More than Just a Mouthpiece:
The House Clerk as Party Operative, 1789-1870

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I. Introduction

In the years preceding the Civil War, the U.S. House of Representatives was often a focal point for sectional and partisan struggle. One manifestation of this struggle was the chamber's persistent difficulty in organizing itself for business. Half of the twelve Congresses that convened from 1839 to 1861 witnessed protracted balloting for the House Speakership. Twice, in the 31st and 34th Congresses, balloting persisted for weeks; divisions seemed so insurmountable that proposals were seriously considered to adjourn these Congresses and await new elections.

Battles over the Speakership were the most visible of the sectional and partisan contests for control of the House in the antebellum era, but there were others. Recent research by Jeffery A. Jenkins and Charles Stewart III has shown that the House Printer was a highly prized position because of its patronage potential and centrality to the network of partisan newspapers that were so critical to the success of the Jacksonian Democratic party.[1] Indeed, the move to *viva voce* voting in elections for House officers did not occur because of Speakership stalemates, but rather because of wrangling over the choice of Printer.

This paper investigates further the difficulties inherent in House organization during this period, by focusing on another elected officer, the House Clerk. Balloting for the Clerk extended beyond an initial round on nine different occasions prior to the Civil War, with a high of 20 ballots in the 31st Congress (1849-51). Yet, not much is known about the Clerk's role in House organization and politics more generally in antebellum America. Aside from two short sections

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[1] Jeffery A. Jenkins and Charles Stewart III, "Out in the Open: The Emergence of *Viva Voce* Voting in House Speakership Elections," *Legislative Studies Quarterly* 28 (2003): 481-508.

in a book by De Alva Alexander, the House Clerk has garnered little systematic, scholarly attention.[2]

In the antebellum era, the House Clerkship was a significant political post that was coveted because of its patronage potential and central role in organizing the chamber at the start of its biennial sessions. As head of a bureaucratic operation, the Clerk controlled a number of resources. This included formal positions within the Clerk's office, which could be handed out to loyal party members, but also control over the House's contingent fund, which was used for the institution's day-to-day expenses. This latter resource put the Clerk in a position to deal with a number of merchants, developers, and laborers who vied for a myriad of House contracts. Moreover, the Clerk was provided with a good deal of hiring discretion, which allowed him to pass along lucrative patronage to loyal partisans.

Beyond being a partisan patron, the Clerk was also the *de facto* chamber leader at the opening of a Congress, prior to the election of a new Speaker. His chief duty was to call the roll of members-elect, which gave him discretion in deciding whose credentials entitled them to vote in the initial organization of the House. In a hotly-contested partisan era, such latitude could have major consequences. On one occasion, in the 26th Congress (1839-41), it determined which party controlled the House.

Thus, a systematic study of the House Clerk from the Nation's origins through Reconstruction provides an additional view of the importance of Congressional institutions, separate from but complementary to the Speakership and Printership, in building and maintaining party organizations. In this sense, then, our perspective is broader than the study of

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[2] De Alva Stanwood Alexander, *History and Procedure of the House of Representatives* (Boston: Houghton Mifflin, 1916), 12-25, 91-94.

a single chamber of Congress, as we contend that the emergence and development of House institutions played a vital role in American political development more generally.

The rest of the paper proceeds as follows. First, we examine the formal development of the office of House Clerk. We then explore the intersection of the Clerk's position with the partisan politics of the House during the antebellum and Civil War/Reconstruction eras by discussing in detail the experiences of four House Clerks: John Beckley (1789–1797, 1801–1807), Hugh A. Garland (1838–1841), Emerson Etheridge (1861–1863), and Edward McPherson (1863–1875). Next we take a step back and discuss voting patterns in Clerk elections over time, focusing particularly on patterns of partisan unity and division. In the final section we offer some concluding remarks concerning the relationship between the formal organization of the House of Representatives and the development of the American party system.

II. The Office of the House Clerk

The first House Clerk, John Beckley, was elected immediately after the election of the first House Speaker on April 1, 1789.[3] The Clerk's formal role for the first several Congresses was purely 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.[4] Additional administrative

[3] *House Journal*, 1-1, 6. Note that the information following the *Journal* citation is: congress-session, page number(s).
[4] *House Journal*, 3-2, 227-31. In 1819, the House established a new House officer, the Printer, to print and distribute the *Journal*.

tasks, such as noting all questions of order (and subsequent decisions) and providing House members with copies of the *Journal*, soon followed.[5]

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."[6] Yet this characterization would be incomplete. 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 Second Congress (1791-93), the Clerk was provided with funds for three assistant clerks.[7] By the 14th Congress (1815-17), the Clerk supervised five assistant clerks, in addition to a messenger and a librarian.[8] This broadening of the Clerk's sphere of influence continued steadily over time. The left-portion of Table 1 tracks the size of the Clerk's office from 1823-1870.[9] The number of full-time positions grew slowly, with an explosion of part-time positions through 1835.[10] 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.[11]

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[5] *House Journal*, 12-1, 530; 22-1, 899.
[6] *Congressional Globe*, 36-1, 66.
[7] *American State Papers*, 2-2, 59.
[8] *American State Papers*, 14-2, 311.
[9] The number of employees in the Clerk's office was reported sporadically until 1823, when the Clerk was required by Congress to provide an accounting on an annual basis. See *Statutes at Large*, 17-2, 789.
[10] 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. See *House Report* 750 [25-2] 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. See *Congressional Globe*, 25-2, 281.
[11] In modern terms, this $80,00 would translate to somewhere between $1.1 million and $14.5 million, depending on which deflator is used. See Economic History Services, "What Is the Relative Value in U.S. Dollars?" url: http://www.eh.net/hmit/compare, accessed 10 March 2005.

[Table 1 about here]

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 guidelines[12] and little institutional monitoring.[13] Moreover, the annual sums

[12] Certain stipulations did affect the congressional printing, however, with various efforts to secure low-cost bids and establish per-page cost ceilings. See Culver H. Smith, *The Press, Politics, and Patronage: The American Government's Use of Newspapers, 1789-1785* (Athens: University of Georgia Press, 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 percent more than in previous years, when lower-cost bidders had also vied for the House contract. See *House Report* 880 [27-2] 410. Several reasons for this overpricing were suggested, all of which involved fraud. 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. See *House Document* 275 [27-2] 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. And 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. See *Statutes at Large*, 27-2, 526-27.

[13] 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. See *Statutes at Large*, 17-2, 789. Yet, the guidelines for reporting the expenses were broad, and Clerks typically responded with summary totals, rather than individual 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. See *Statutes at Large*, 27-2, 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 footnote 12), but it was also part of a more general pattern of retrenchment in response to the prolonged economic depression of the early 1840s.

underlying these contracts became substantial over time. As the right-most column of Table 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 under his control.[14] This led to the following newspaper characterization: "It is easy to see that the man who has such a fund at his disposal must be a personage of influence."[15]

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 office employment, and indirectly, via supply and labor contracts with outside agents.

In addition to the resources that came with the office, the House Clerk also played a role in the internal organization of the chamber as a whole. First, the Clerk of the previous Congress served as the interim presiding officer of each new Congress. After the Speaker was elected, a new Clerk would be elected (or the old one re-elected). This decision that the Clerk "carry over" was made in 1791, during the First Congress (1789-91),[16] and hearkened back to an ordinance adopted in 1785 in the Continental Congress.[17] As interim presiding officer, the Clerk called the roll of members-elect, thereby formally determining the House membership for organizational purposes. For the first few decades of the Republic, the Clerk prepared the roll in consultation with the Committee on Elections, which possessed the authority to validate members'

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[14] To provide a substantive baseline, the $593,658 at the Clerk's disposal in 1856 would be akin to nearly $12.8 million in 2003 dollars, using the consumer price index (CPI) as the deflator.
[15] *National Era*, November 20, 1856, 186.
[16] *House Journal*, 1-3, 396.
[17] Alexander, *History and Procedure of the House of Representatives*, 12.

credentials.[18] By the 1830s, however, the Committee on Elections neglected its credential-validating duty, leaving the Clerk to construct the roll completely on his own.[19]

Thus, the autonomy in making the House roll that evolved over time afforded the Clerk a good deal of institutional power. In effect, he became the sole arbiter of the House membership, as the lack of strict certification rules provided him with a good deal of discretion in making out the roll. De Alva Alexander, 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.[20]

Such partisanship would become an issue in 1839, upon the opening of the 26th Congress (1839-41), 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. This decision gave numerical control of the chamber to the Democrats. We examine this case in greater detail in the next section.

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.[21] However, this was merely a second-order alteration, in that it did not restrict the Clerk's ability to influence the initial partisan

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[18] *House Journal*, 1-1, 16.
[19] *Hinds' Precedents*, chap. 2, § 18. 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. On both occasions, Adams's resolution was postponed and never subsequently acted upon. See *Congressional Globe*, 25-2, 190; 25-3, 143.
[20] Alexander, *History and Procedure of the House of Representatives*, 93.
[21] See *Congressional Globe*, 37-1, 7-9, 13-16.

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 distributions were close.

On March 3, 1863, the last day of the 37th Congress (1861-63), the Clerk's ability to certify the election credentials for members-elect, which had simply been a norm since the 1830s, was codified.[22] This action was spurred by Republican leaders' realization that Republican midterm losses could jeopardize the party's control of the House. 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.[23] Used strategically, the 1863 law would bias the roll in favor of the Republicans. In reality, the House Clerk, Emerson Etheridge, planned to use the 1863 law *against* the Republicans, but failed in his attempt. This case also will be covered in detail in the next section.

On February 21, 1867, in the waning days of the 39th Congress (1865-67), 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.[24] 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 effectively secured a "Radical

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[22] *Statutes at Large*, 37-3, 804.
[23] 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."
[24] *Statutes at Large*, 39-2, 397.

Reconstruction" of the South, by eliminating the possibility that the Clerk could recognize pro-Johnson southern governments prior to Congressional organization.

The passage of the 1867 law proved to be the last major alteration of the Clerk's institutional position in the nineteenth century, and the office settled into a stable equilibrium that continued throughout the twentieth century. To this day, the House Clerk has the authority to determine the membership roll, based on state election certificates.[25]

III. Clerks as Partisans

Most House Clerks who served in the nineteenth century left a light trace as individuals on American history. Four Clerks were exceptions: John Beckley, Hugh Garland, Emerson Etheridge, and Edward McPherson. Beckley used his position as House Clerk to become a partisan electoral manager, while Garland, Etheridge, and McPherson used their control over the roll of members-elect to influence (or attempt to influence) the partisan makeup of the chamber.

John Beckley, Jeffersonian Party Manager

John Beckley was the first House Clerk and is the most well known today, being the subject of several scholarly articles and books.[26] Beckley's political career began in Virginia state politics,

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[25] *Deschler's Precedents*, ch. 2, § 8.

[26] Philip M. Marsh, "John Beckley: Mystery Man of the Early Jeffersonians," *Pennsylvania Magazine of History and Biography* 72 (1948): 54-69; Raymond V. Martin, Jr., "Eminent Virginian: A Study of John Beckley," *West Virginia History* 11 (1949-50): 44-61; Noble E. Cunningham, "John Beckley: An Early American Party Manager," *William and Mary Quarterly* 13 (1956): 40-52; Gloria Jahoda, "John Beckley: Jefferson's Campaign Manager," *Bulletin of the New York Public Library* 64 (1960): 247-60; Edmund Berkeley and Dorothy S. Berkeley, "'The Ablest Clerk in the U.S.': John James Beckley," *Virginia Magazine of History and Biography* 70 (1962): 434-46; Edmund Berkeley and Dorothy S. Berkeley, *John Beckley: Zealous Partisan in a Nation Divided* (Philadelphia: The American Philosophical Society, 1973); Edmund Berkeley and Dorothy S. Berkeley, "The First Librarian of Congress: John Beckley," *The Quarterly Journal of the Library of Congress* 32 (1975): 83-117; Gerald W. Gawalt, ed., *Justifying Jefferson: The Political Writing of John James Beckley* (Washington: Library of Congress, 1995); Jeffrey L. Pasley, "'A Journeyman, Either in Law or Politics': John Beckley and the Social Origins of Political Campaigning," *Journal of the Early Republic* 16 (1996): 531-69.

where he worked his way up through the ranks, serving as a clerk in several settings, most notably the State Senate and the House of Delegates. His various positions put him in contact with the state's political notables, and he secured recommendations from Edmund Randolph and James Madison in his quest to become the first Clerk of the U.S. House of Representatives. Beckley's aim was realized on April 1, 1789, when he was elected on the second ballot, the first ballot ending in a tie.[27]

Beckley soon became energized by the political debates in the House. He was drawn to the positions espoused by the Democratic-Republicans and blanched at those offered by the incumbent Federalists. Thomas Jefferson thus became his political idol, while Alexander Hamilton emerged as his bitter foe. But Beckley was not content simply observing the House's political drama. He soon realized that being Clerk provided distinct opportunities to support the Jeffersonian cause. As Noble Cunningham notes:

> As Clerk of the House, Beckley was in a position to watch every move in Congress with much more facility than most of the members. His eyes fell on papers few others chanced to see; his ears picked up bits of conversation meant never to be heard outside a confidential circle.[28]

Taking advantage of his privileged position, Beckley would pass on sensitive information on a range of topics both to Jefferson as well as to Jefferson's lieutenants, Madison and James Monroe. This information was often used to give Jefferson and his party an advantage in the framing of public opinion as well as in congressional debates and roll-call votes.[29] Moreover,

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[27] *House Journal*, 1-1, 6; Berkeley and Berkeley, *John Beckley*, 85.
[28] Cunningham, "John Beckley: An Early American Party Manager," 42.
[29] Martin, "Eminent Virginian: A Study of John Beckley."

Beckley performed behind the scenes as a proto-whip, "using his position to organize the [Jeffersonian] congressmen and, through them, the party membership."[30]

Despite his efforts on behalf of Jefferson, Beckley was able to keep his partisan leanings under wraps. As a result, he was reelected Clerk in the three succeeding Congresses.[31] During this time, he remained highly (but discretely) partisan and expanded his sphere of influence. Most notably, he began to pen editorials in the partisan press, many in the noted anti-Federalist newspaper, the *Aurora*, under pseudonyms like "Americanus" and "A Calm Observer." In this capacity, he leaked confidential information regarding Jeffersonian targets (like Hamilton and Washington) while maintaining his position as Clerk and, thus, his proximity to a range of politically useful memos and documents.[32]

Beckley finally tipped his political hand in the winter of 1795-96, during debate on the Jay Treaty. A devoted Francophile, Beckley opposed diplomatic treaties generally, but especially with the hated 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. The Jay Treaty passed 51-48.[33]

Now out in the open, Beckley focused his efforts on getting Jefferson elected president in 1796. In this capacity, he would become known as one of the Nation's first party managers. Beckley targeted his adopted home state of Pennsylvania and began a massive electoral campaign, which included the production and distribution of thousands of handwritten ballots

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[30] Jahoda, "John Beckley: Jefferson's Campaign Manager," 254.
[31] *House Journal*, 2-1, 434; 3-1, 4; 4-1, 365.
[32] Berkeley and Berkeley, *John Beckley*.
[33] *House Journal*, 4-1, 531.

and political handbills.[34] 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.

Beckley would receive his comeuppance soon thereafter. The Federalists had regained majority control of the House in the Fifth Congress, and they moved to oust Beckley from the chamber. On May 15, 1797, the opening day of the Congress, they were successful, taking advantage of the absence of several Jeffersonians to elect James Condy as Clerk over Beckley by a single vote, 41-40.[35] Moreover, the Federalists and their newspaper allies began a smear campaign against Beckley, charging that he knowingly miscounted votes in his capacity as Clerk on a critical roll call involving the Jay Treaty.[36]

Buffeted by these setbacks, Beckley spiraled downward over the next several years, running unsuccessfully for the House Clerkship in the Sixth Congress and maintaining a meager existence by authoring occasional newspaper editorials. During this time, he remained an active tormentor of prominent Federalists, for instance being the one who persuaded James Thomas Callender to publish the infamous charges of adultery against Alexander Hamilton.[37] Finally, in 1800, Jefferson was elected president and his party gained majority control of Congress. As a result, Beckley's loyalty was rewarded. He was elected again to the House Clerkship in 1801, and subsequently reelected in 1803 and 1805. He was also selected as the first Librarian of Congress in 1802, a position he held (along with the Clerkship) until his death in 1807.[38]

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[34] Martin, "Eminent Virginian"; Cunningham, "John Beckley: An Early American Party Manager."
[35] *Annals of Congress*, 5-1, 51.
[36] Berkeley and Berkeley, *John Beckley*, 156.
[37] Berkeley and Berkeley, "The First Librarian of Congress," 89. For a recent fictional account of Callender, Beckley, and the often unsavory battles waged in the early partisan press, see William Safire, *Scandalmonger: A Novel* (New York: Simon & Schuster, 2000).
[38] Beckley's partisanship did not end with the Clerkship. As Gloria Jahoda 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." See Jahoda, "John Beckley: Jefferson's Campaign Manager," 257.

Hugh Garland, Democratic Operative

Hugh Garland was perhaps the most infamous House Clerk, as his institutional decision making altered the partisan control of the chamber. Garland's initial election in the 25th Congress (1838) was notable, being the first in which the *viva voce* procedure was used in balloting for House officers.[39] Garland, who had served five years in the Virginia House of Delegates as a staunch Jacksonian, emerged as the victor on the third ballot, after an internal rift over the sub-treasury plan had divided the Democrats and threatened the party's control of the chamber.[40] Garland had been the Administration candidate,[41] and the *viva voce* procedure exposed individual members' votes for Clerk and forced dissident conservatives to toe the party line or risk penalties.[42]

Garland was elected Clerk in the "lame duck session" of the 25th Congress, after the elections to the 26th Congress were largely over. Those elections were held in the midst of an economic depression, resulting in significant gains at the polls for the Whigs. Consequently, most political observers assumed that Garland was as much a lame duck as the House in which he was chosen to serve. For example, the anti-administration *Hartford Courant* consoled itself

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[39] Jenkins and Stewart, "Out in the Open."
[40] *Albany Argus*, December 6, 1838, 2.
[41] 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 federal party, supported Mr. Garland with cordiality (December 6, 1838, 2) .

On the first ballot Garland received 25 of 26 votes cast by Deep South Democrats, but only 19 of the 79 votes from other regions. Northerners were mostly split between Edward Livingston (N.Y.) and Henry Buehler (Penn.). This pattern persisted into the second ballot. In the third, Garland collected all but 7 of the 104 votes cast by Democrats.
[42] A reporter for the *New Yorker*, who was in Washington covering the House organization, documented the effect of the *viva voce* procedure in this way: "Whigs, Administration men, and Conservatives, prepare to show your colors: there will be no dodging allowed." See *New Yorker*, December 8, 1838, 190.

with the election of Garland by opining that "the House has a Loco Foco Clerk for three months and no more. In the next Congress parties change fionts [sic] in point of strength."[43]

Yet once the dust had settled from the 1838 midterm elections, it was unclear whether the Whigs' gains were sufficient for them to gain control of the House. Specifically, an election dispute over five of New Jersey's six at-large House seats, known as the "Broad Seal War," contributed to this uncertainty. (One of the at-large New Jersey seats was not in dispute.) Chester Rowell summarized the situation as thus: "The House at the time was so closely divided politically that if either set of [New Jersey] claimants was admitted it would give the majority to the party to which they belonged; if neither set was admitted the Democrats would have a majority."[44]

Garland's roll of the members-elect would therefore be crucial to the House's organization. The New Jersey elections had been at-large affairs, and the outcomes hinged on allegations of illegal voting in two towns and the subsequent elimination of the ballots in question.[45] The process had clear partisan overtones. The New Jersey governor was a Whig who supported the towns's decisions and certified the election of the five Whigs, while the Secretary of State was a Democrat who opposed the towns's decisions and certified the election of the five Democrats.

Determining the rightful set of New Jersey members would be difficult. Yet, the Clerk's role was not to determine who rightfully deserved the seats, but rather to decide who should be

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[43] *Hartford Courant*, December 7, 1838, 3.
[44] Chester H. Rowell, *A Historical and Legal Digest of All the Contested Election Cases in the House of Representatives from the First to the Fifty-Sixth Congress, 1789-1901*. House Document 510, 56th Cong., 2nd Sess. (Washington, DC: Government Printing Office, 1901), 110.
[45] Rowell, *A Historical and Legal Digest*, 109-10.

seated to establish the House's *initial* membership. Under the rules and precedents, only after the House was formally organized could the New Jersey contest be settled once and for all. In such circumstances, Garland's decision should have been straightforward. As John Dempsey states:

> 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.[46]

Garland, however, took another course. On December 2, 1839, the 26th House convened, and Garland began his call of the roll of members-elect. When he reached New Jersey, he announced that conflicting evidence existed regarding the election of five members and suggested that he would therefore skip their names and finish calling the roll, thereby allowing the House to deliberate and sort out the specifics of the New Jersey case afterward.[47]

The House erupted. Over the next several days, debate would be prolonged and contentious. The Whigs wanted Garland to read the names of the five Whig members, and demanded to know the law of New Jersey for election certification. The Democrats supported the Clerk, and urged him to reveal his legislative precedents for passing over the five New Jersey

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[46] John T. Dempsey, "Control by Congress over the Seating and Disciplining of Members" (Ph.D. diss., University of Michigan, 1956), 65.

[47] *Congressional Globe*, 26-1, 1. Rumors that Garland might attempt such a maneuver abounded well in advance of the vote. More than a week earlier, 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..." See *New Yorker*, November 23, 1839, 153.

seats.[48] In addition, 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.[49] On December 5, 1839, John Quincy Adams was made "Chairman" of the House, until the organization could be settled. After two additional days, and some unrecorded teller votes, Adams noted in his diary that "it is apparent ... that the choice of the Speaker will depend entirely upon the New Jersey vote."[50]

After several additional days of debate, the House turned to the question of whether the reading of the roll should continue *and* include the names of the five Whigs from New Jersey, who were holding the certificate of election signed by the Governor. This was rejected by a 115-118 vote.[51] R. Barnwell Rhett (D-S.C.) then moved that the Clerk complete the remainder of the roll, which would include all members-elect whose seats were not contested. This carried in the affirmative without division.[52] Garland subsequently completed his call of the roll (*sans* the New Jersey members) the following day.

The Whigs had lost the Battle of New Jersey, but they did not surrender. On December 13, 1839, Henry Wise (W-Va.) moved to amend the roll via a resolution 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) roll call vote.[53] Thus,

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[48] John Quincy Adams kept a clear 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." See Charles Francis Adams, ed., *Memoirs of John Quincy Adams: Comprising a Portion of His Diary form 1795 to 1848*, Volume X (Philadelphia: J. B. Lippincott & Co., 1876), 143.
[49] *Congressional Globe*, 26-1, 1-11.
[50] Adams, *Memoirs of John Quincy Adams*, 150.
[51] *Congressional Globe*, 26-1, 40.
[52] *Congressional Globe*, 26-1, 41.
[53] *Congressional Globe*, 26-1, 48.

Wise's resolution did not carry. The Whigs thought that they possessed enough votes to carry the day, but were mistaken. They were undone by three missing would-be votes, resulting from the death of James C. Alvord (W-Mass.), the absence of Thomas Kempshall (W-N.Y.), and the illness of Richard Hawes (W-Ky.).[54] This 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."[55]

Albert Smith (D-Me.) then rose and moved that the House proceed to the election of a Speaker. After several other motions and points of order were made, Smith's motion passed 118-110. The Speakership election commenced the following day, December 14, 1839. After two days and eleven ballots, Robert M. T. Hunter (W-Va.) was elected. Whigs nationally rejoiced at the election of one of their own as Speaker, only a week after the bitter defeat over New Jersey. However, Hunter was in fact viewed internally as a compromise candidate, acceptable to a pivotal bloc of Democrats because of his states' rights proclivities.[56] This in fact turned out to be the highpoint of Whig politics during the 26th Congress.

Hunter, in his capacity as Speaker, refused to swear in the five New Jersey members and instead referred the question to the judgment of the House. George Evans (W-Me.) subsequently moved that the Speaker administer the oath to the five Whig members from New Jersey, which

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[54] Hawes's absence was especially frustrating, as he was in Washington and a call had gone out requesting his presence. See *Congressional Globe*, 26-1, 48. But he was apparently too sick to attend the vote. See Adams, *Memoirs of John Quincy Adams*, 161.

[55] Adams, *Memoirs of John Quincy Adams*, 161. Adams' math included the three would-be votes, along with the votes of the five excluded New Jersey members.

[56] See Charles Stewart III, "The Inefficient Secret: Organizing for Business in the U.S. House of Representatives, 1789-1861," paper presented at the 1999 annual meeting of the American Political Science Association, Atlanta, GA.

was defeated by 112-116 vote.[57] A resolution to resolve the New Jersey situation was then postponed while the House continued to organize itself.[58]

Table 2 breaks down three key votes on the admission of the five New Jersey members by party. As the results indicate, rather than being a matter of any sort of procedural principle, the vote distributions reveal a distinct (and near unanimous) partisan hue. Very few partisan defections are revealed, as the question of admission went hand-in-hand with the issue of House organization. In the end, the result favored the Democrats.

[Table 2 about here]

Democrats continued to roll the putative Whig House leadership on the next order of business, which was the election of the Clerk. In order to proceed to balloting for Clerk, the House had to revisit one last time the rules change that mandated *viva voce voting* in the first place. A motion to return to secret balloting was defeated along the same partisan lines as in the past—Democrats supported *viva voce* voting and Whig supported secret ballot.[59] Democratic adherence to the strategy of requiring public votes for House officers would once again pay off, as Garland would emerge victorious on the first ballot, receiving 118 of 231 votes cast.[60] All of Garland's votes came from Democratic members who had failed only a week before to prevail in electing a Speaker. Garland's principal opponent was Matthew St. Clair Clarke, who had previously served six terms as Clerk in Democratic Houses. This time all of Clarke's support

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[57] *Congressional Globe*, 26-1, 69.
[58] In early January 1840, the New Jersey election dispute was referred to the Committee on Elections. After testimony was taken and evidence examined, the committee returned a recommendation that the five Democrats be seated, which, on July 17, 1840, the House adopted by a vote of 101-22. This represented just a quorum, as many Whig members, unhappy with the recommendation, refused to vote. For more details, see Rowell, *A Historical and Legal Digest*, 109-13.
[59] Jenkins and Stewart, "Out in the Open."
[60] *House Journal*, 26-1, 99.

came from Whigs—more pertinently, all of Clarke's support came from the same set of members who had previously prevailed in electing Hunter Speaker.

Thus, the House lived under the peculiar circumstance of having one coalition electing a Whig Speaker one week and then the opposite coalition electing a Democratic Clerk the next. As it turns out, this was not the only case of Hunter's electoral coalition losing control of the House floor in the 26th Congress. After electing a Speaker and Clerk, the House then spent a month debating the choice of a Printer. The final choice, Blair and Rives, was the Administration printer, and thus another victory for the "minority" Democrats.[61] This pattern continued more generally throughout the 26th Congress.[62]

[61] The following tables describe the relationship between voting for Clerk, Printer, and Speaker:

	Vote for Clerk:				
Vote for Printer:	Garland	Clarke	Mason	No vote	Total
Blair & Rives	107	2	0	1	110
Gales & Seaton	0	85	4	3	92
Scattering	0	3	2	0	5
No Vote	11	15	2	—	28
Total	118	105	8	4	235

	Vote for Speaker:					
Vote for Printer:	Hunter	Jones	Keim	Scattering	No vote	Total
Blair & Rives	8	48	22	2	30	110
Gales & Seaton	89	0	0	3	0	92
Scattering	3	0	0	2	0	5
No Vote	19	7	2	0	—	28
Total	119	55	24	7	30	235

[62] In fact, the 26th Congress was one of several Congresses in the antebellum period in which the coalition electing the Speaker ended up losing more roll call votes than it won. See Charles Stewart III, "Speakership Elections and Control of the U.S. House: 1839-1859," paper presented at the 2000 annual meeting of the Midwest Political Science Association, Chicago, IL.

The Whigs performed well in the 1840 elections and, as a result, finally gained unchallenged majority control of the House. Thus, one would have expected Garland finally to have received his due. And Garland was in fact deposed, but in the process the Whigs often resembled a coalition of bunglers.

On the weekend before the 27th Congress convened, the Whig caucus selected John White (Va.) as its nominee for Speaker.[63] White's primary virtue was his undying devotion to Henry Clay, who pushed (through the Kentucky and New England delegations) for White's election. To balance White, Clay and his supporters decided on Frances Ormand Jonathan ("Fog") Smith of Maine as the nominee for Clerk. Smith had previously served in the House as a conservative Democrat. In Clay's mind, a ticket of White and Smith would cement the coalition he was trying to build of Whigs and conservative northern Democrats.

In fact, this gambit alienated a significant portion of the Whig caucus, breaking up the meeting "in high dudgeon."[64] Once the House convened, the Whigs got their choice of Speaker (White) immediately.[65] Then balloting for Clerk began. On the first ballot the Whigs split between two candidates, Smith (89 votes) and Matthrew St. Clair Clarke (38), the ex-Jacksonian Clerk who had falled out with the Jacksonian orthodoxy and now offered himself as a compromise candidate who could appeal to both Whigs and conservatives,[66] while the Democrats rallied oce last time behind Garland. (See Table 3 for partisan breakdowns of all ballots in the 27th Congress.) On the second ballot Democrats broke ranks, redistributing some

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[63] *Richmond Enquirer*, May 14, 1841, 3; *Albany Argus*, June 2, 1841, 2; *New York Evening Post*, May 31, 1841, 2.
[64] *Albany Argus*, June 2, 1841, 2, reprinting a *New York Evening Post* story; *New York Commercial Advertiser*, June 2, 1841, 2.
[65] Some southern Whigs had threatened to bolt and support their own candidate for Speaker. In the end, they largely stayed loyal on the speakership ballot, rebelling instead on the clerkship vote.
[66] *New York Commercial Advertiser,* June 2, 1841, 2.

votes to Clarke and Richard C. Mason. The third ballot saw an even greater defection of Democrats to Clarke, but now ten Whigs also defected in favor of Clarke. The fourth and final ballot saw further consolidation of Clarke's position, as he won with a coalition that was half Democrat and half Whig.

[Table 3 about here]

In the words of the *New York Commercial Advertiser*, a Whig newspaper, "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."[67] This they did.

Garland was thus defeated, but the Whigs were in fact not done with him. During the 27th Congress, the Whig-controlled House proceeded to dish out some "payback," by examining his behavior while 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 12 for more details). Garland denied committing fraud, and countered each of the committee's specific charges in detail.[68] 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.[69]

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

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[67] *New York Commercial Advertiser*, June 2, 1841, 2.
[68] See *House Document* 275 [27-2] 405.
[69] See *House Document* 106 [28-1] 442.

to be known as the House Clerk who perhaps most influenced the course of congressional proceedings.

Emerson Etheridge, Conservative Schemer

Prior to serving as House Clerk in the 37th Congress (1861-63), Emerson Etheridge had a meandering partisan career. He began by representing Tennessee as a member of the Whig Party in the 33rd House. After the Whig Party disintegrated, he won election to the 34th House as a member of the American Party. He then narrowly lost reelection to the 35th House running under the American label. Regrouping as the American Party's fortunes fizzled, he ran as a member of the Opposition Party and won election to the 36th House.[70] While a member of the 36th House, he pushed for sectional compromise, but maintained unconditional support for the Union. In keeping with his Whiggish background, he supported former-Whig and fellow Tennessean John Bell, the Constitutional Union candidate, for President in 1860.

Despite his partisan wanderings, Etheridge drew the attention of Republican leaders. In consolidating their organization in the 37th Congress, after the southern secession, Republicans sought to reach out to the border states as a means of keeping them loyal to the Union. Etheridge was an attractive candidate, a firm backer of the Union from a southern border state and a protegé of Andrew Johnson. As a result, after being mentioned initially for various cabinet positions, he was tabbed as the administration candidate for House Clerk. And, on July 5, 1861, he was elected on the first ballot, easily defeating the incumbent Clerk, John Forney.[71]

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[70] For election results, see Michael J. Dubin, *United States Congressional Elections, 1788-1997: The Official Results* (Jefferson, NC: McFarland & Company, Inc., 1998), 167, 173, 179, 185.

[71] *Congressional Globe*, 37-1, 10. Although there was no formal caucus nomination of candidates, Speaker and Clerk candidates ran as a team. See *Albany Atlas and Argus*, July 4, 1861, 1; *New York Times*, July 6, 1861, 4. As the *Argus* correspondent commented:

Etheridge was a loyal administration supporter for the first year and a half of the war, until its theme changed from preservation of the Union to emancipation. Etheridge, like many other Tennessee loyalists, opposed freedom and social equality for slaves, and thus felt betrayed by the Republican Party.[72] As a result, a realigning of allegiances began. As Herman Belz states: "The Emancipation Proclamation portended revolution and impelled many border Unionists to cooperate with Democrats in the conservative opposition."[73] Etheridge was one such Unionist.

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 the recently passed 1863 law, which formally provided the Clerk with the ability to certify the credentials of members-elect.[74] 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, saw the opportunity to apply a strict reading of the law, thereby requiring that very particular "credentials" be presented in order to receive certification.

> It is understood that Mr. Blair's friends and those of Mr. Forney will pull together for the offices of Speaker and Clerk of the House, while those of Messrs. Grow and Etheredge [sic] will cooperate. It is thus apparent that there is still a North and a South, and that parties are as studious as ever to avoid sectionalism in their combinations. As of old, a Northern man and a Southern man put their shoulders together under Republican rule, and that after half the South has seceded. No fact could more clearly disprove the oft-repeated charge of "sectionalism" brought against the Republicans.

The *Times* also noted Etheridge's election was "warmly approved by the representations from the Border States." See *New York Times*, July 6, 1861, 1. To appease the Blair and Forney factions of the party, each candidate was provided with a position in the Republican hierarchy: Blair was made Chairman of the Committee on Military Affairs, while Forney was appointed Secretary of the Senate.

[72] See Lonnie E. Maness, "Emerson Etheridge and the Union," *Tennessee Historical Quarterly* 48 (1989): 97-110.

[73] Herman Belz, "The Etheridge Conspiracy of 1863: A Projected Conservative Coup," *Journal of Southern History* 36 (1970): 549-67, 555.

[74] *Statutes at Large*, 37-3, 804.

He then contacted the Democratic House leader, Samuel S. Cox of Ohio, and shared his plan, describing the exact form of credentials necessary while urging him to disseminate the information to Unionists as well as his fellow Democrats.[75]

Unfortunately for Etheridge, the details of his scheme leaked out, and Republican leaders, including President Abraham Lincoln, responded by organizing their partisans. Credentials were certified and all members-elect were urged to be present upon the opening of the 38th Congress. A last ditch effort was also made to convince Etheridge to drop his plan, but to no avail. On December 7, 1863, proceedings commenced and Etheridge called the roll. When he was finished, he had excluded 16 members from five states (Maryland, Missouri, West Virginia, Kansas, and Oregon), while including 3 members from Louisiana.[76] 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.[77]

Here then was the showdown. The question on Allen's tabling motion was taken, and it failed by a vote of 74-94.[78] Table 4 provides a breakdown. In the end, the Republicans were unanimous in opposition to the tabling motion; however, the conservative opposition was not cohesive, with five Democrats and six Unionists voting against tabling. Etheridge, however, had done his part: had a unified conservative coalition of Democrats and Unionists emerged, it

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[75] Belz, "The Etheridge Conspiracy of 1863," 556-57.
[76] *Congressional Globe*, 38-1, 4. After completing his reading of the roll, Etheridge explained his reasons for refusing to call the 16 members: "The Clerk will now state that different gentleman from different States have filed credentials, and that he has not placed them on the roll for the reasons that those credentials did not show, or in his opinion did not show, what they ought to have shown according to the act of the 3rd of March, 1863."
[77] Interestingly, Allen had previously served as the House Clerk in the 35th Congress.
[78] *Congressional Globe*, 38-1, 5.

would have upheld Allen's tabling motion by a margin of two votes, and thus stymied the Republicans' ability to organize the chamber.[79]

[Table 4 about here]

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 proceeded to organize the chamber, electing Schulyer Colfax (R-Ind.) as Speaker on the first ballot. Etheridge was once again in the running for the Clerk's position, this time as the Conservative candidate rather than the administration choice, but he was defeated on the first ballot by Edward McPherson of Pennsylvania, by a 102-69 vote.[80]

After his defeat, Etheridge became an even more vociferous critic of the Republican administration. First, 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 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 bid for the Presidency in 1876, and remained a loyal party member until his death in 1902.

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[79] Belz, "The Etheridge Conspiracy of 1863," 562.

[80] *Congressional Globe*, 38-1, 11. Etheridge was nominated by Robert Mallory, a Unionist from Kentucky. In response, Owen Lovejoy (R-Ill.) stated that such a nomination, after Etheridge's failed procedural maneuver, "required a good deal of brass."

Despite numerous claims that Etheridge's actions as Clerk in the 38th Congress bordered on disloyalty, the *New York Times* took offense at such claims: "We have not seen a particle of evidence that Mr. Etheridge, in declining to recognize certain credentials, did not act in perfect good faith. Possibly he was too punctilious, but he did what any conscientious official might do. The hot imputations upon his loyalty, discharged upon him from certain quarters, were very senseless." See *New York Times*, July 8, 1863, 4.

Edward McPherson, Radical Loyalist

In replacing Emerson Etheridge, Edward McPherson would hold the House Clerkship for the next 12 years. McPherson was the political protégé of Thaddeus Stevens (Pa.), Republican Majority Leader in the House and Radical ideologue. After studying law and working as a newspaper editor, McPherson was elected to Congress, and served in the 36th and 37th Houses (1859-63). He fell victim to the Republican backlash in the 1862 midterms and lost his bid for reelection to the 38th House. Thus, he was in the right place at the right time when Etheridge staged his failed conservative coup. Stevens and his cadre sought a Clerk who would be loyal to their Radical cause, and McPherson was deemed the logical choice.[81]

McPherson's loyalty would be tested at the opening of the 39th House. The path of Southern Reconstruction was being determined in Congress, with Stevens pushing for a Radical approach while President Andrew Johnson advocated a more conciliatory tack. To secure his hold on Reconstruction policy, Stevens demanded that the readmittance of Southern states (and the guidelines thereof) be determined by a Joint Committee of Fifteen under his authority. If this were to happen, Stevens needed the "friendliest" House membership as possible. To insure this, he relied upon McPherson to exclude from the roll members-elect from former-Confederate states, newly organized along the lines of Johnson's Reconstruction plan.

On December 2, 1865, the 39th House convened. McPherson played his part in Stevens' drama by omitting members-elect from Tennessee, Virginia, and Louisiana from the roll, while

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[81] See Hans Trefousse, *Thaddeus Stevens: Nineteenth-Century Egalitarian* (Chapel Hill, NC: University of North Carolina Press, 1997), 174-75.

allowing no interference or interuption during his call.[82] A heated debate followed, as Stevens and James Brooks (D-N.Y.) exchanged barbs while Horace Maynard, member-elect from Tennessee, tried desperately to gain floor recognition, but was consistently denied by McPherson.[83] Stevens moved to proceed to the election of Speaker, which was eventually agreed to, and Schuyler Colfax was reelected by a 139-36 vote over Brooks.[84] McPherson was subsequently reelected Clerk, along with a slate of Republican officer nominees, by resolution. Stevens then called for a suspension of the rules in order to establish his Joint Committee of Fifteen, which was successful. Stevens and the Radicals had won the battle over Reconstruction.

Thus, McPherson was crucial in Stevens' success. He had remained loyal to the Radical cause and did not wilt when pushed by Brooks and other Democrats. As a result, Stevens tabbed McPherson 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.[85] 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[86] 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.[87] Moreover, per Stevens'

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[82] *Congressional Globe*, 39-1, 3. In explaining his ommission of the members from Tennessee, Virginia, and Louisiana, in response to a query by James Brooks (D-N.Y.) after the call of the roll was completed, McPherson stated: "... if it be the desire of the House to have my reasons, I shall give them; but I have not felt justified or called upon to give any reasons; I have acted in accordance of my views of duty, and I am willing to let the record stand." To which, Thaddeus Stevens replied: "It is not necessary. We know all." Quotations taken from *Congressional Globe*, 39-1, 4.

[83] *Congressional Globe*, 39-1, 3-5.

[84] *Congressional Globe*, 39-1, 5.

[85] *Statutes at Large*, 39-2, 466-67.

[86] Tennessee was the one former-Confederate state excluded, as publication of the U.S. laws had continued throughout the war. See Smith, *The Press, Politics, and Patronage*, 236-37.

[87] Smith, *The Press, Politics, and Patronage*, 238. This was especially true in that the publication of laws was retroactive to the 37th Congress, to cover the period when the Southern states had been part of the Confederacy.

wishes, McPherson could use this patronage to select newspapers sympathetic to the Radicals' point of view.[88] In Stevens' view, the current Secretary of State, William Seward, was not reliable, as he would likely pursue a more moderate course.

McPherson moved quickly to select two "loyal" newspapers in each Southern state to publish the U.S. laws.[89] While happy with McPherson's activities on his behalf, Stevens moved to insure that a Radical Reconstruction would continue. In February 1867, the Radicals pushed through a law revising the 1863 legislation that formalized the Clerk's control over the roll of members-elect.[90] The revision directed the Clerk to recognize only members-elect from states represented in the preceding Congress, i.e., "loyal" states. As Belz notes, this revision suggests that the Radicals "were unwilling to take any chances in organizing Congress. That lesson the Etheridge conspiracy had taught them."[91]

With the Democrats regaining control of the House in 1875, McPherson's long run as Clerk finally came to an end. This would be a brief setback, however, as his career was in many ways just beginning. He served as the President of the Republican National Convention in 1876, the Director of the U.S. Bureau of Engraving and Printing under President Hayes in 1877 and 1878, and the Secretary of the Republican Congressional Committee at various points in the 1880s. He also would be elected House Clerk two more times, in the 47th (1881-83) and 51st (1889-91) Congresses, when the Republicans returned to power. Finally, he managed a

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[88] The Radicals went a step further on March 29, 1867, at the start of the 40th Congress, when authority for selecting newspapers to publish the nation's laws for *all* states in the Union was transferred from the Secretary of State to the House Clerk. See *Statutes at Large*, 40-1, 8.
[89] Smith, *The Press, Politics, and Patronage*, 238-39; Richard H. Abbott, *The Republican Party and the South, 1855-1877* (Chapel Hill, NC: University of North Carolina Press, 1986), 92, 133-36; Richard H. Abbott, *For Free Press and Equal Rights: Republican Newspapers in the Reconstruction South* (Athens, GA: University of Georgia Press, 2004), 58-59, 75-77, 128-32.
[90] *Statutes at Large*, 39-2, 397.
[91] Belz, "The Etheridge Conspiracy of 1863," 567.

successful private career as well, writing several histories, publishing a *Handbook of Politics* every two years from 1872 through 1894, and editing the *New York Tribune Almanac* from 1877 through 1895.

IV. Electing the Clerk: The Evolution of a Partisan Office

The responsibilities of the Clerk provide opportunities for the position to be powerful, or not, depending on how House members respond to the office. In the previous section we explored how the four best-known Clerks played controversial roles in the partisan and regional clashes of the day by allying themselves with the even more powerful, popularly elected politicians who were their patrons. In this section we pull the focus back to examine how House members more generally considered the election of the Clerks who served them.

Table 5 summarizes the electoral history of House Clerks from 1789 to 2003. More detailed information about each Clerk's election up to 1873 is found in an Appendix. Through the reelection of Walter Franklin in 1837, the House Rules provided that all House officers, including Clerks, would be elected by secret ballot. In 1838, the House Rules were changed to make elections of all House officers, including the Speaker and Printer as well as the Clerk, by *viva voce*. As Jenkins and Stewart show, the move to *viva voce* voting for House officers was a strategy supported by rank-and-file Democrats to counter successful attempts by the Whig minority to bid away pivotal conservative Democrats in officer elections.[92] By making voting public, the mainstream members of the Democratic Party forced conservatives out in the open,

[92] Jenkins and Stewart, "Out in the Open."

putting them at risk for punitive sanctions by party leaders should they choose to defect from the party's slate of candidates.

[Table 5 about here]

The value of this move was demonstrated in the first two Clerkship elections under this regime, wherein Hugh Garland was elected and then re-elected, which we discussed in the previous section. It is unlikely that Garland would have been chosen in *either* election under the previous secret ballot rules. If that is true, then the organizing chaos that surrounded the start of the 26th Congress could have turned out quite differently—and with it, the history of sectional strife that preceded the Civil War.

Even though the numerical results for secret-ballot Clerk elections were reported to the House before 1837, they were not always entered into the *Journal*, nor were they always reported in newspapers. Thus, we have no detailed knowledge of John Beckley's first election as Clerk, John H. Oswald's election when he filled the vacancy caused by the resignation of Jonathan Condy in the 6th Congress (1800), or Patrick Magruder's final election as Clerk at the start of the 13th Congress (1813). The *initial* election of Patrick Magruder at the start of the 10th Congress (1807) is similarly shrouded in a clerical mystery, as only Magruder's votes were announced on the fourth and final ballot of a highly controversial election. Furthermore, the requirement that election proceed by ballot was violated ten times before 1837, when Clerks were elected via resolution, and the *viva voce* rule was violated three times for the remainder of the antebellum period when resolutions were used to elect Clerks. The *viva voce* requirement remained in the House Rules until the recodification in the 106th Congress (1999-2000), even though officer elections (with the exception of the Speaker) had generally proceeded via

resolution for nearly a century. House Rule II no longer provides for *viva voce* election of the House's subordinate officers.

The evolution of voting for Clerk, from the First Congress through the end of the Civil War, suggests that strong partisan and regional sentiments gripped the chamber, particularly in the antebellum period. Two related patterns stand out. The first is the degree of uncertainty surrounding Clerk elections, an uncertainty that ended abruptly with the start of the Civil War. The second is the fluctuation in party regularity governing Clerk elections, a pattern that also flattened out by the Civil War.

Uncertainty surrounding the election of Clerks is best illustrated by the number of times the House required multiple ballots to reach an outcome—nine times before the Civil War. Three of these cases occurred when the Clerkship became vacant in the middle of a Congress, suggesting that an ordered line of succession to the post was a long time in developing. The multiple-ballot battles for the Clerkship appear mostly to have been internecine affairs that were settled for good once the Clerk was chosen. In other words, winners of protracted contests generally consolidated their influence in the chamber sufficiently so that they rarely had problems winning further reelection, even under partisan circumstances similar to those that greeted their initial election. For instance:

- *John Beckley* was elected Clerk of the first House on the second ballot, having tied on the first ballot. For the next two Congresses he was the elected unanimously by resolution, followed by a handy defeat of a single opponent in the Fourth Congress. Even though he was a notable Republican operative, he was defeated for reelection by the comfortably-

Federalist Fifth House by only a single vote. He was easily elected Clerk again, and appointed the first Librarian of Congress, when the Republicans regained controlled of the House in 1801. He was then subsequently reelected twice by overwhelming margins, before his death in 1807.

- *Thomas Dougherty* faced five opponents and endured two ballots when he was elected to replace the discredited Patrick Magruder in the second session of the 13th Congress (1815).[93] He was reelected by a nearly unanimous vote in the 14th Congress, and was subsequently unanimously reelected by resolution in 1817, 1819, and 1821.

- When Dougherty died between the second and third sessions of the 17th Congress, *Matthew St. Clair Clarke* was lost in a crowd of over a dozen candidates to succeed him. Clarke was finally elected after eleven ballots over the course of two days. He was then reelected in each of the next six Congresses—by unanimous resolution five times and overwhelmingly in the one instance when he faced an actual challenger.

- *Walter S. Franklin*, in creating an exception to this pattern, actually defeated Matthew St. Clair Clarke in a three-ballot contest to start the 23rd Congress. He was then unanimously reelected by resolution at the start of the 24th Congress and overwhelmingly vanquished a challenger at the start of the 25th.

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[93] Magruder was condemned for leaving Washington before securing and protecting important congressional documents, as the British converged on (and subsequently burned) the nation's capitol. See Martin K. Gordon, "Patrick Magruder: Citizen, Congressman, Librarian of Congress," *Quarterly Journal of the Library of Congress* 32 (1975): 154-71.

Three multiple-ballot Clerkship winners were exceptions to this pattern of consolidation-following-difficult-first-election:

- *Patrick Magruder*, the second Democratic-Republican Clerk after Beckley's long reign, was never successfully challenged, yet never consolidated his hold on the seat like most other incumbents who prevailed in protracted contests for the office. Magruder vanquished a total of eleven other candidates for the position at the start of the 10th Congress, faced a strong challenge from four other candidates at the start of the 11th Congress, and then was unanimously reelected at the start of the 12th. Magruder had the bad fortune of being Clerk when Washington was ransacked in the War of 1812, and was forced to resign, leading to Dougherty's eventual election (see footnote 93).

- *Matthew St. Clair Clarke* not only proved the rule (see above), but was an exception as well. Clarke's long run at the Clerk's desk, from 1822 to 1833, was ended in a challenge at the start of the 23rd Congress that resulted in the election of Franklin. Clarke staged a comeback in the 27th Congress (as mentioned previously) when the Democrats exploited divisions among the majority Whigs to block their hold on the subordinate House offices.

- *Hugh Garland* was another Clerk who had to fight through multiple ballots and candidates to win the position (8 opponents, 3 ballots), only never to consolidate his hold. Garland's troubles, however, were rooted in his handling of the organization of the 26th

Congress, which we discussed in the previous section. His support among Democrats remained firm; he simply was never able to win any supporters among the Whigs.

The ebbing and flowing of Clerks' firm hold on the office was related to the evolution of the parties at the time. In the antebellum period especially, the political parties were works in progress, with two distinct periods of party development. During the First Party System, the Federalist/Republican split was evident, but both sides were sufficiently amorphous that factionalism played a major role in internal partisan dynamics. With the onset of the Jacksonian era, parties became more internally cohesive, but sectional rivalries also festered, flaring up every two years when the House reconvened and tried to organize. The parties, therefore, were sufficiently riven that even a party with a healthy majority could not reliably settle on a single nominee for *any* office, from the Speakership on down. The Civil War changed all that. The 39th Congress, which met in 1865, reelected Edward McPherson by a resolution that passed along partisan lines. Since that time, *every* Clerkship election has been resolved in one ballot; all but four instances have been resolved through the passage of a resolution that named one person for the position.

Changes in how partisanship structured voting for Clerk are illustrated in Figures 1 and 2, which graph out the degree of partisan unity in Clerkship voting from the 1st through 99th Congresses. As a point of comparison, the partisan unity in voting for Speaker is also graphed for each Congress. In each case, partisan unity is measured by the percentage of House members from a given party who voted for the party's top Speaker or Clerk candidate, i.e., the candidate

who received the most support within that party.[94] These figures show that disunity in Clerkship voting generally corresponded with disunity in Speakership voting, though there were years when the parties were more unified in voting for Speaker, and vice versa. The figures also show that partisan consolidation in Clerk elections beginning in the Civil War era was matched by a similar partisan consolidation in Speaker elections. That is, since the mid-1860s, House officer elections in general have rarely strayed from a quick and unanimous partisan decision.

[Figures 1 and 2 about here]

Tables 6 and 7 quantify further the sources of ideological and sectional divisions among Democrats and Whigs/Republicans in voting for Clerk from 1838 to 1861 (i.e., the period of contentious *viva voce* voting for Clerk). In these tables, the dependent variable is equal to 1 if a House member from a given party voted for that party's top Clerk candidate, and 0 otherwise. The analysis is probit, with the independent variables being the first two NOMINATE dimensions and a dummy variable for the deep south.[95] Only those elections in which a party's top Clerk candidate received less than 95 percent of the party's vote are included in the table.

[Tables 6 and 7 about here]

Among the Democrats note the following: First, the NOMINATE coefficients are rarely statistically significant at traditional levels, suggesting that Clerkship contests typically did not come down to ideological fights within the party over party principles. However, the deep south

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[94] There has never been a roll call vote for Clerk in which the same person was the top vote-getter of both major parties. Obviously, when a Clerk is unanimously elected via resolution, he is the top vote-getter of both parties. However, no unanimous resolution electing a House Clerk has ever been subjected to a roll call vote.

[95] The NOMINATE scores are measures of spatial ideology, recovered from a multidimensional unfolding technique applied to a matrix of roll-call votes in given Congress or set of Congresses. Viewed differently, these scores represent "central tendencies" on some underlying substantive dimensions, usually attributed to partisan or sectional matters. For a more elaborate discussion, see Keith T. Poole and Howard Rosenthal, *Congress: A Political-Economic History of Roll Call Voting* (New York: Oxford University Press, 1997).

dummy variable is often significant, suggesting that sectionalism was a strong factor, at least at the margins. So, for instance, Garland, the Virginian, was supported more by southerners in his first election in the 25th Congress than by northerners. In the 31st Congress, in which the Democrats were a minority, Democrats split among several Clerk candidates, most of whom were regional favorites. And in the 33rd Congress, Pennsylvanian John Forney's support was significantly more concentrated in the north—as it was also in the 31st Congress—which is fitting for a man who became a Radical Republican and was elected Clerk in the 36th Congress as a Republican.

A similar pattern emerges among Whigs and Republicans in their voting for Clerks. Ideological divisions were a bit more in evidence, with hard liners more likely to support Fog Smith in the 27th Congress and oppose William Cullom's reelection (by resolution) in the 34th Congress (both of these unsuccessfully). Ironically, it was the most radical of Republicans who threw their support behind Emerson Etheridge in the 37th Congress, a choice they lived to regret. There were also regional divisions—southern Whigs were more likely to support Matthew St. Clair Clarke in the special election in the 25th Congress, Tennessean Thomas J. Campbell's reelection in the 31st Congress, and Tennessean James Walker's (failed) election bid in the 32nd Congress.

A related topic to party unity is the ability of the coalition that elected the Speaker to control the election of the Clerk. Before the institution of *viva voce* voting for both Speakers and Clerks in the 26th Congress, making judgements about officer control is prone to problems of ecological inference and limitations of relying on press accounts. Prior to the 26th Congress, the only clear case of the Clerkship falling into the hands of the minority party was the first Clerk,

Beckley, who was elected in a set of Houses that were controlled by pro-Administration members. However, as we discussed above, once Beckley's partisan proclivities became clear and the partisan blocs solidified, he was denied the post, which stayed in the hands of Federalists until the Democratic-Republicans regained control of the House in 1801.

The other potential candidate for minority control of the Clerkship is when Matthew St. Clair Clarke held the post from the third session of the 17th Congress until the end of the 22nd Congress (1822–1833). Clarke, who holds the record for length of tenure among House Clerks, is a political enigma. Although Charles Lanman claims he "was quite famous as a politician," his life has eluded biographers.[96] He was first elected in 1822, following the death of Thomas Dougherty. He was then re-elected five consecutive times in Houses that were controlled by Democrats or proto-Democrats. Three times reelection was through unanimous resolution; twice it was in a ballot in which his margin of victory exceeded the percentage of House members who were Democrats. However, he was barely defeated for reelection in the 23rd Congress (1833), losing by two votes to Walter S. Franklin. In the first *viva voce* vote in the 25th Congress, he also lost by two votes, this time to Hugh Garland. On the final ballot, 90 of Clarke's 104 votes came from Whigs, and all six of the Anti-Masonic votes went to Clarke. Finally, however, in the episode we previously examined, involving the Whigs' inability to hold onto control of the 27th House, Clarke regained the clerkship with the help of Democrats and southern Whigs.

Matthew St. Clair Clarke's political role as House Clerk is a puzzle that must therefore await further research. Based solely on available information, he appears to have begun his political career as a nominal Jacksonian, a loyal party member who in fact displayed more

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[96] Charles Lanman, *Biographical Annals of the Civil Government of the United States*, 2nd ed. (New York: J. M. Morrison, 1887), 97.

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.

After the advent of *viva voce* voting, it is easier to tell when the Clerk and the Speaker were of different parties. Here, the first clear case is the pair of organizing fights in the 26th and 27th Congresses that we explored in some detail above. In the first instance the Democrat Garland held the Clerkship although the Speaker (Hunter) was a Whig. (However, as also noted, the Speakership was about the only Whig victory in the 26th Congress.) In the second instance Democrats took advantage of rifts among the Whigs to deny them control of the Clerkship.

The other case of split-party control of House officers was the 31st Congress (1849–51), when the Whig Thomas Campbell was reelected Clerk. In this instance, Democrat Howell Cobb had been elected Speaker after a bruising 63-ballot affair.[97] This election was unique in that the House eventually resorted to a *plurality vote* to select the Speaker. Therefore, the Speaker in no way could be understood as having a firm majority in the chamber to rally. Campbell ended up dying within three months of his election and was replaced, this time by a Democrat (Richard M. Young) after nine ballots.

In summary, political uncertainty and fluctuations in party regularity were a staple of antebellum politics, especially in the three decades leading up to the Civil War. Sectional problems often pervaded political proceedings, delaying legislative outcomes and complicating election results. These difficulties, and the underlying problems of uncertainty and partisan

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[97] Stewart, "The Inefficient Secret," 22-23.

fluctuations, also touched House officer elections. The selection of Clerks could be difficult, especially after the passage of *viva voce* voting in House officer elections. Moreover, Speaker and Clerk elections sometimes varied, with one party holding one office and the other party controlling the second office. This difficulty in partisan consolidation of House office positions was a strong indicator of the power of sectional divisions prior to the Civil War. However, since the Civil War, and the disappearance of the main sectional issue (slavery) in American political history, House officer elections have become straightforward affairs, as the majority party has been able to elect its slate of candidates quickly and easily.

V. Conclusion

This paper examines the role that the Clerk of the House of Representatives played in partisan politics and chamber organization from the Nation's Founding through Reconstruction. The House Clerk has been largely ignored by historians and political scientists, with the Speaker, and to a lesser extent, the Printer, receiving most of scholars' attention. Nevertheless, during the rough-and-tumble politics of the antebellum era, the Clerk was a key player in the partisan political drama. First, the Clerk controlled a number of formal positions and a significant purse (the House's contingent fund) for the House's day-to-day expenses. As a result, the Clerk was a major patronage engine, doling out jobs and labor contracts to loyal partisans. Second, the Clerk was the *de facto* chamber leader at the opening of a Congress, prior to the election of a new Speaker. In this capacity, he controlled the roll of members-elect, which provided him with discretion in deciding whose credentials were valid and, thus, who could vote in the initial organization of the House. This was an important "ace in the hole" in an era of often evenly-

divided parties. Once, in the 26th Congress (1839-41), it determined which party controlled the House.

Besides examining the *particular* role that the Clerk played in institutional and patronage-based politics, it is also important to understand how the Clerk fit into the larger partisan context of the time. To do so, we must think not only about the Clerk, but the Speaker and Printer as well, as each House officer position served a complementary purpose in a larger partisan endeavor. As the proto-parties of the First Party System began institutionalizing during the Jacksonian era, party leaders worked to create solid, lasting partisan loyalties in the broader electorate. The set of House officer positions would be one vehicle through which national party leaders sought to hasten mass-party development, and in doing so, American political development more generally. The Speaker would be the policy engine, through his ability to appoint committees and control the House agenda. The Printer would be the transmission engine, disseminating the party agenda, underwriting local newspapers throughout the country, and rewarding editors loyal to the larger party cause. The Clerk would be the organizing engine, building mass partisan identification through patronage-based connections, such as jobs in the Clerk's office and more general contract-based employment, while overseeing the party membership in the chamber prior to the selection of a new Speaker.

As a result, while the Speaker, Printer, and Clerk can be studied individually in a static sense, doing so runs the risk of obscuring the more dynamic, inter-related political drama. That is, the Speaker, Printer, and Clerk did not operate in a vacuum. Rather, they performed as members of a "team," playing complementary roles toward the larger goal of building and maintaining a national party following. This underscores the importance that antebellum party

leaders placed on the House officer positions, and explains why the parties fought so vigorously to win control of them. With the rise of sectional politics in the late-1830s, as slavery became the chief political issue driving political debates and elections in the Nation, these House officer elections devolved into messy and sometimes lengthy battles. These battles provide one lens through which to study the breakdown of the partisan order, as eventual disunion and Civil War loomed.

Appendix
Recap of voting for Clerk, 1st through 43rd Congresses

1st Congress
Election date: April 1, 1789
John Beckley elected by ballot. Votes not reported. Two ballots necessary.
Sources: *House Journal* and *Annals of Congress;* Berkeley and Berkeley (1975).

2nd Congress
Election date: October 24, 1791
John Beckley elected unanimously by ballot.
Source: *Annals of Congress*

3rd Congress
Election date: December 2, 1793
John Beckley unanimously elected by ballot. Votes not reported.
Sources: Carlisle *Gazette* (p. 3), New Hampshire *Gazette* (p. 1); Philadelphia *Aurora Daily Advertiser* (p. 3).

4th Congress
Election date: December 7, 1795
John Beckley 48
Mr. Baynton 30
Sources: Connecticut *Gazette* (12/17/1795, p. 2); Boston *Independent Chronicle* (12/17/1795, p. 2); Connecticut *Courant* (12/7/1795, p. 3); Otsego *Herald* (12/24/1795, p. 2) [note that Baynton's vote is listed as 31]; Philadelphia *Gazette of the United States* (12/8/1795, p. 2) [note that Baynton's vote is listed as 31]; Philadelphia *Aurora and General Advertiser* (12/8/1795, p. 3).

5th Congress
Election date: May 15, 1797
Jonathan Williams Condy 41
John Beckley 40
Total 81
Needed to elect 41
Source: *Annals of Congress*

6th Congress
Election date: December 2, 1797
Jonathan W. Condy 47
John Beckley 39
Total 86
Needed to elect 44
Note: Condy resigned on December 9, 1800, due to ill health.

Election date: December 9, 1800
John Holt Oswald elected by ballot.
John Holt Osward 51
John Beckley 42
Sources: *House Journal* and *Annals of Congress*; Berkeley and Berkeley (1973, p. 209); Philadelphia *Aurora* (12/13/1800; 12/15/1800).

7th Congress
Election date: December 7, 1801
John Beckley 57
John Holt Oswald 29
Total 86
Needed to elect 44
Sources: *Gazette of the United States* (12/12/01, p. 2); New York *Gazette and General Advertiser* (12/14/01, p. 3); New York *Evening Post* (12/12/01, p. 3); Philadelphia *Aurora* (12/11/01, p. 2) Washington *Federalist* (12/8/01, p. 2).

8th Congress
Election date: October 17, 1803
John Beckley 93
E.B. Caldwell 4
_____ 1
_____ 1
Total 99
Needed to elect 50
Sources: Albany *Centinel* (10/28/03, p. 2); *Kline's Carlisle Weekly Gazette* (10/26/1803, p. 10; New York *Evening Post* (10/21/1803, p. 2); Philadelphia *Aurora* (10/20/1803, p. 2)

9th Congress
Election date: December 2, 1805
John Beckley 85
William Lambert 18
Total 103
Needed to elect 52
Sources: Massachusetts *Spy* (12/18/1805, p. 2); New York *Evening Post* (12/5/1805, p. 2); Philadelphia *Aurora* (12/5/1805, p. 3);Washington *National Intelligencer* (12/3/1805, p. 2).

10th Congress
Election date: October 26, 1807

	Ballot			
	1*	2	3**	4***
Nicholas B. Vanzandt	37	52	16	
Patrick Magruder	26	28	52	72
James Elliot	16	15	27	
Josias 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		1	5	
C. Minifie		1		
Total	129	114	114	118
Needed to elect	65	59	59	60

*Note from *Annals of Congress*: "It appearing to the tellers, on examining the votes, that one of the members had, by mistake, voted twice, this balloting, after a few desultory remarks, was set aside, and a fresh one taken..."
**Before this ballot, Randolph took the floor and accused Vanzandt of leaking comments he had made in an executive session of the House. Vanzandt denied this. The House refused to delay balloting for clerk.
***The votes of the other candidates not announced
Sources: *House Journal;* Washington *National Intelligencer* (10/27/1807, p. 2); Washington *Federalist* (10/28/07, p. 2)

11th Congress
Election date: May 22, 1809
Patrick Magruder 63
Daniel Brent 38
Nicholas B. Van Zandt 14
William Lambert 7
Mr. Scott 1
Total 123
Needed to elect 62
Source: *Annals of Congress*

12th Congress
Election date: November 14, 1811
Patrick Magruder 97
William Lambert 16
Total 113
Needed to elect 57
Source: Washington *National Intelligencer* (11/6/1811, p. 1)

13th Congress
Election date: May 24, 1813
Patrick Magruder 111
Remaining vote unknown
Source: *Annals of Congress*

Note: Magruder fell under controversy concerning his actions during the evacuation from Washington. Facing a resolution removing him office, Magruder resigned on January 28, 1815.

Election date: January 31, 1815

	Ballot	
	1	2
Thomas Dougherty	80	83
Thomas L. McKeneey	35	73
O.B. Brown	13	
Samuel Burch	19	
N.B. Van Zandt	4	
Scattering	6	4
Total	157	160
Needed to elect	79	81

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
Thomas Dougherty 114
Scattering 8
Total 122
Needed to elect 62
Source: *Annals of Congress.*

15th Congress
Election date: December 1, 1817
Thomas Dougherty 144
Total 144
Needed to elect 78
Source: *Annals of Congress.*

16th Congress
Election date: December 6, 1819
Thomas Dougherty elected unanimous by resolution.
Source: *Annals of Congress.*

17th Congress
Election date: December 3, 1821
Thomas Dougherty elected unanimous by resolution.
Source: *Annals of Congress.*

Note: Dougherty died during the recess between the 2nd and 3rd sessions.

Election date: December 3, 1822

	December 2						December 3				
	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	—	—	—	—	—	—	—
Scattering	9	4	11	0	9	3	—	—	—	—	4
Total	154	140	149	147	143	148	151	144	119	148	150
Needed to elect	78	71	75	74	72	75	76	73	60	75	76

*"In this report of the Tellers, there was an error, as afterwards appeared. The votes placed to the credit of Levi H. Clarke were mostly intended for Mr. M. St. C. Clarke." (*Annals of Congress*)
Source: *Annals of Congress*

18th Congress
Election date:
December 1, 1823
Matthew St. Clair Clarke appointed by unanimous resolution.
Source: *Annals of Congress.*

19th Congress
Election date: December 5, 1825
Matthew St. Clair Clarke appointed by motion of Mr. Lathrop.
Source: *Annals of Congress.*

20th Congress
Election date: December 3, 1827
Matthew St. Clair Clarke appointed by unanimous resolution.
Source: *Annals of Congress.*

21st Congress
Election date: December 7, 1829
Matthew St. Clair Clarke 135
Virgil Maxcy 54
Scattering 3
Total 192
Needed to elect 97
Source: Charleston *Courier* (12/7/1829, p., 2); *Daily National Intelligencer* (12/8/1829, p. 3); Richmond *Enquirer* (12/17/1829, p. 1)

22nd Congress
Election date: December 5, 1831
Matthew St. Clair Clarke appointed by unanimous resolution.
Source: *Annals of Congress.*

23rd Congress
Election date: December 2, 1833

	Ballot		
	1	2	3
Matthew St. Clair Clarke	113	112	110
Walter S. Franklin	107	114	117
Eleezer Early	2	—	—
Walter P. Clarke	1	—	—
Thomas C. Love	5	—	—
Blank	3	2	—
Total	231	228	229
Needed to elect	116	115	115

Source: Annals of Congress.

24th Congress
Election date: December 7, 1835
Walter S. Franklin appointed by resolution.
Source: *Annals of Congress*.

25th Congress
Election date: September 9, 1837
Walter S. Franklin 146
Samuel Shoch 48
Matthew St. Clair Clarke 7
Blank 8
Total 209
Needed to elect 105
Source: *Annals of Congress.*

Note: Franklin died on September 20, 1838, in Lancaster, Pennsylvania.

All remaining votes are *viva voce,* unless otherwise noted.

Election date: December 3, 1838

	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	—
Reuben M. Whitney	2	—	—
Total	190	209	210
Needed to elect	96	105	106

Source: *House Journal*

26th Congress
Election date: December 21, 1839
Hugh A. Garland 117
Matthew St. Clair Clarke 105
Richard C. Mason 8
Total 230
Needed to elect 116
Source: *House Journal*

27th Congress
Election date: May 31, 1841

	Ballot			
	1	2	3	4
Matthew St. Clair Clarke	38	51	91	128
Francis O.J. Smith	90	90	80	67
Richard C. Mason	13	17	32	19
Hugh A. Garland	81	61	15	6
Total	212	219	218	220
Needed to elect	107	110	110	111

Source: *House Journal*

28th Congress
Election date: December 6, 1843
Caleb J. McNulty 124
Matthew St. Clair Clarke 66
Total 190
Needed to elect 96

Note: McNulty was dismissed as Clerk by resolution on January 18, 1845.

Election date: January 18, 1845
Benjamin French was unanimously elected by resolution.
Source: *House Journal.*

29th Congress
Election date: December 2, 1845
Benjamin French was unanimously elected by resolution.
Source: *House Journal.*

30th Congress
Election date: December 7, 1847
Thomas J. Campbell 113
Benjamin B. French 109
George Kent 1
Nathan Sergeant 1
Samuel L. Governeur 1
Source: *House Journal*

31st Congress
Election date: January 11, 1850

Date:	January 3		January 7					January 8			January 9				January 10			January 11		
Ballot:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
John W. Forney	98	103	107	107	106	106	107	106	105	105	106	105	105	103	102	96	93	93	97	96
Thomas J. Campbell	77	81	94	95	102	72	13	13	13	13	—	—	—	—	—	32	28	96	103	112
Calvin W. Pilleo	8	6	6	6	4	4	4	4	5	4	4	4	4	4	4	4	3	—	—	—
John H.C. Mudd	7	5	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Samuel L. Gouveneur	5	1	—	—	1	—	1	1	1	1	—	—	—	—	—	—	1	1	—	—
Philander B. Prindle	4	4	1	—	2	6	1	1	—	—	—	—	—	1	—	63	63	2	2	1
Nathan Sargent	3	3	3	3	2	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—
De Witt C. Clarke	2	2	2	1	1	—	—	1	1	1	3	5	—	—	—	—	—	—	—	—
Samuel P. Benson	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Solomon Foot	2	3	3	5		25	92	94	93	93	104	103	103	98	103	2	2	3	3	2
Benjamin B. French	—	1	2	2	2	4	2	1	1	—	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	208	209	220	219	220	219	220	221	219	217	218	220	221	219	215	216	217	213	218	220
Needed to elect	105	105	111	110	111	110	111	111	110	109	110	111	111	110	108	109	109	107	110	111

Source: *House Journal*

Note: Campbell died on April 13, 1850.

Election date: April 17, 1850

	April 16					April 17			
Ballot:	1	2	3	4	5	6	7	8	9
Philander B. Prindle	48	47	44	45	32	30	25	16	5
Richard M. Young	22	35	44	54	63	72	73	70	96
Hiram Walbridge	17	19	18	15	11	5	4	2	—
John W. Forney	17	13	11	10	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	—	—	—	—	—
J.H.C. 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	187	185	187	182	179	180	174	172	188
Needed for election	94	93	94	92	90	91	88	87	95

Source: *House Journal*

32nd Congress
Election date: December 1, 1851
John W. Forney 127
James C. Walker 72
E. A. Stansbury 3
George Darsie 2
Richard M. Young 2
Total 206
Needed to elect 104
Source: *House Journal*

33rd Congress
Election date: December 5, 1853
John W. Forney 122
Richard M. Young 27
Philander B. Prindle 18
Ebenezer Hutchinson 12
E. P. Smith 10
James C. Walker 6
W. H. Bogart 2
G.W. Mumford 1
Charles Brown 1
John M. Barclay 1
Total 200
Needed to elect 101
Source: *House Journal*

34th Congress
Election date: February 4, 1856
William Cullom was elected by resolution, 126–89.
Source: *House Journal*

35th Congress
Election date: December 7, 1857
James C. Allen 128
B. Gratz Brown 84
William Cullom 4
John M. Sullivan 2
Total 218
Needed to elect 110
Source: *House Journal*

36th Congress
Election date: February 3, 1860
John W. Forney 111
James C. Allen 77
Nathaniel G. Taylor 23
D. L. Dalton 8
Zadock W. McKnew 1
Source: *House Journal*

37th Congress
Election date: July 4, 1861
Emerson Etheridge 92
John W. Forney 41
John E. Dietrich 21
Thomas B. Florence 2
Total 156
Needed to elect 79
Source: *House Journal*

38th Congress
Election date: December 8, 1863
Edward McPherson 101
Emerson Etheridge 69
Total 170
Needed to elect 86
Source: *House Journal*

39th Congress
Election date: December 4, 1865
Edward McPherson elected by resolution 138–35.
Source: *House Journal*

40th Congress
Election date: March 4, 1867
Edward McPherson elected by resolution.
Source: *House Journal*

41st Congress
Election date: March 5, 1869

For Edward McPherson	128
For Charles W. Carrigan	55
Total	183
Needed to elect	92

Source: *House Journal*

42nd Congress
Election date: March 4, 1871
Edward McPherson elected by resolution.
Source: *House Journal*

43rd Congress
Election date: December 1, 1873
Edward McPherson elected by resolution.
Source: *House Journal*

Figure 1. Democratic party cohesion in Speakership and Clerkship votes, 25th–99th Congresses

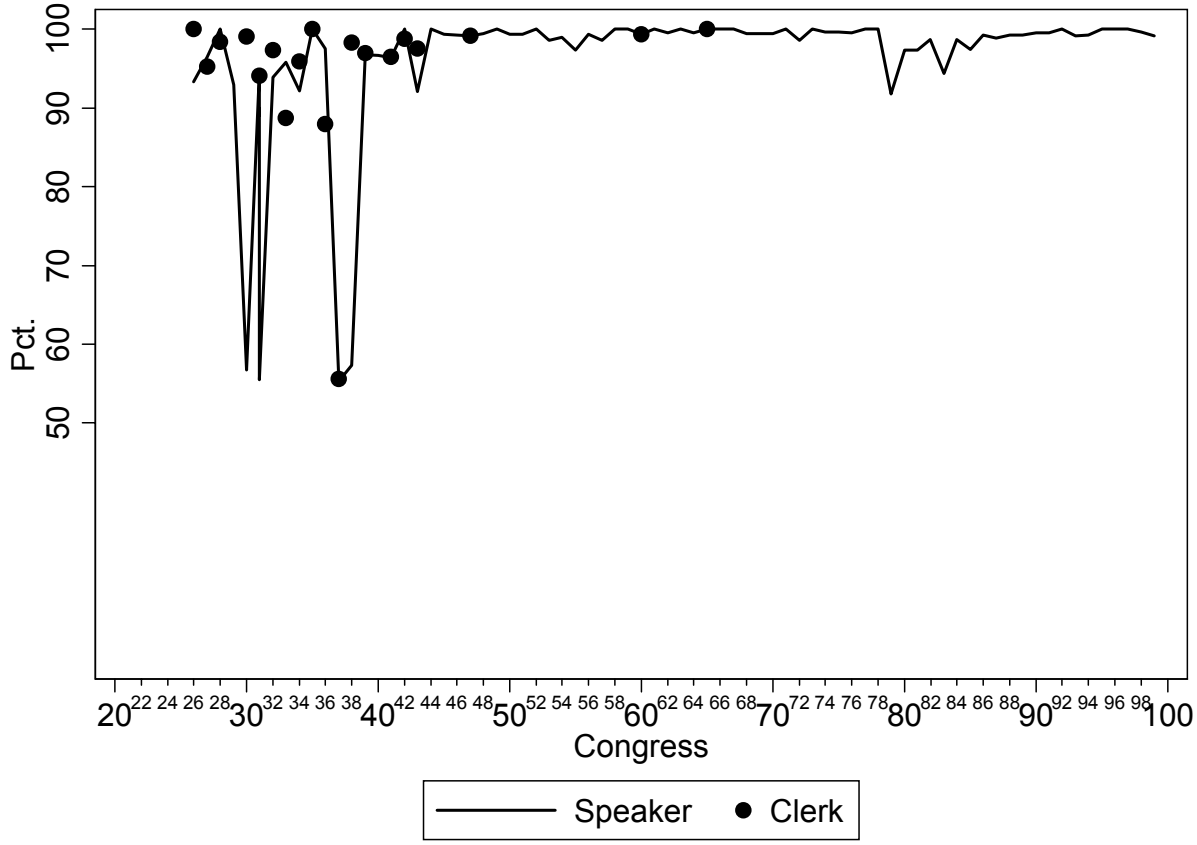

Figure 2. Whig/Republican party cohesion in Speakership and Clerkship votes, 25th–99th Congresses

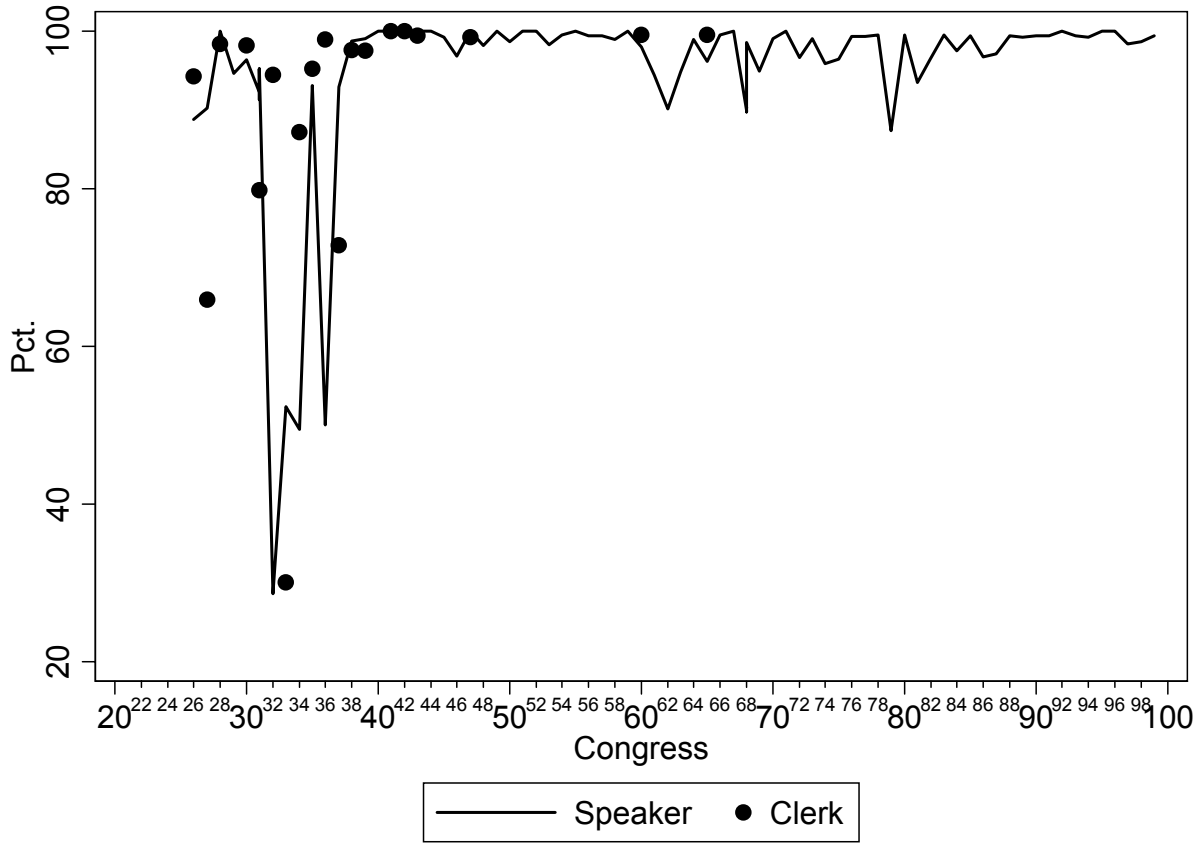

Table 1. Resources under the Clerk's Control, 1823-1870

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. Key roll calls on the admission of the five New Jersey Whigs

a. The clerk should call the names of the five New Jersey Whigs

	Yea	Nay	Total
Anti Masons	6	0	6
Whigs	105	1	106
Democrats	3	117	120
Conservatives	1	0	1
Total	115	118	223

Source: *Congressional Globe*, 26-1, 40. December 11, 1839.
Defections: John Campbell (D-S.C.), Charles Shepard (D-N.C.), Cave Johnson (D-Tenn.), Charles Johnston (W-N.Y.)

b. The five New Jersey Whigs are entitled to their seats.

	Yea	Nay	Total
Anti Masons	6	0	6
Whigs	106	0	106
Democrats	3	117	120
Conservatives	2	0	2
Total	117	117	234

Source: *Congressional Globe*, 26-1, 48. December 13, 1839.
Defections: John Campbell (D-S.C.), R. Barnwell Rhett (D-S.C.), Charles Shepard (D-N.C.)

c. The Speaker should swear in the five New Jersey Whigs.

	Yea	Nay	Total
Anti Masons	6	0	6
Whigs	103	0	103
Democrats	1	116	117
Conservatives	2	0	2
Total	112	116	228

Source: *Congressional Globe*, 26-1, 69. December 20, 1839.
Defection: John Campbell (D-S.C.)

Table 3. Partisan breakdown of vote for Speaker and Clerk, 27th Congress

a. Speaker

	Whig	Democrat	Independent	Total
George N. Briggs (W-Mass.)	1	0	0	1
Nathan Clifford (D-Me.)	0	1	0	1
William Cost Johnson (W-Md.)	1	0	0	1
John W. Jones (D-Va.)	0	83	1	84
Joseph Lawrence (W-Pa.)	5	0	0	5
John White (W-Ky.)	121	0	0	121
Henry A. Wise (W-Va.)	6	2	0	8
Total	134	86	1	221

b. Clerk–1st ballot

	Whig	Democrat	Independent	Total
Francis O.J. Smith	89	0	0	89
Hugh A. Garland	0	81	0	81
Matthew St. Clair Clarke	38	0	0	38
Richard C. Mason	8	4	1	13
Total	135	85	1	221

c. Clerk–2nd ballot

	Whig	Democrat	Independent	Total
Francis O.J. Smith	89	0	0	89
Hugh A. Garland	1	60	0	61
Matthew St. Clair Clarke	37	14	0	51
Richard C. Mason	5	11	1	17
Total	132	85	1	218

d. Clerk–3rd ballot

	Whig	Democrat	Independent	Total
Francis O.J. Smith	79	0	0	79
Hugh A. Garland	0	15	0	15
Matthew St. Clair Clarke	47	43	1	91
Richard C. Mason	5	27	0	32
Total	131	85	1	217

e. Clerk–4th ballot

	Whig	Democrat	Independent	Total
Francis O.J. Smith	66	0	0	66
Hugh A. Garland	0	6	0	6
Matthew St. Clair Clarke	64	63	1	128
Richard C. Mason	4	15	0	19
Total	134	84	1	219

Table 4. Roll call to table Dawes's resolution

	Yeas	Nays	Total
Republicans	0	83	83
Democrats	67	5	72
Unionists	7	6	13
Total	74	94	168

Source: *Congressional Globe*, 38-1, 5.
Note: Party codes taken from Kenneth C. Martis, *The Historical Atlas of Political Parties in the United States Congress, 1789-1989* (New York: Macmillan, 1989). The following adjustments were made: Unionists are a combined category (Conditional and Unconditional Unionists); and one individual's party code was switched (Rufus Spalding of Ohio, whom Martis classifies as a Republican while other sources code him as a Democrat).

Table 5. Elections of the House Clerk, 1789–2003

				Effective number of candidates			Winning clerk		Majority party	
Year	Cong.	sess.	Ballots	First ballot	Last ballot	Winning pct.	Name	Party	Name[c]	Pct.
1789	1	1	2	?	?		John Beckley	R	Pro.-A	57
1791	2	1	1		1[a]	100	John Beckley	R	Pro.-A	57
1793	3	1	1		1[a]	100	John Beckley	R	Anti-A	51
1795	4	1	1		1.9	61.5	John Beckley	R	R	56
1797	5	1	1		2	50.6	Jonathan W. Condy	F	F	54
1799	6	1	1		1.98	54.7	Jonathan W. Condy	F	F	57
1800	6	2	1		1.98	54.8	John H. Oswald	F	"	"
1801	7	1	1		1.81	66.3	John Beckley	R	R	64
1803	8	1	1		1.13	88.2	John Beckley	R	R	73
1805	9	1	1		1.41	82.5	John Beckley	R	R	80
1807	10	1	4	6.06	?	61	Patrick Magruder	R	R	82
1809	11	1	1		2.67	51.2	Patrick Magruder	R	R	65
1811	12	1	1		1.32	85.8	Patrick Magruder	R	R	75
1813	13	1	1		?	?	Patrick Magruder	R	R	63
1815	13	3	2	3	2.09	51.9	Thomas Dougherty	R	"	"
1815	14	1	1		1.14	93.4	Thomas Dougherty	R	R	65
1817	15	1	1		1[a]	100	Thomas Dougherty	R	R	79
1819	16	1	1		1[a]	100	Thomas Dougherty	R	R	86
1821	17	1	1		1[a]	100	Thomas Dougherty	R	R	62
1822	17	3	11	15.72	1.89	65.3	Matthew St. Clair Clarke	?	"	"
1823	18	1	1		1[a]	100	Matthew St. Clair Clarke	A-C R	A-C R	41
1825	19	1	1		1[a]	100	Matthew St. Clair Clarke	A	A	51
1827	20	1	1		1[a]	100	Matthew St. Clair Clarke	J	J	53
1829	21	1	1		1.74	70.3	Matthew St. Clair Clarke	J	J	64
1831	22	1	1		1[a]	100	Matthew St. Clair Clarke	J	J	59
1833	23	1	3	2.14	2	51.5	Walter S. Franklin	J	J	60
1835	24	1	1		1[a]	100	Walter S. Franklin	J	J	59
1837	25	1	1		1.71	72.6	Walter S. Franklin	D	D	53
1838	25	2	3	5.86	2	50.5	Hugh A. Garland	D	"	"
1839	26	1	1		2.13	50.9	Hugh A. Garland	D	D	52
1841	27	1	4	3.03	2.28	58.2	Matthew St. Clair Clarke	W	W	59
1843	28	1	1		1.83	65.3	Caleb J. McNulty	D	D	66
1845	28	2	1		1[a]	100	Benjamin French	D	"	"
1845	29	1	1		1[a]	100	Benjamin French	D	D	62
1847	30	1	1		2.05	50.2	Thomas J. Campbell	W	W	50
1850	31	1	20	2.76	2.22	50.9	Thomas J. Campbell	W	D	49
1850	31	1	9	8.39	2.21	51.1	Richard M. Young	D	"	"
1851	32	1	1		1.99	61.7	John W. Forney	D	D	55
1853	33	1	1		2.47	61	John W. Forney	D	D	67
1855	34	1	1		1[a]	100	William Cullom	W	Opp	43
1857	35	1	1		3.03	58.7	James C. Allen	D	D	56
1859	36	1	1		2.57	50.5	John W. Forney	R	R	49
1861	37	1	1		2.3	59	Emerson Etheridge	?[b]	R	59
1863	38	1	1		1.93	59.4	Edward McPherson	R	R	46
1865	39	1	1		1[a]	58.6	Edward McPherson	R	R	71
1867	40	1	1		1[a]	100	Edward McPherson	R	R	77
1869	41	1	1		1.73	70	Edward McPherson	R	R	70
1871	42	1	1		1[a]	100	Edward McPherson	R	R	56
1873	43	1	1		1[a]	100	Edward McPherson	R	R	68
1875	44	1	1		1[a]	100	George M. Adams			

Year	Cong.	sess.	Ballots	Effective number of candidates: First ballot	Effective number of candidates: Last ballot	Winning pct.	Winning clerk: Name	Winning clerk: Party	Majority party: Name[c]	Majority party: Pct.
1877	45	1	1		1[a]	100	George M. Adams			
1879	46	1	1		1[a]	100	George M. Adams			
1881	47	1	1		2.12	51.7	Edward McPherson			
1883	48	1	1		1[a]	100	John B. Clark, Jr.			
1885	49	1	1		1[a]	100	John B. Clark, Jr.			
1887	50	1	1		1[a]	100	John B. Clark, Jr.			
1889	51	1	1		1[a]	100	Edward McPherson			
1891	52	1	1		1[a]	100	James Kerr			
1893	53	1	1		1[a]	100	James Kerr			
1895	54	1	1		1[a]	100	Alexander McDowell			
1897	55	1	1		1[a]	100	Alexander McDowell			
1899	56	1	1		1[a]	100	Alexander McDowell			
1901	57	1	1		1[a]	100	Alexander McDowell			
1903	58	1	1		1[a]	100	Alexander McDowell			
1905	59	1	1		1[a]	100	Alexander McDowell			
1907	60	1	1		1.96	56.7	Alexander McDowell			
1909	61	1	1		1[a]	100	Alexander McDowell			
1911	62	1	1		1[a]	100	South Trimble		D	
1913	63	1	1		1[a]	100	South Trimble		D	
1915	64	1	1		1[a]	100	South Trimble		D	
1917	65	1	1		2	50.5	South Trimble		D	
1919	66	1	1		1[a]	100	William Tyler Page		R	
1921	67	1	1		1[a]	100	William Tyler Page		R	
1923	68	1	1		1[a]	100	William Tyler Page		R	
1925	69	1	1		1[a]	100	William Tyler Page		R	
1927	70	1	1		1[a]	100	William Tyler Page		R	
1929	71	1	1		1[a]	100	William Tyler Page		R	
1931	72	1	1		1[a]	100	South Trimble		D	
1933	73	1	1		1[a]	100	South Trimble		D	
1935	74	1	1		1[a]	100	South Trimble		D	
1937	75	1	1		1[a]	100	South Trimble		D	
1939	76	1	1		1[a]	100	South Trimble		D	
1941	77	1	1		1[a]	100	South Trimble		D	
1943	78	1	1		1[a]	100	South Trimble		D	
1945	79	1	1		1[a]	100	South Trimble		D	
1947	80	1	1		1[a]	100	John Andrews		R	
1949	81	1	1		1[a]	100	Ralph R. Roberts		D	
1951	82	1	1		1[a]	100	Ralph R. Roberts		D	
1953	83	1	1		1[a]	100	Lyle O. Snader			
1955	84	1	1		1[a]	100	Ralph R. Roberts		D	
1957	85	1	1		1[a]	100	Ralph R. Roberts		D	
1959	86	1	1		1[a]	100	Ralph R. Roberts		D	
1961	87	1	1		1[a]	100	Ralph R. Roberts		D	
1963	88	1	1		1[a]	100	Ralph R. Roberts		D	
1965	89	1	1		1[a]	100	Ralph R. Roberts		D	
1967	90	1	1		1[a]	100	W. Pat Jennings		D	
1969	91	1	1		1[a]	100	W. Pat Jennings		D	
1971	92	1	1		1[a]	100	W. Pat Jennings		D	
1973	93	1	1		1[a]	100	W. Pat Jennings		D	
1975	94	1	1		1[a]	100	Edmund L. Henshaw, Jr.		D	
1977	95	1	1		1[a]	100	Edmund L. Henshaw, Jr.		D	
1979	96	1	1		1[a]	100	Edmund L. Henshaw, Jr.		D	
1981	97	1	1		1[a]	100	Edmund L. Henshaw, Jr.		D	

				Effective number of candidates			Winning clerk		Majority party	
Year	Cong.	sess.	Ballots	First ballot	Last ballot	Winning pct.	Name	Party	Name[c]	Pct.
1983	98	1	1		1[a]	100	Benjamin J. Guthrie		D	
1985	99	1	1		1[a]	100	Benjamin J. Guthrie		D	
1987	100	1	1		1[a]	100	Donnald K. Anderson		D	
1989	101	1	1		1[a]	100	Donnald K. Anderson		D	
1991	102	1	1		1[a]	100	Donnald K. Anderson		D	
1993	103	1	1		1[a]	100	Donnald K. Anderson		D	
1995	104	1	1		1[a]	100	Robin H. Carle		R	
1997	105	1	1		1[a]	100	Jeff Trandahl		R	
1999	106	1	1		1[a]	100	Jeff Trandahl		R	
2001	107	1	1		1[a]	100	Jeff Trandahl		R	
2003	108	1	1		1[a]	100	Jeff Trandahl		R	

[a]Elected via resolution; only candidate considered. Non-unanimous votes indicate vote division. Unanimous votes indicate either an explicitly unanimous vote, passage without mention of dissent, or passage via voice vote.

[b]Etheridge'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.

cParty 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
J: Jackson
D: Democrat
W: Whig
Opp: Opposition

Table 6. Democratic Support for Top Democratic Clerk Candidate on First Ballot, Probit Analysis

	25S	26	27	28	29	30	31	31S	32	33	34	35	36	37
NOMINATE Dim. 1	0.42 (0.99)	—	—	—	—	—	-5.41 (3.16)	-3.67 (2.00)	—	-1.12 (1.08)	—	—	4.76 (3.68)	-4.01 (1.61)
NOMINATE Dim. 2	0.95 (0.47)						2.08 (1.05)	2.10 (0.72)		0.86 (0.42)			3.08 (1.00)	0.22 (0.54)
South	1.78 (0.59)						-4.24 (1.93)	0.02 (0.49)		-1.68 (0.54)			-6.02 (1.91)	—
Intercept	-0.16 (0.45)						2.65 (0.81)	-2.46 (0.77)		1.82 (0.30)			10.40 —	-0.87 (0.50)
N	105						102	90		133			75	35
Pseudo R^2	0.36						0.28	0.3		0.24			0.57	0.15
LLF	-45.7						-16.5	-30.6		-37.4			-11.8	-20.4
Party unity	41.9	100	95.3	98.4	99.1	99.1	94.1	23.3	97.4	88.7	95.9	100	88	55.6

Table 7. Whig/Republican Support for Top Whig/Republican Clerk Candidate on First Ballot, Probit Analysis

	25S	26	27	28	29	30	31	31S	32	33	34	35	36	37
NOMINATE Dim. 1	4.49 (6.15)	0.35 (1.48)	2.88 (1.23)	—	—	—	0.83 (1.24)	-2.01 (1.26)	0.67 (1.68)	1.10 (1.27)	5.18 (1.37)	—	—	2.78 (1.06)
NOMINATE Dim. 2	0.61 (1.18)	-0.94 (0.65)	-0.14 (0.32)				0.66 (0.42)	0.39 (0.45)	0.70 (0.59)	1.19 (0.77)	1.57 (0.49)			0.22 (0.38)
South	4.46 —	-0.26 (0.52)	-0.87 (0.39)				5.36 —	0.05 (0.53)	4.72 —	0.56 (0.79)	—			—
Intercept	-3.80 (2.32)	2.04 (0.64)	-0.16 (0.39)				0.42 (0.50)	-0.25 (0.51)	1.38 (0.59)	-1.94 (0.54)	-0.30 (0.41)			-0.37 (0.40)
N	93	105	135				94	86	73	60	94			97
Pseudo R^2	0.09	0.19	0.22				0.09	0.13	0.09	0.09	0.29			0.07
LLF	-5.02	-18.9	-67.4				-43.1	-39.3	-14.1	-15.6	-25.6			-53.3
Party unity	53.8	94.3	65.9	98.4	—	98.2	79.8	52.3	94.5	30	87.2	95.3	99	72.8