	65	62	73	91
Robert Farnham	18	22	25	16	15	9	9	10	11	8	3
Nathan Sergeant	11	10	10	9	6	6	6	6	6	8	8
John T. Towers	7	4	--	1	--	--	1	--	--	--	--
John D. Defrees	4	5	7	3	3	4	6	7	12	12	15
Francis P. Blair, Jr.	2	1	1	--	--	--	--	--	--	--	--
William W. Seaton	1	--	--	--	--	--	--	--	--	--	--
Jared V. Peck	1	1	1	--	--	--	--	--	--	--	--
Beverly Tucker	1	1	1	1	1	1	--	--	--	--	--
R. Ridgway	1	1	3	--	--	--	--	--	--	--	--
J. Watson Webb	1	1	1	--	1	--	--	--	--	5	7
Edward Morris	--	--	--	4	4	3	1	3	3	4	--
Joseph Gales	--	--	--	2	1	--	--	--	--	--	--
Charles Sentelle	--	--	--	1	1	1	1	1	1	--	--
_____ Jones	--	--	--	1	--	--	--	--	--	--	--
R. W. Huges	--	--	--	1	1	1	--	--	--	--	--

	2/13		2/15			2/23				2/24			2/27				2/29	3/2
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Mr. Winton	--	--	--	--	--	1	1	1	1	1	1	1	2	1	1	1	2	1
Edward Ball	--	--	--	--	--	--	9	57	87	81	78	75	31	8	7	2	3	3
Ellis H. Roberts	--	--	--	--	--	--	--	4	--	--	--	--	--	--	--	--	--	--
Henry Barnes	--	--	--	--	--	--	--	4	--	--	--	--	--	--	--	--	--	--
Mr. Sulgrove	--	--	--	--	--	--	--	3	--	--	--	--	--	--	--	--	--	--
Samuel Bowles	--	--	--	--	--	--	--	1	--	--	--	--	--	--	--	--	--	--
W. S. King	--	--	--	--	--	--	--	1	--	--	--	--	--	--	--	--	--	--
Robert G. Harper	--	--	--	--	--	--	--	1	--	--	--	--	--	--	--	--	--	--
M. C. Garber	--	--	--	--	--	--	--	1	--	--	--	--	--	--	--	--	--	--
James Barker	--	--	--	--	--	--	--	1	--	--	--	--	--	--	--	--	--	--
N. C. Geer	--	--	--	--	--	--	--	1	--	--	--	--	--	--	--	--	--	--
Joseph Gales	--	--	--	--	--	--	--	--	1	--	--	--	--	--	--	--	--	--
Harvey Watterston	--	--	--	--	--	--	--	--	--	1	1	--	--	--	--	--	--	--
Mr. Pangbore	--	--	--	--	--	--	--	--	--	1	--	--	--	--	--	--	--	--
William W. Seaton	--	--	--	--	--	--	--	--	--	--	--	16	14	14	17	18	9	9
Mr. Howell	--	--	--	--	--	--	--	--	--	--	--	1	--	--	--	--	--	--
Mr. Barksdale	--	--	--	--	--	--	--	--	--	--	--	1	--	--	--	--	--	--
Thomas H. Ford	--	--	--	--	--	--	--	--	--	--	--	--	65	91	88	93	87	96
Mr. Holloway	--	--	--	--	--	--	--	--	--	--	--	--	1	1	1	--	--	--
Mr. Ritchie	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	2
Mr. Roland	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	2
John F. Zimmerman	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1
Total Votes	183	183	181	180	182	179	180	176	175	191	188	185	197	197	189	186	180	187
Necessary to a Choice	92	92	91	91	92	90	91	89	88	96	95	93	99	99	95	94	91	94

Source: *House Journal*, 36-1, pp. 262-65, 286-90, 359-65, 372-76, 383-88, 390-91, 408-09, 425-27.

Appendix 5

Summary of Democratic and Republican speaker caucus nominations, 38th–112th Congress

Cong.	Year	Democrats					Republicans				
		D	R	Oth.	Margin pct.	Nominee	Ballots	Effective no. of candidates	Nominee	Ballots	Effective no. of candidates
38	1863	72	86	27	7.6*	No choice			Schuyler Colfax (Ind.)	1	1
39	1865	38	136	19	50.8	James Brooks (N.Y.)	Unknown		Schuyler Colfax (Ind.)	1	1
40	1867	47	173	4	56.3	Samuel S. Marshall (Ill.)	Unknown		Schuyler Colfax (Ind.)	Unknown	No report
41	1869	67	171	5	42.8	Michael C. Kerr (Ind.)	Unknown		James G. Blaine (Me.)	1	1
42	1871	104	136	3	13.2	George W. Morgan (Ohio)	1		James G. Blaine (Me.)	1	1
43	1873	88	199	5	38.0	Fernando Wood (N.Y.)	2	3.0	James G. Blaine (Me.)	1	1
44	1875	182	103	8	27.0	Michael C. Kerr (Ind.)	3	2.8	James G. Blaine (Me.)	Unknown	No report
						Samuel Randall (Pa.)	1	2.0	James Garfield (Ohio)	Unknown	No report
45	1877	155	136	8	6.4	Samuel Randall (Pa.)	1	1.7	James Garfield (Ohio)	Unknown	No report
46	1879	141	132	20	3.1*	Samuel Randall (Pa.)	1	2.2	James Garfield (Ohio)	1	1
47	1881	128	151	14	7.8	Samuel Randall (Penn.)	1	1	J. Warren Keifer (Ohio)	16	4.1
48	1883	196	117	12	24.3	John Carlisle (Ky.)	1	2.4	J. Warren Keifer (Ohio)	1	1.6
49	1885	182	141	2	12.6	John Carlisle (Ky.)	1	1	Thomas B. Reed (Me.)	1	2.0
50	1887	167	152	6	4.6	John Carlisle (Ky.)	1	1	Thomas B. Reed (Me.)	1	1
51	1889	152	179	1	8.1	John Carlisle (Ky.)	1	No report	Thomas B. Reed (Me.)	2	3.2
52	1891	238	86	8	45.8	Charles F. Crisp (Ga.)	30	3.5	Thomas B. Reed (Me.)	1	1
53	1893	218	124	14	26.4	Charles F. Crisp (Ga.)	1	1	Thomas B. Reed (Me.)	1	1
54	1895	93	254	10	45.1	Charles F. Crisp (Ga.)	1	1	Thomas B. Reed (Me.)	1	1
55	1897	124	206	27	23.0	Joseph W. Bailey (Tex.)	1	2.6	Thomas B. Reed (Me.)	1	1
56	1899	161	187	9	7.3	James D. Richardson (Tenn.)	6	3.9	David B. Henderson (Iowa)	1	1
57	1901	151	200	6	13.7	James D. Richardson (Tenn.)	1	1	David B. Henderson (Iowa)	1	1
58	1903	176	207	3	8.0	John B. Williams (Miss.)	1	1	Joseph G. Cannon (Ill.)	1	1
59	1905	135	251	0	30.1	John B. Williams (Miss.)	1	1	Joseph G. Cannon (Ill.)	1	1
60	1907	167	223	1	14.3	John B. Williams (Miss.)	1	1	Joseph G. Cannon (Ill.)	1	1
61	1909	172	219	0	12.0	Champ Clark (Mo.)	1	1	Joseph G. Cannon (Ill.)	1	1.3
62	1911	230	162	2	17.3	Champ Clark (Mo.)	1	1	James R. Mann (Ill.)	1	1
63	1913	291	134	10	36.1	Champ Clark (Mo.)	1	1	James R. Mann (Ill.)	1	1
64	1915	230	196	9	7.8	Champ Clark (Mo.)	1	1	James R. Mann (Ill.)	1	1
65	1917	214	215	6	0.2*	Champ Clark (Mo.)	1	1	James R. Mann (Ill.)	1	1
66	1919	192	240	2	11.1	Champ Clark (Mo.)	1	1	Frederick H. Gillett (Mass.)	1	2.1

										Democrats						Republicans
Cong.	Year	D	R	Oth.	Margin		Nominee	Ballots	Effective no.		Nominee	Ballots	Effective no. of candidates			
					pct.				of candidates							
67	1921	131	302	2	39.3		Claude Kitchin (N.C.)	1	No report	Frederick H. Gillett (Mass.)	1	1				
68	1923	207	225	3	4.1		Finis J. Garrett (Tenn.)	1	1	Frederick H. Gillett (Mass.)	1	1.3				
69	1925	183	247	5	14.7		Finis J. Garrett (Tenn.)	1	1	Nicholas Longworth (Ohio)	1	1.9				
70	1927	194	238	3	10.1		Finis J. Garrett (Tenn.)	1	No report	Nicholas Longworth (Ohio)	1	1				
71	1929	164	270	1	24.4		John Garner (Tex.)	1	1	Nicholas Longworth (Ohio)	1	1				
72	1931 ^a	216	218	1	0.5		John Garner (Tex.)	1	1	Bertrand L. Snell (N.Y.)	8	2.0				
73	1933	313	117	5	45.1		Henry T. Rainey (Ill.)	1	1.3	Bertrand L. Snell (N.Y.)	1	1				
74	1935	322	103	10	50.3		Joseph W. Byrns (Tenn.)	1	1	Bertrand L. Snell (N.Y.)	1	1.0				
							William B. Bankhead (Ala.)	No caucus								
75	1937	334	88	13	56.6		William B. Bankhead (Ala.)	1	1	Bertrand L. Snell (N.Y.)	1	1				
76	1939	262	169	4	21.4		William B. Bankhead (Ala.)	1	No report	Joseph W. Martin (Mass.)	1	1				
							Samuel Rayburn (Tex.)	No caucus								
77	1941	267	162	6	24.1		Samuel Rayburn (Tex.)	1	1	Joseph W. Martin (Mass.)	1	No report				
78	1943	222	209	4	3.0		Samuel Rayburn (Tex.)	1	1	Joseph W. Martin (Mass.)	1	No report				
79	1945	242	191	2	11.7		Samuel Rayburn (Tex.)	1	No report	Joseph W. Martin (Mass.)	1	No report				
80	1947	188	246	1	13.3		Samuel Rayburn (Tex.)	1	No report	Joseph W. Martin (Mass.)	1	1				
81	1949	263	171	1	21.1		Samuel Rayburn (Tex.)	1	No report	Joseph W. Martin (Mass.)	1	1				
82	1951	235	199	1	8.3		Samuel Rayburn (Tex.)	1	1	Joseph W. Martin (Mass.)	1	No report				
83	1953	213	221	1	1.8		Samuel Rayburn (Tex.)	1	No report	Joseph W. Martin (Mass.)	1	1				
84	1955	232	203	0	6.7		Samuel Rayburn (Tex.)	1	1	Joseph W. Martin (Mass.)	1	No report				
85	1957	234	201	0	7.6		Samuel Rayburn (Tex.)	1	No report	Joseph W. Martin (Mass.)	1	No report				
86	1959	283	153	1	29.7		Samuel Rayburn (Tex.)	1	1	Charles S. Halleck (Ind.)	2	2.0				
87	1961	263	174	0	20.4		Samuel Rayburn (Tex.)	1	1	Charles S. Halleck (Ind.)	1	No report				
							John W. McCormack (Mass.)	1	1	Charles S. Halleck (Ind.)	1	No report				
88	1963	259	176	0	19.1		John W. McCormack (Mass.)	1	1	Charles S. Halleck (Ind.)	1	No report				
89	1965	295	140	0	35.6		John W. McCormack (Mass.)	1	No report	Gerald R. Ford (Mich.)	1	2.0				
90	1967	247	187	0	13.8		John W. McCormack (Mass.)	1	1	Gerald R. Ford (Mich.)	1	No report				
91	1969	243	192	0	11.7		John W. McCormack (Mass.)	1	1.6	Gerald R. Ford (Mich.)	1	1				
92	1971	255	180	0	17.2		Carl Albert (Okla.)	1	1.2	Gerald R. Ford (Mich.)	1	1				
93	1973	242	192	1	11.5		Carl Albert (Okla.)	1	1.2	Gerald R. Ford (Mich.)	1	1				
94	1975	291	144	0	33.8		Carl Albert (Okla.)	1	1	John Rhodes (Ariz.)	1	1				
95	1977	292	143	0	34.3		Thomas P. "Tip" O'Neill (Mass.)	1	1	John Rhodes (Ariz.)	1	1				
96	1979	277	158	0	27.4		Thomas P. "Tip" O'Neill (Mass.)	1	1	John Rhodes (Ariz.)	1	1				

Cong.	Year	Democrats					Republicans				
		D	R	Oth.	Margin pct.	Nominee	Ballots	Effective no. of candidates	Nominee	Ballots	Effective no. of candidates
97	1981	242	192	1	11.5	Thomas P. "Tip" O'Neill (Mass.)	1	1	Robert H. Michel (Ill.)	1	2.0
98	1983	269	166	0	23.7	Thomas P. "Tip" O'Neill (Mass.)	1	1	Robert H. Michel (Ill.)	1	1
99	1985	253	182	0	16.3	Thomas P. "Tip" O'Neill (Mass.)	1	1	Robert H. Michel (Ill.)	1	1
100	1987	258	177	0	18.6	James Wright (Tex.)	1	1	Robert H. Michel (Ill.)	1	1
101	1989	260	175	0	19.5	James Wright (Tex.)	1	1	Robert H. Michel (Ill.)	1	1
					0.0	Thomas Foley (Wash.)	1	No report	Robert H. Michel (Ill.)	1	No report
102	1991	267	167	1	23.0	Thomas Foley (Wash.)	1	1	Robert H. Michel (Ill.)	1	1
103	1993	258	176	1	18.9	Thomas Foley (Wash.)	1	1	Robert H. Michel (Ill.)	1	1
104	1995	204	230	1	6.0	Richard A. Gephardt (Mo.)	1	1.7	Newt Gingrich (Ga.)	1	1
105	1997	206	228	1	5.1	Richard A. Gephardt (Mo.)	1	1	Newt Gingrich (Ga.)	1	1
106	1999	211	223	1	2.8	Richard A. Gephardt (Mo.)	1	1	Robert Livingston (La.)	1	1
									Dennis Hastert (Ill.)	1	1
107	2001	212	221	2	2.1	Richard A. Gephardt (Mo.)	1	1	Dennis Hastert (Ill.)	1	1
108	2003	204	229	1	5.8	Nancy Pelosi (Calif.)	1	1.3	Dennis Hastert (Ill.)	1	1
109	2005	202	232	1	6.9	Nancy Pelosi (Calif.)	1	1	Dennis Hastert (Ill.)	1	1
110	2007	233	202	0	7.1	Nancy Pelosi (Calif.)	1	1	John A. Boehner (Ohio)	1	1.3
111	2009	257	178	0	18.2	Nancy Pelosi (Calif.)	1	1	John A. Boehner (Ohio)	1	No report
112	2011	193	242	0	11.3	Nancy Pelosi (Calif.)	1	1.5	John A. Boehner (Ohio)	1	1

*Plurality

^aBetween Election Day and the first day of Congress, 14 members-elect died. In the subsequent special elections, enough Democrats won to switch the majority in favor of the Democrats.

Note: Names in **bold** indicate the eventual House choice for Speaker.

Appendix 6

Democratic and Republican Caucus Nominations for Speaker, 38th — 112th Congresses

38th Congress

Republicans chose Schuyler Colfax (Ind.) on first ballot, “by acclamation.”

Source: *NYT*, Dec. 6, 1863, p. 1.

Democrats did not make a caucus nomination. A caucus did meet to select other officers, but a rift occurred when trying to choose a speakership candidate.

Source: *CT*, Dec. 8, 1863, p. 1.

39th Congress

Republicans chose Schuyler Colfax (Ind.) on first ballot, “by acclamation.”

Source: *NYT*, Dec. 4, 1865, p. 1.; *CT*, Dec. 4, 1865, p. 1.

Democrats chose James Brooks (N.Y.). No details on the caucus vote.

Source: *NYT*, Dec. 5, 1865, p. 4.

40th Congress

Republicans chose Schuyler Colfax (Ind.). No details on the caucus vote.

Source: *NYT*, Mar. 5, 1867, p. 5.

Democrats chose Samuel S. Marshall (Ill.). No details on the caucus vote.

Source: *NYT*, Mar. 5, 1867, p. 5.

41st Congress

Republicans chose James G. Blaine (Maine) on first ballot, “by unanimous vote.”

Source: *CT*, Mar. 3, 1869, p. 1.; *NYT*, Mar. 3, 1869, p. 1.

Democrats chose Michael C. Kerr (Ind.). No details regarding caucus vote.

Source: *CT*, Mar. 3, 1869, p. 1.

42nd Congress

Republicans chose James G. Blaine (Maine) on first ballot, “by acclamation.”

Source: *NYT*, Mar. 3, 1871, p. 1.

Democrats chose George W. Morgan (Ohio) on first ballot, by a majority over Samuel S. Cox (N.Y.). Morgan’s nomination was then made unanimous.

Source: *NYT*, Mar. 3, 1871, p. 1.

43rd Congress

Republicans chose James G. Blaine (Maine) on first ballot, “by acclamation.”

Source: *NYT*, Nov. 30, 1873, p. 1; *CT*, Nov. 30, 1873, p. 4.

Democrats chose Fernando Wood (N.Y.) on second ballot. On the first ballot, Wood received 30 votes, to 20 for Samuel S. Cox (N.Y.), 19 for James C. Robinson (Ill.), 1 for Alexander Stephens (Ga.), and 1 for Lucius Lamar (Miss.). On the second ballot, Wood received 44 votes, to 22 for Cox, 1 for Robinson, 1 for Stephens, 1 for Lamar, and 1 for William E. Niblack (Ind.).

Source: *CT*, Nov. 30, 1873, p. 4.

44th Congress

Republicans chose James G. Blaine (Maine). No details regarding caucus vote.

Source: *NYT*, Dec. 5, 1875, p. 2.; *CT*, Dec. 5, 1875, p. 9.

Democrats chose Michael C. Kerr (Ind.) on third ballot.

	1	2	3
Michael C. Kerr (Ind.)	77	77	90
Samuel Randall (Pa.)	59	63	63
Samuel S. Cox (N.Y.)	31	21	7
Milton Saylor (Ind.)	1	1	---

Kerr was then made the unanimous choice of the caucus.

Source: *CT*, Dec. 5, 1875, p. 9.

44th Congress, 2nd Session (to fill speakership after Kerr's death)

Republicans chose James Garfield (Ohio). No details regarding caucus vote.

Source:

Democrats chose Samuel Randall (Pa.) on first ballot. Randall received 73 votes, to 63 for Samuel S. Cox (N.Y.).

Source: *NYT*, Dec 3., 1876, p. 7.

45th Congress

Republicans chose James Garfield (Ohio). No details regarding caucus vote.

Source:

Democrats chose Samuel Randall (Pa.) on first ballot. Randall received 107 votes, to 27 for John Goode (Va.) and 12 for Milton Saylor (Ohio).

Source: *NYT*, Oct. 14, 1877, p. 1.

46th Congress

Republicans chose James Garfield (Ohio) on first ballot, "unanimously."

Source: *NYT*, Mar. 18, 1879, p. 1.

Democrats chose Samuel Randall (Pa.) on first ballot. Randall received 75 votes, to 57 for Joseph Blackburn (Ky.), and 9 scattering. Blackburn then moved that Randall's nomination be made unanimous, which "was adopted without a dissenting vote."

Source: *NYT*, Mar. 18, 1879, p. 1.

47th Congress

Republicans chose J. Warren Keifer (Ohio) on 16th ballot.

Source: *NYT*, Dec. 4, 1881, p. 1.

	December 3, 1881															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
J. Warren Keifer (Ohio)	52	55	55	55	56	54	51	51	56	56	55	56	59	58	61	93
Frank Hiscock (N.Y.)	44	41	38	35	32	34	34	34	35	38	40	39	37	35	34	18
John Kasson (Iowa)	15	16	19	20	19	18	16	17	19	17	16	16	16	17	16	10
Thomas Reed (Maine)	13	12	12	15	18	18	20	18	13	14	14	11	13	13	13	11
Julius C. Burrows (Mich.)	10	10	10	10	10	10	11	10	10	10	10	9	10	10	11	1
Godlove S. Orth (Ind.)	8	8	8	8	8	8	10	8	9	8	8	8	8	8	7	8
Mark H. Dunnell (Minn.)	4	3	3	3	3	3	3	4	4	3	3	3	4	4	3	3
Total	146	145	145	146	146	145	145	142	146	146	146	142	147	145	145	144

Democrats choose Samuel Randall (Pa.) on first ballot, by “viva voce without dissent.”

Source: *NYT*, Dec. 4, 1881, p. 1.

48th Congress

Republicans chose J. Warren Keifer (Ohio) on first ballot. Keifer defeated George D. Robinson (Mass.) 44 to 15. Less than half of the Republican membership participated.

Source: *NYT*, Dec. 2, 1883, p. 1.

Democrats chose John G. Carlisle (Ky.) on first ballot. Carlisle received 106 votes, to 52 for Samuel Randall (Pa) and 30 for Samuel S. Cox (N.Y.). Carlisle's nomination was then made unanimous.

Source: *NYT*, Dec. 3, 1883, p. 1. Correction of totals reported in *NYT*, Dec. 2, 1883, p. 1.

49th Congress

Republicans chose Thomas B. Reed (Maine) on first ballot. Reed received 63 votes, to 42 for Frank Hiscock (N.Y.) and 3 for Thomas Ryan (Kans.). Hiscock then moved that Reed's nomination be made unanimous, “and this was done.”

Source: *NYT*, Dec. 6, 1885, p. 1.

Democrats chose John G. Carlisle (Ky.) on first ballot, “by acclamation.”

Source: *NYT*, Dec. 6, 1885, p. 1.

50th Congress

Republicans chose Thomas B. Reed (Maine) on first ballot, “without opposition.”

Source: *CT*, Dec. 4, 1887, p. 12.

Democrats chose John G. Carlisle on first ballot, “by acclamation.”

Source: *NYT*, Dec. 4, 1887, p. 5.

51st Congress

Republicans chose Thomas B. Reed (Maine) on the second ballot. On the first ballot, Reed received 78 votes, to 39 for William McKinley (Ohio), 22 for Joseph Cannon (Ill.), 16 for David Henderson (Iowa), and 10 for Julius Burrows (Mich.). On the second ballot, Reed received 85, McKinley 38, Cannon 19, Burrows 14, and Henderson 10. On McKinley's motion, Reed's nomination was then made unanimous.

Source: *NYT*, Dec. 1, 1889, p. 1.

Democrats chose John G. Carlisle (Ky.). No details on the caucus vote.

52nd Congress

Republicans chose Thomas B. Reed (Maine) on first ballot, "by acclamation."

Source: *NYT*, Dec. 6, 1891, p. 2.

Democrats chose Charles F. Crisp (Ga.) on the 30th ballot.

Source: *NYT*, Dec. 8, 1891, p. 2.

	December 5, 1891																	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
Charles F. Crisp (Ga.)	84	89	91	93	95	95	94	94	95	94	93	92	94	93	92	94	94	
Roger Q. Mills (Tex.)	78	80	82	87	89	89	91	91	91	90	89	89	91	89	89	91	91	
William Springer (Ill.)	32	28	24	20	20	20	18	17	16	17	16	19	16	17	19	17	19	
Benton McMillin (Tenn.)	18	18	18	18	18	18	18	19	19	19	20	19	20	19	17	19	17	
William Hatch (Mo.)	14	11	11	8	4	4	5	5	5	5	5	5	5	5	5	5	5	
Moses Stevens (Mass.)	1	1	1	1	1	1	1	1	1	---	1	1	1	1	1	1	1	
	227	227	227	227	227	227	227	227	227	227	225	224	225	227	224	223	227	227

	December 7, 1891												
	18	19	20	21	22	23	24	25	26	27	28	29	30
Charles F. Crisp (Ga.)	94	94	92	94	95	100	101	101	101	101	103	104	119
Roger Q. Mills (Tex.)	90	91	90	91	93	95	95	95	95	95	96	94	105
William Springer (Ill.)	17	17	17	17	15	13	12	12	12	12	8	9	4
Benton McMillin (Tenn.)	19	19	17	19	19	19	19	19	19	19	19	19	---
William Hatch (Mo.)	5	5	5	5	4	---	---	---	---	---	---	---	---
Moses Stevens (Mass.)	1	1	1	1	1	1	1	1	1	1	1	1	1
	226	227	222	227	227	228	228	228	228	228	227	227	229

53rd Congress

Republicans chose Thomas B. Reed (Maine) on first ballot, “by acclamation.”

Source: *NYT*, Aug. 6, 1893, p. 1.

Democrats chose Charles F. Crisp (Ga.) on first ballot, “by acclamation.”

Source: *NYT*, Aug. 6, 1893, p. 1.

54th Congress

Republicans chose Thomas B. Reed (Maine) on first ballot, “by acclamation.”

Source: *NYT*, Dec. 1, 1895, p. 1.

Democrats chose Charles F. Crisp (Ga.) on first ballot, “unanimously.”

Source: *NYT*, Dec. 1, 1895, p. 2.

55th Congress

Republicans chose Thomas B. Reed (Maine) on first ballot, “unanimously.”

Source: *NYT*, Mar. 14, 1897, p. 1.

Democrats chose Joseph W. Bailey (Tx.) on first ballot. Bailey received 56 votes, to 30 for Benton McMillin (Tenn.) and 22 for Richard “Silver Dick” Bland (Mo.).

Source: *NYT*, Mar. 14, 1897, p. 2.

56th Congress

Republicans chose David B. Henderson (Iowa) on first ballot, “by acclamation.”

Source: *NYT*, Dec. 3, 1899, p. 2.

Democrats chose James D. Richardson (Tenn.) on sixth ballot. The contest began as a four-man race. After the sixth ballot, William Sulzer withdrew and “asked friends to vote for Richardson.” A second roll call was then taken (the second on the sixth ballot), and Richardson was victorious.

	1	2	3	4	5	6-1	6-2
James Richardson (Tenn.)	43	These four ballots “showed little change”				65	90
David De Armond (Mo.)	39					45	47
John H. Bankhead (Ala.)	34					---	---
William Sulzer (N.Y.)	32					20	2

Source: *NYT*, Dec. 3, 1899, p. 2.; *CT*, Dec. 3, 1899, p. 2.

57th Congress

Republicans chose David B. Henderson (Iowa) on first ballot, “unanimously.”

Source: *NYT*, Dec. 1, 1901, p. 1.

Democrats chose James D. Richardson (Tenn.) on first ballot, “by unanimous vote.”

Source: *NYT*, Dec. 1, 1901, p. 2.

58th Congress

Republicans chose Joseph G. Cannon (Ill.) on first ballot, “unanimously.”

Source: *CT*, Nov. 8, 1903, p. 5.

Democrats chose John Sharp Williams (Miss.) on first ballot, “unanimously.”

Source: *CT*, Nov. 8, 1903, p. 5.; *NYT*, Nov. 8, 1903, p. 1.

59th Congress

Republicans chose Joseph G. Cannon (Ill.) on first ballot, “by unanimous vote.”

Source: *NYT*, Dec. 3, 1905, p. 3.

Democrats chose John Sharp Williams (Miss.) on first ballot, “by unanimous vote.”

Source: *NYT*, Dec. 3, 1905, p. 3.

60th Congress

Republicans chose Joseph G. Cannon (Ill.) on first ballot, “with a harrah.”

Source: *NYT*, Dec. 1, 1907, p. 1.; *CT*, Dec. 1, 1907, p. 4.

Democrats chose John Sharp Williams (Miss.) on first ballot, with “no opposition.”

Source: *NYT*, Dec. 1, 1907, p. 1; *CT*, Dec. 1, 1907, p. 4.

61st Congress

Republicans chose Joseph G. Cannon (Ill.) on first ballot. Cannon received 162 votes, to 10 for Walter Smith (Iowa), 7 for James Tawney (Minn.), 5 for Joseph Keifer (Ohio), 1 for Charles Townsend (Mich.), 1 for Edgar Crumpacker (Ind.), and 1 for Bird McGuire (Okla.).

Source: *NYT*, Mar. 14, 1909, p. 1.

Democrats chose James Beauchamp “Champ” Clark (Mo.) on first ballot, by “unanimous” vote.

Source: *CT*, Dec. 6, 1908, p.

62nd Congress

Republicans chose James R. Mann (Ill.) on first ballot, “unanimously.”

Source: *CT*, Apr. 4, 1911, p. 1.

Democrats chose James Beauchamp “Champ” Clark (Mo.) on first ballot, “unanimously.”

Source: *NYT*, Jan. 20, 1911, p. 1.

63rd Congress

Republicans chose James R. Mann (Ill.). No details on caucus vote.

Source: *NYT*, Apr. 6, 1913, p. 2.; *LAT*, Apr. 6, 1913, p. 12.

Democrats chose James Beauchamp “Champ” Clark (Mo.) on first ballot, by “unanimous” vote.

Source: *NYT*, Mar. 6, 1913, p. 2.

64th Congress

Republicans chose James R. Mann (Ill.) on first ballot, “unanimously.”

Source: *CT*, Dec. 3, 1915, p. 6.

Democrats chose James Beauchamp “Champ” Clark (Mo.) on first ballot, “unanimously.”

Source: *LAT*, Feb. 5, 1915, p. 13.

65th Congress

Republicans chose James R. Mann (Ill.) on first ballot, by “unanimous vote.”

Source: *NYT*, Apr. 1, 1917, p. 6.

Democrats chose James Beauchamp “Champ” Clark (Mo.) on first ballot, “unanimously.”

Source: *NYT*, Mar. 31, 1917, p. 4.

66th Congress

Republicans chose Frederick H. Gillett (Mass.) on first ballot. Gillett received 138 votes, to 69 for James R. Mann (Ill.), 13 for Philip P. Campbell (Kans.), 4 for John Esch (Wis.), and 1 for Franklin Mondell (Wyo.). On Mann’s motion, Gillett’s nomination was then made unanimous.

Source: *CT*, Feb. 28, 1919, p. 1.

Democrats chose James Beauchamp “Champ” Clark (Mo.) on first ballot, “by acclamation.”

Source: *CT*, May 18, 1919, p. 7.

67th Congress

Republicans chose Frederick H. Gillett (Mass.) on first ballot, “without opposition.”

Source: *NYT*, Mar. 1, 1921, p. 15.

Democrats chose Claude Kitchin (N.C.). No details of the caucus voting provided.

Source: *CT*, Apr. 10, 1921, p. 6.

68th Congress

Republicans chose Frederick H. Gillett (Mass.) on first ballot. Gillett received 190 votes, to 15 for Henry Cooper (Wis.), 8 for Martin B. Madden (Ill.), and 1 for Edward Little (Kans.).

Source: *CT*, Dec. 2, 1923, p. 1; *LAT*, Dec. 3, 1923, p. 11.

Democrats chose Finis J. Garrett (Tenn.) on first ballot, which was “unanimous.”

Source: *LAT*, Dec. 3, 1923, p. 11.

69th Congress

Republicans chose Nicholas Longworth (Ohio) on first ballot. Longworth received 140 votes, to 85 for Martin B. Madden (Ill.). Thirteen Republicans who opposed the Coolidge-Dawes ticket were excluded from the caucus.

Source: *NYT*, Feb. 28, 1925, p. 1; *CT*, Feb. 28, 1925, p. 1.

Democrats chose Finis J. Garrett on first ballot, “by acclamation.”

Source: *CT*, Mar. 1, 1925, p. 15.

70th Congress

Republicans chose Nicholas Longworth (Ohio) on first ballot, “by acclamation.”

Source: *NYT*, Feb. 22, 1927, p. 21.

Democrats chose Finis J. Garrett (Tenn.). No details on the caucus vote.

Source: *NYT*, Dec. 6, 1927, p. 2.

71st Congress

Republicans chose Nicholas Longworth (Ohio) on first ballot, “without opposition.”

Source: *NYT*, Mar. 3, 1929, p. 3.

Democrats chose John Garner (Tex.) on first ballot, “unanimously.”

Source: *LAT*, Mar. 2, 1929, p. 3.

72nd Congress

Republicans chose Bertrand L. Snell (N.Y.) on eighth ballot.

	1	2	3	4	5	6	7
Bertrand Snell (N.Y)	55	63	70	80	84	87	96
John Tillson (Conn.)	59	64	65	69	67	66	64

Note: Eleven different “favorite son” candidates were in the running at different points in the balloting. On the seventh ballot, Snell fell one vote short of a majority. Tillson then bowed out and asked that Snell’s election be unanimous on the eighth ballot, which was done.

Source: *NYT*, Dec. 1, 1931, p. 1; *LAT*, Dec. 1, 1931, p. 1; *CT*, Dec. 1, 1931, p. 16.; *WP* Dec. 1, 1931, p. 1.

Democrats chose John Garner on first ballot, “unanimously.”

Source: *NYT*, Dec. 6, 1931, p. 2; *Wall Street Journal*, Dec. 7, 1931, p. 1.

73rd Congress

Republicans chose Bertrand L. Snell (N.Y.) on first ballot, “unanimously.”

Source: *NYT*, Mar. 1, 1933, p. 2.

Democrats chose Henry T. Rainey (Ill.) on first ballot. Rainey received 166 votes, to 112 for John McDuffie (Ala.), 20 for John E. Rankin (Miss.), and 1 for Willam B. Bankhead (Ala.).

Source: *CT*, Mar. 3, 1933, p. 3.

74th Congress

Republicans chose Bertrand L. Snell (N.Y.) on first ballot. Snell received 85 votes, to 1 for Carl Mapes (Mich.).

Source: *LAT*, Jan. 3, 1935, p. 7.

Democrats chose Joseph W. Byrns (Tenn.) on first ballot, “by acclamation.”

Source: *NYT*, Jan. 3, 1935, p. 16; *LAT*, Jan. 3, 1935, p. 1.

NOTE: Byrns died in office, and William B. Bankhead (Ala.) was elected unanimously as Speaker on June 4, 1936, shortly before the conclusion of the Congress. There did not appear to be caucuses on either side prior to the replacement speakership election.

Source: *CT*, June 5, 1936, p. 7.

75th Congress

Republicans chose Bertrand L. Snell (N.Y.). There are no details on the caucus vote.

Source: *NYT*, Jan. 5, 1937, p. 1.

Democrats chose William B. Bankhead (Ala.) on first ballot, “by acclamation.”

Source: *NYT*, Jan. 5, 1937, p. 1.

76th Congress

Republicans chose Joseph W. Martin (Mass.) on first ballot, “by acclamation.”

Source: *CT*, Jan. 3, 1939, p. 1; *NYT*, Jan. 3, 1939, p. 1.

Democrats chose William B. Bankhead (Ala.). There are no details on the caucus vote.

Source: *CT*, Jan. 3, 1939, p. 1; *NYT*, Jan. 3, 1939, p. 1.

Note: Bankhead died in office, and Samuel T. Rayburn (Tex.) was elected “by acclamation” as Speaker on September 16, 1940, shortly before the conclusion of the Congress. There were no caucuses on either side prior to the replacement speakership election.

Source: *NYT*, Sept. 17, 1940, p. 19.

77th Congress

Republicans chose Joseph W. Martin (Mass.). There are no details on the caucus vote.

Source: *LAT*, Jan. 3, 1941, p. 2.

Democrats chose Samuel T. Rayburn (Tex.) on first ballot, “unanimously.”

Source: *NYT*, Sept. 3, 1941, p. 9.

78th Congress

Republicans chose Joseph W. Martin (Mass.). There are no details on the caucus vote.

Source: *LAT*, Jan. 6, 1943, p. 1.

Democrats chose Samuel T. Rayburn (Tex.) on first ballot, “unanimously.”

Source: *LAT*, Jan. 6, 1943, p. 1.

79th Congress

Republicans chose Joseph W. Martin (Mass.). There are no details on the caucus vote.

Source: *NYT*, Jan. 3, 1945, p. 34.

Democrats chose Samuel T. Rayburn (Tex.). There are no details on the caucus vote.

Source: *NYT*, Jan. 3, 1945, p. 34.

80th Congress

Republicans chose Joseph W. Martin (Mass.) on first ballot, “by acclamation.”

Source: *CT*, Jan. 3, 1947, p. 1.

Democrats chose Samuel T. Rayburn (Tex.). There are no details on the caucus vote.

Source: *CT*, Jan. 3, 1947, p. 1.

81st Congress

Republicans chose Joseph W. Martin (Mass.) on first ballot, “by acclamation.”

Source: *NYT*, Jan. 1, 1949, p. 2.

Democrats chose Samuel T. Rayburn (Tex.). There are not details on the caucus vote.

Source: *NYT*, Jan. 1, 1949, p. 2.

82nd Congress

Republicans chose Joseph W. Martin (Mass.). There are no details on the caucus vote.

Source: *CT*, Jan. 3, 1951, p. 1.

Democrats chose Samuel T. Rayburn (Tex.) on first ballot, "unanimously."

Source: *CT*, Jan. 3, 1951, p. 1.

83rd Congress

Republicans chose Joseph W. Martin (Mass.) on first ballot, voting was “unanimous.”

Source: *NYT*, Jan. 3, 1953, p. 8.

Democrats chose Samuel T. Rayburn (Tex.). There are no details on the caucus vote.

Source: *NYT*, Jan. 3, 1953, p. 8.

84th Congress

Republicans chose Joseph W. Martin (Mass.). There are no details on the caucus vote.

Source: *CT*, Jan. 5, 1955, p. 1.

Democrats chose Samuel T. Rayburn (Tex.) on first ballot, “unanimously.”

Source: *CT*, Jan. 5, 1955, p. 1.

85th Congress

Republicans chose Joseph W. Martin (Mass.). There are no details on the caucus vote.

Source: *NYT*, Jan. 3, 1957, p. 1; *LAT*, Jan. 3, 1957, p. 18.

Democrats chose Samuel T. Rayburn (Tex.). There are no details on the caucus vote.

Source: *NYT*, Jan. 3, 1957, p. 1; *LAT*, Jan. 3, 1957, p. 18.

86th Congress

Republicans chose Charles A. Halleck (Ind.) on the second ballot. On the first ballot, Halleck received 73 votes, to 72 for Joseph W. Martin (Mass.), with one illegible ballot. On the second ballot, Halleck received 74 votes, to 70 for Martin.

Source: *CT*, Jan. 7, 1959, p. 1; *NYT*, Jan. 7, 1959, p. 1.

Democrats chose Samuel T. Rayburn (Tex.) on first ballot, “unanimously.”

Source: *CT*, Jan. 7, 1959, p. 1.

87th Congress

Republicans chose Charles A. Halleck (Ind.). There are no details on the caucus vote.

Source: *CT*, Jan. 4, 1961, p. 3.

Democrats chose Samuel T. Rayburn (Tex.). There are no details on the caucus vote.

Source: *CT*, Jan. 4, 1961, p. 3.

87th Congress, 2nd Session (to fill speakership after Rayburn’s retirement and death)

Republicans chose Charles A. Halleck (Ind.). There are no details on the caucus vote.

Source: *CT*, Jan. 11, 1962, p. 3.

Democrats chose John W. McCormack (Mass.) on first ballot, “unanimously.”

Source: *NYT*, Jan. 10, 1962, p. 1.

88th Congress

Republicans chose Charles A. Halleck (Ind.). There are no details on the caucus vote.

Source: *CT*, Jan. 10, 1963, p. 2.

Democrats chose John W. McCormack (Mass.) on first ballot, “without dissent.”

Source: *LAT*, Jan. 9, 1963, p. 1.

89th Congress

Republicans chose Gerald R. Ford (Mich.) on first ballot. Ford received 73 votes, to 67 for Charles A. Halleck (Ind.).

Source: *CT*, Jan. 5, 1965, p. 1.

Democrats chose John W. McCormack (Mass.). There are no details on caucus vote.

Source: *CT*, Jan. 5, 1965, p. 1.

90th Congress

Republicans chose Gerald R. Ford (Mich.). There are no details on caucus vote.

Source: *CT*, Jan. 10, 1967, p. 3.

Democrats chose John W. McCormack (Mass.) on first ballot, “without opposition.”

Source: *NYT*, Jan. 10, 1967, p. 1.

91st Congress

Republicans chose Gerald R. Ford (Mich.) on first ballot, “without opposition.”

Source: *CT*, Jan. 3, 1969, p. 9.

Democrats chose John W. McCormack (Mass.) on first ballot. McCormack received 178 votes, to 58 for Morris K. Udall (Ariz.).

Source: *NYT*, Jan. 3, 1969, p. 1.

92nd Congress

Republicans chose Gerald R. Ford (Mich.) on first ballot, “without opposition.”

Source: *LAT*, Jan. 21, 1971, p. 6.

Democrats chose Carl B. Albert (Okla.) on first ballot. Albert received 220 votes, to 20 for John Conyers, Jr. (Mich.).

Source: *NYT*, Jan. 20, 1971, p. 1; *LAT*, Jan. 20, 1971, p. A4.

93rd Congress

Republicans chose Gerald R. Ford (Mich.) on first ballot, “without opposition.”

Source: *LAT*, Jan. 4, 1973, p. A1.

Democrats chose Carl B. Albert (Okla.) on first ballot. Albert received 202 votes, to 25 for John Conyers, Jr. (Mich.).

Source: *LAT*, Jan. 2, 1973, p. 2; *NYT*, Jan. 3, 1973, p. 1.

94th Congress

Republicans chose John J. Rhodes (Ariz.) on first ballot, “unanimously.”

Source: *LAT*, Dec. 2, 1974, p. 1; *CT*, Dec. 3, 1974, p. 12.

Democrats chose Carl B. Albert on first ballot, “without opposition.”

Source: *LAT*, Dec. 2, 1974, p. 1; *CT*, Dec. 3, 1974, p. 12.

95th Congress

Republicans chose John J. Rhodes (Ariz.) on first ballot, “unopposed.”

Source: *CT*, Dec. 9, 1976, p. 2.

Democrats chose Thomas P. “Tip” O’Neill (Mass.) on first ballot, “without opposition.”

Source: *LAT*, Dec. 6, 1976, p. A1; *CT*, Dec. 7, 1976, p. 2.

96th Congress

Republicans chose John J. Rhodes (Ariz.) on first ballot, “without opposition.”

Source: *NYT*, Dec. 5, 1978, p. A20.

Democrats chose Thomas P. “Tip” O’Neill (Mass.) on first ballot, “without opposition.”

Source: *NYT*, Dec. 5, 1978, p. A20.

97th Congress

Republicans chose Robert H. Michel (Ill.) on first ballot. Michel received 103 votes, to 87 for Guy Vander Jagt (Mich.).

Source: *NYT*, Dec. 9, 1980, p. B19.

Democrats chose Thomas P. “Tip” O’Neill (Mass.) on first ballot, “without opposition.”

Source: *LAT*, Dec. 9, 1980, p. B7.

98th Congress

Republicans chose Robert H. Michel (Ill.) on first ballot, “without opposition.”

Source: CRS Report, RL30607

Democrats chose Thomas P. “Tip” O’Neill (Mass.) on first ballot, “unanimously.”

Source: Los Angeles Times, Dec. 7, 1982, p. A2.

99th Congress

Republicans chose Robert H. Michel (Ill.) on first ballot, “without opposition.”

Source: *LAT*, Dec. 3, 1984, p. A2; *NYT*, Dec. 4, 1984, p. A28.

Democrats chose Thomas P. “Tip” O’Neill (Mass.) on first ballot, “by acclamation.”

Source: *LAT*, Dec. 3, 1984, p. A2.

100th Congress

Republicans chose Robert H. Michel (Ill.) on first ballot, “without opposition.”

Source: CRS Report, RL30607

Democrats chose James C. Wright, Jr. (Tex.) on first ballot, “without opposition.”

Source: *NYT*, Dec. 9, 1986, p. A1.

101st Congress

Republicans chose Robert H. Michel (Ill.) on first ballot, “without opposition.”

Source: CRS Report, RL30607

Democrats chose James C. Wright, Jr. (Tex.) on first ballot, “unanimously.”

Source: *NYT*, Dec. 6, 1988, p. B13.

Note: Wright left office amid a scandal, and Thomas S. Foley (Wash.) was elected Speaker on a pure party line vote, 251-164, over Robert Michel. The two party caucuses met on the morning of the House vote (6/6/89) and selected Michel and Foley as nominees. No specific details of the caucus votes were announced.

Source: *NYT*, June 7, 1989, p. A1.

102nd Congress

Republicans chose Robert H. Michel (Ill.) on first ballot, “without opposition.”

Source: *NYT*, Dec. 4, 1990, p. B14.

Democrats chose Thomas S. Foley (Wash.) on first ballot, “by acclamation.”

Source: *NYT*, Dec. 4, 1990, p. B14.

103rd Congress

Republicans chose Robert H. Michel (Ill.) on first ballot, “without opposition.”

Source: *NYT*, Dec. 8, 1992, p. B12.

Democrats chose Thomas S. Foley (Wash.) on first ballot, “unopposed.”

Source: *NYT*, Dec. 8, 1992, p. B12.

104th Congress

Republicans chose Newton L. Gingrich (Ga.) on first ballot, “unanimously.”

Source: *NYT*, Dec. 6, 1994, p. A1.

Democrats chose Richard A. Gephardt (Mo.) on first ballot. Gephardt received 150 votes, to 58 for Charlie Rose (N.C.).

Source: *NYT*, Dec. 1, 1994, p. A28.

105th Congress

Republicans chose Newton L. Gingrich (Ga.) on first ballot, “without dissent.”

Source: *NYT*, Nov. 21, 1996, p. A1.

Democrats chose Richard A. Gephardt (Mo.) on first ballot, “without opposition.”

Source: *NYT*, Nov. 19, 1996, p. A20.

106th Congress

Republicans chose Robert L. Livingston, Jr. (La.) on first ballot, “unanimously.”

Source: *NYT*, Nov. 19, 1998, p. A1.

Democrats chose Richard A. Gephardt (Mo.) on first ballot, “unopposed.”

Source: *NYT*, Nov. 17, 1998, p. A17.

Note: Livingston resigned due to scandal, prior to the speakership election. The Republicans then selected J. Dennis Hastert (Ill.) as their new speakership nominee. Hastert was chosen on the first ballot, “unanimously.”

Source: *LAT*, Jan. 6, 1999, p. 9.

107th Congress

Republicans chose J. Dennis Hastert (Ill.) on first ballot, “without opposition.”

Source: *St. Louis Post-Dispatch*, Nov. 15, 2000, p. A4.

Democrats chose Richard A. Gephardt (Mo.) on first ballot, “without opposition.”

Source: *St. Louis Post-Dispatch*, Nov. 15, 2000, p. A4.

108th Congress

Republicans chose J. Dennis Hastert (Ill.) on first ballot, “unopposed.”

Source: *CQ Weekly*, Nov. 16, 2002, p. 3009.

Democrats chose Nancy Pelosi (Calif.) on first ballot. Pelosi received 177 votes, to 29 for Harold E. Ford, Jr. (Tenn).

Source: *NYT*, Nov. 15, 2002, p. A28.

109th Congress

Republicans chose J. Dennis Hastert (Ill.) on first ballot, by “unanimous voice vote.”

Source: *Houston Chronicle*, Nov. 17, 2004, p. 4.

Democrats chose Nancy Pelosi (Calif.) on first ballot, “without opposition.”

Source: CRS Report, RL30607

110th Congress

Republicans chose John Boehner (Ohio) on first ballot. Boehner received 168 votes, to 27 for Mike Pence (Ind.) and 1 for Joe Barton (Texas).

Source: *NYT*, Nov. 18, 2006, p. A15.

Democrats chose Nancy Pelosi (Calif.) on first ballot, “unanimously.”

Source: *NYT*, Nov. 17, 2006, p. A1.

111th Congress

Republicans chose John Boehner (Ohio) on first ballot. Boehner received a majority against Dan Lungren (Calif.).

Source: *NYT*, Nov. 20, 2008, p. A30; *CQ Weekly*, Nov. 24, 2008, p. 3154.

Democrats chose Nancy Pelosi (Calif.) on first ballot, “without opposition.”

Source: *CQ Weekly*, Nov. 24, 2008, p. 3154.

112th Congress

Republicans chose John Boehner (Ohio) on first ballot, “without opposition.”

Source: *CQ Weekly*, Nov. 22, 2010, p. 2712.

Democrats chose Nancy Pelosi (Calif.) on first ballot. Pelosi received 150 votes, to 43 for Heath Shuler (N.C.).

Source: *NYT*, Nov. 18, 2010, p. A22.

References

Frequently cited congressional publications and newspapers are abbreviated in the text as follows:

<i>AA</i>	<i>Albany Argus</i>
<i>Annals</i>	<i>Annals of Congress</i>
<i>BG</i>	<i>Boston Globe</i>
<i>CG</i>	<i>Congressional Globe</i>
<i>CR</i>	<i>Congressional Record</i>
<i>CT</i>	<i>Chicago Tribune</i>
<i>HJ</i>	<i>House Journal</i>
<i>LAT</i>	<i>Los Angeles Times</i>
<i>NYH</i>	<i>New York Herald</i>
<i>NYT</i>	<i>New York Times</i>
<i>NYTrib</i>	<i>New York Tribune</i>
<i>NYW</i>	<i>New York World</i>
<i>Register</i>	<i>Register of Debates</i>
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