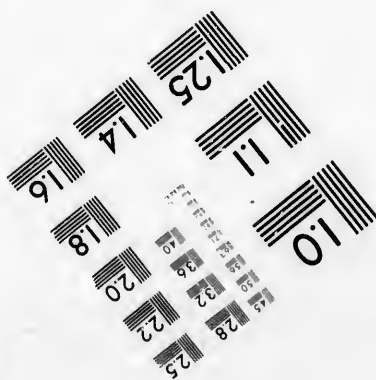
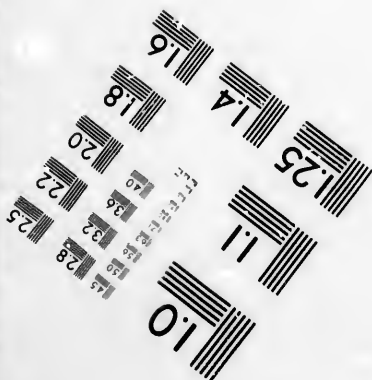
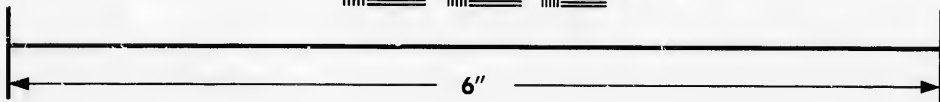
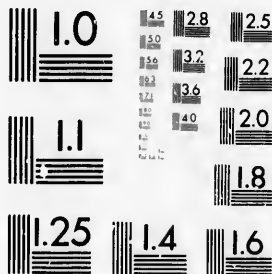


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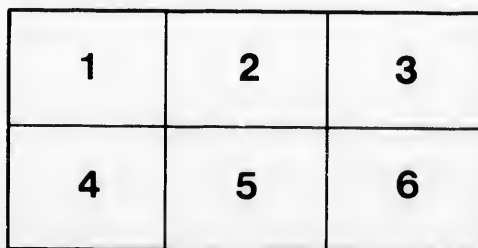
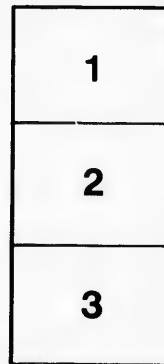
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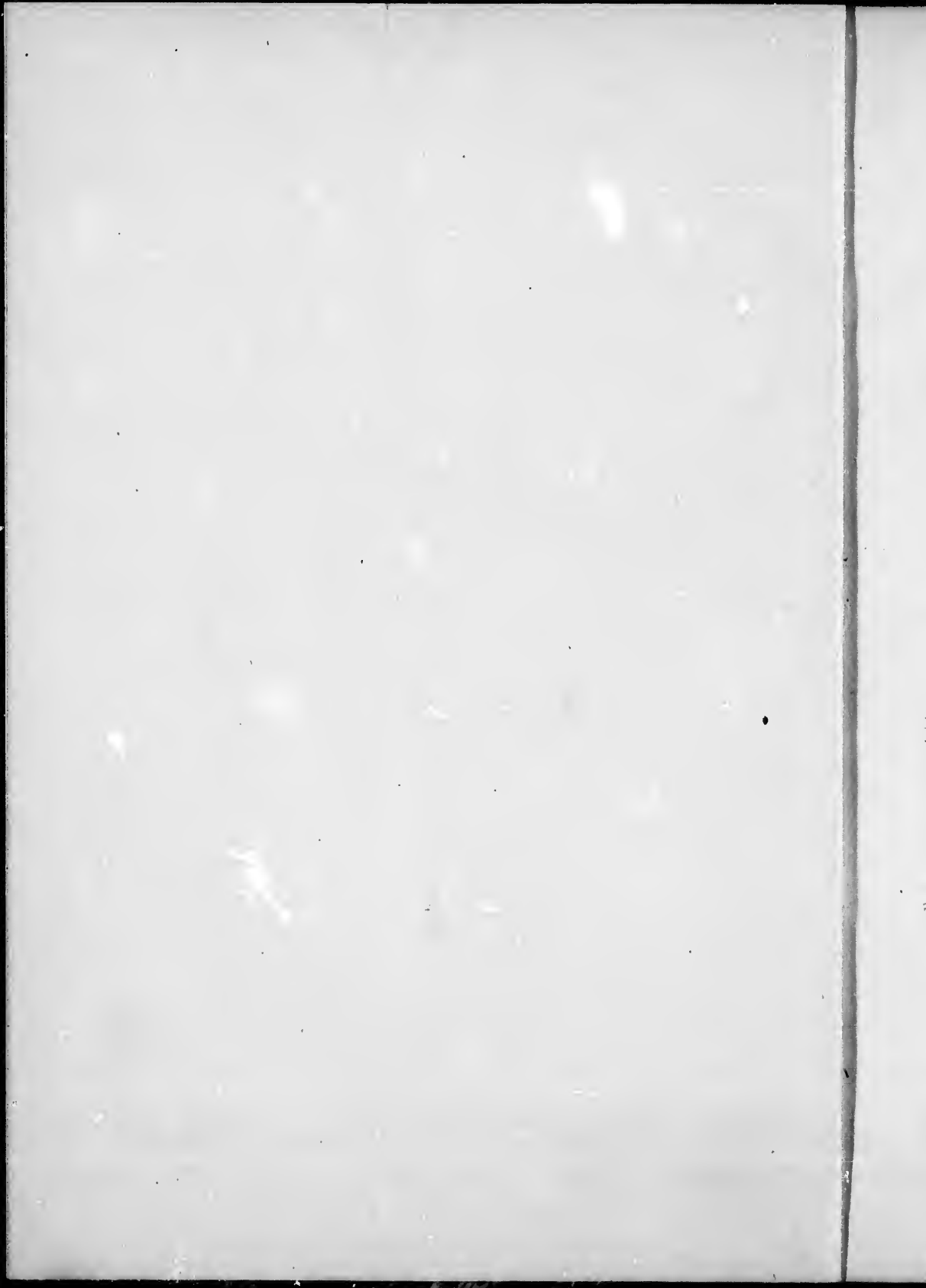
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**PARTIES IN THE UNITED STATES,
PRESIDENTIAL ELECTIONS**

AND MANNER OF CONDUCTING THEM.

—§—

PAPER READ BEFORE THE

Literary and Historical Society

OF QUEBEC.

BY W. C. HOWELLS, U. S. CONSUL AT QUEBEC.

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PARTIES IN THE UNITED STATES—PRESI-
DENTIAL ELECTIONS AND MANNER
OF CONDUCTING THEM.

PAPER READ BEFORE THE SOCIETY,

BY W. C. HOWELLS, U. S. CONSUL AT QUEBEC.

THE men who framed the Government of the United States had been trained to regard that body of fundamental law known as the British Constitution, as the foundation of free government. When they came to *write* their constitution, it was natural that they should write down the principles by which their fathers had secured and maintained liberty. They saw that while they were dispensing with the services of a *King*—the recognized exhibit of sovereignty—they must present to the people the abstract idea of sovereignty in some tangible manner. They had declared—what every Briton had felt to be true—*that the just powers of government are derived from the consent of the governed*. This was saying that the *people* are sovereign. No English King had roundly said, “*I am the State* ;” but the British people had accepted the throne as the depository of the national sovereignty, subject to the limits of the constitution and the rights of Englishmen. The thirteen colonies which had united in declaring their independent sovereignty as *States*, were regarded as the depositories of the public sovereignty and their chosen officials as the ultimating agents of that sovereignty. These States had sent their delegates into convention, to organize a new *nationality*, upon which was to be conferred certain sover-

eign powers, specifically named in a written constitution --such as the power to make war, maintain armies and navies, negotiate treaties, coin money, etc.—which powers the States thereby relinquished, with this reservation: “That all powers not delegated to the United States by the constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” At the same time, though this convention was made up entirely of delegates from the *States*, and representing the *artificial* personality of the States; the constitution begins: “*We, the People of the United States*, in order to form a more perfect union, establish justice, insure domestic tranquility, promote the general welfare, and secure the blessings of liberty, do ordain and establish this constitution,” etc.—thus constituting a national *unity* instead of a mere confederacy of the States, which had existed for nine years, under “Articles of Confederation and Perpetual Union.” The constitution was adopted, “in order to form a *more perfect union*.” This is an important distinction, to be borne in mind, in view of the first division of parties into Republicans and Federalists—the former holding that the Union was only a compact of Independent Republics, while the latter maintained that it was a National Unity, and necessarily indissoluble. This was also a point on which the late Southern secession turned.

In the National Government, the *artificial personality* or sovereignty of the States was represented in the Senate, where each State, irrespective of its population, has two Senators. Each State is given two votes on this behalf in the Electoral Colleges, for the choice of President, and at this time five of the States give twice as many votes for President on this account as are given for the living people. In all, seventy-six of the Presidential votes are assigned to the *States*.

In the ardor of their early patriotism, the Fathers did not

anticipate any strong division of parties, and trusted much to this sentiment in their successors. In providing for the election of President and Vice-President, they ordered that the candidate who received the highest electoral vote should be President, and the next highest Vice-President. Before the fifth Presidential election, they found it necessary to change this halyon arrangement, and adopt the following, which is the present provision of the Constitution for the choice of these officers :

" Each State shall appoint, in such manner as the Legislature thereof may direct, a number of Electors equal to the whole number of Senators and Representatives to which the State may be entitled in Congress; but no Senator or Representative, or person holding an office of profit or trust under the United States, shall be appointed an elector.

" The Electors shall meet in their respective States, and vote by ballot for President and Vice-President, * * * and they shall make distinct lists of all persons voted for as President, and persons voted for as Vice-President, and of the number of votes for each, which list they shall seal and certify, and transmit sealed to the seat of the U. S. Government, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the vote shall be taken by States, the representation from each State having one vote. * * * If the House of Representatives shall not choose a President, when the choice shall devolve upon them, before the 4th day of March next following, then the Vice-President shall act." etc.

" The person having the highest number of votes for Vice-President shall be the Vice-President, if that number be a majority of the electors appointed; [and if not, the Senate shall choose the Vice-President from the two highest.]

It was left with Congress to determine the time of choosing the electors and the day on which they shall give their votes, which day must be the same throughout the United States.

There is no mistaking the fact that it was at first intended that the President should *not* be an officer of the direct popular choice. The sound philosophical reasons for this,

were not always apparent to the people, and it certainly has not been very fondly cherished by them. There has ever since been a tendency to make this election as nearly popular as possible. The States which at one time choose the electors by the Legislature, or by Congressional Districts, have fallen into the one plan, now prevalent, of choosing the electors on one day and by a general ticket for all voters of the State. South Carolina had uniformly appointed her electors by the Legislature, as she elected Senators, until the war of secession. Since the re-organization however, the Electors are all voted for and elected by the people on a general ticket in every State, on the Tuesday next after the first Monday in November of each Bessextile or Leap year. Congress has fixed this day, with the acquiescence of the States; otherwise it would not be in their power to prescribe the time; though the day on which the electors shall vote, can be and is fixed for the first Wednesday of December following the choice of electors. When the Electors are chosen, they are notified by the *State* officials, and are thus authorized to organize the Electoral College for their State; which is done at the State Capital, on the day before that of voting. When they have voted, which they do by ballot, they ascertain the result, and certify it by the signatures of the electors, who seal up three copies of a statement of their votes, and attach to each statement a copy of the triplicate certificates of their election, furnished by their State officials. They then elect one of their number as a messenger to carry one copy of this vote to Washington, which he delivers to the President of the Senate. Another copy is sent to the same officer by mail, and the third is lodged with a judge of the United States Court of the District in which the College meets.

On the second Wednesday of February next following this election, Congress is required to be in session; then

the President of the Senate—in the language of the Constitution—is to “*open all the certificates in the presence of the Senate and House of Representatives, and the votes shall then be counted.*” Had the Fathers anticipated the counting of the vote in 1877, they would certainly have said *who* was to *count* the vote. The phraseology is remarkably vague, though any plain construction, free from controversy, would be that the one who opened the vote, or his assistant clerks, should count it. It was simply a question of *fact*, to be determined in the presence of the whole Congress as witnesses; and such was the construction given it at all the Presidential elections up to the counting of the vote in 1829; and the formula of closing the poll was: “The President of the Senate did, in the presence of the Senate and House of Representatives, open all the certificates, and *count* all the votes of the electors for President and Vice-President.”

It appears to have been a settled principle from the first, that the only questions to come before Congress were:—the validity of the papers purporting to be votes of the Colleges, and the eligibility of the electors under the constitution. The manner of choosing the electors and the character of the elections, when they were chosen, are matters properly belonging to the States, into which Congress has no power or right to enquire. The election of electors takes place a full month before the Colleges meet, and there is ample time for the States to properly canvass that election. The States have provided by statute for the filling of vacancies in the Electoral Colleges, or they can be filled under the ordinary parliamentary rules, by which every body of the kind shall judge of the competency of its members. Congress has, in some cases, assumed to judge of the acceptance of the vote of a State, on the question whether such State was really a member of the Union, as in the case of new States or States out of the Union by secession;

but, until the recent election, the right to canvass the election of electors was not claimed.

Under the present laws, and customs of parties, the Presidential Elections are conducted in this wise: Early in the year of the election, National Conventions are held by the different leading parties, in which only members of the one party participate. From among their suitable men they nominate a man for President and one for Vice-President, who are thenceforth recognized as the men for whom every man of that party is expected to vote, and induce all others, whom he can influence, to vote also. These names are made public; and at convenient times afterward, the parties hold State conventions, where nominations are made for electors for the State. For instance in the State of New York, thirty-five men are nominated, one for each Congressional District and two for the State at large. In due time the other party or parties make like nominations. These form the electoral tickets of the State. The newspapers of each party publish these tickets for several weeks previous to the election, until the public becomes familiar with them. Then each party prepares its tickets for voting. These are usually printed on slips of paper, in this wise—suppose New Hampshire:

REPUBLICAN ELECTORAL TICKET.

For President—ABRAHAM LINCOLN.

“ *Vice-President*—HANIBAL HAMLIN.

For Presidential Electors.

For the State at large.—Thomas Jones,
James Wilson.

For the 1st Congressional Dist.—Cephas Peter.

2nd “ “ John Robinson.

3rd “ “ William Smith.

On the day of the election, which is the first Tuesday after the first Monday in November, each voter deposits one

of these tickets in the ballot box, either open or folded up; but if he fraudulently or accidentally folds two together, the common rule is to throw them both away, when the count is made. This election being held on one and the same day in every State, the polls are closed usually at six P.M., when the election judges are required to begin counting the poll, and continue till it is finished, which, as the precincts are of convenient limits, can be completed in the night. The poll books and statements of the votes are then sealed up and given to the Sheriff or some returning-officer, who forwards them to the State Capitol; where they are canvassed, and the result declared by the proper State officers, who then notify the electors who are chosen. Any question as to the correctness of this election must be settled before these canvassing officers.

PARTIES were formed at an early day in reference to the character of the Union under the constitution, and great bitterness marked the controversy between the *Federalists* and *Republicans*,—the former contending for the compact *nationality* idea, and the latter a mere *alliance of the States*. The Federalists happened to come first into the management of the Government, which they very naturally conducted after the English models, as those under which liberty had been most successfully maintained. They were impressed with the importance of a strong Government, and a persuasion of a tendency in the masses to resist authority; and they put in operation certain statutes against sedition and constructive treason, which, though not extremely offensive, and never oppressively enforced, were magnified to undue proportions, as evidence of an intention to establish a monarchy, or a centralized Government that would destroy the Republican features of the new system. On the other hand, the Federalists accused the Republicans of a tendency to that dangerous radicalism into which France had fallen. The ill-natured accusations of parties against each other

took on the form of charges of treasonable intentions or sympathy with foreign enemies. Each party seemed to forget the patriotic devotion with which they had united together but a few years before. The Republicans, or as they were coming to be called, *Democrats*, accused the Federalists of sympathizing with the English, while the Democrats were charged with copying French notions. With the election of Jefferson, in 1800, the Democrats came into power, though the Federalists formed a strong opposition. This relation of parties continued till 1808, when difficulties with England occurred. The French and English had trespassed upon our commerce on the seas—the French seizing our vessels and the English impressing our sailors. In the disturbed state of Europe, we suffered wrongs that might not have occurred in times of peace. War with England followed—war that might have been avoided, in all probability, but for the bitterness of our party controversies. The Democratic party embraced in its members a large proportion of natural enemies of the British Government. The immigrants from Ireland and France were all of this party; and at this time a large proportion of the refugees from the unfortunate rebellion of '98, made their home in America, to exert a strong influence. Such men as Thomas Addis Emmet and his compeers could not live in New York at such a time, without communicating a spirit of hostility to England, that was impatient of all treaty or negotiation. The Revolution was still fresh in the minds of the people, and its scenes were not the stories of grandfathers, but the experience of veterans; the spirit of war was abroad in the old world and rife among the men of the new. It was naturally popular to go to war with England, and fight the King already braved in the revolution—especially under the provocation of impressments, hateful alike to Britons and Americans.

THE FIRST PRESIDENTIAL ELECTION was held in 1788, when George Washington was elected President, without

opposition, and John Adams was chosen Vice-President. Again, in 1792, Washington was re-elected, with Adams as Vice-President. Washington is not assigned to any party; Adams was a decided Federalist.

In 1796, John Adams and Thomas Jefferson were the candidates, the latter being supported by the Republicans or Democrats. Adams received the highest vote, which made him President, and Jefferson became Vice-President by virtue of having the next highest vote. Thus both parties were represented in the administration.

In 1800, Jefferson and Adams were again candidates. But at the same time Aaron Burr, who supported the Republicans, was voted for in several of the Electoral Colleges; and when the votes were opened, there were found to be as many votes for Burr as for Jefferson. This threw the election into the House, when Jefferson was chosen. Burr was then elected Vice-President.

In 1804, Jefferson was re-elected, with George Clinton as Vice-President--both Democrats--with very slight opposition.

In 1808, James Madison, of the same party, was elected almost without opposition, with George Clinton again as Vice-President.

Mr. Madison was re-elected in 1812, with Elbridge Gerry as Vice-President.

In 1816, James Monroe was elected in like happy manner, and with him Daniel D. Tompkins as Vice-President. Both these gentlemen were re-elected in 1820. These elections and the one preceding them were almost without opposition.

But in 1824, there was a revival of political interest, and four candidates were brought forward; all of whom were

regarded as associated with the Democratic party. They were Henry Clay, of Kentucky, William H. Crawford, of Georgia, John Quincy Adams, of Massachusetts, and Andrew Jackson, of Tennessee. The last of these had distinguished himself as an officer of the war with England—particularly in the defence of New Orleans against the attack of the British under Gen. Packenham, on the 8th of January, 1815, after the treaty of peace had been concluded.

We, of this day, who read yesterday's news from farther India at our breakfast table, can but pause to think of this, one of the bloodiest battles of that war, fought fifteen days after the treaty of peace was concluded, and twelve days after it was ratified by Great Britain, by men who, with our telegraph facilities, would have met to greet each other in the joys of peace.

Gen. Jackson was candidate of the more enthusiastic and ultra Democrats, who made the most of the prestige of his military heroism, in that state of the world a powerful element of popularity. He was a man of strong points of character, active in the politics of the South-west, before and after the war, and marked by an indomitable will, that had conquered all opposition, and sometimes without regarding the proper formalities for the orderly attainment of his ends. He was a type of that democratic *idea*, that holds it right for the majority to rule, *because it is the majority*, and has a justifiable purpose. Around him, the men imbued with this idea chrysalized into a powerful party, which has maintained its organization to this day.

I must be excused here, for saying on my own behalf, that I speak of these parties as they appear to me. Indeed this is the only view I can give of them, trying however to do so honestly. Soon after I came to Quebec, a gentleman * asked me to define the difference between the *Republicans*

* The late Col. Gagy.

and *Democrats*; for he said the terms meant the same and he could not distinguish between them. I playfully replied that the terms meant *in* and *out* of power. To many it does mean just that, as the terms *rouge* and *bleu* mean that with many Canadians. But there is more than that in these terms: In free governments, parties are born of certain ideas. The idea is an abstraction that is as nothing till it is incarnated—till men receive it and unite around it to ultimate it in government. The right and authority of the people to govern themselves is accepted by all Americans. But there are two views of this authority: one is that it exists by the *will* of the people, and the other that it exists by virtue its inherent rightfulness, accepted by the *convinced will* of the people. I understand the two parties as they now exist, to represent these two ideas—the *Democrats* holding that the will of the people, or a majority of them, is absolute and should govern; while the *Republicans* hold that the will of the people is *without* authority unless it acts through the orderly forms of law. Whether I be mistaken or not, as to the parties, my intent, in adhering to the *Republican* party, is to adhere to the latter idea; and I oppose the *Democratic* party because I think it represents the *will of the people* ruling absolutely or despotically.

The growth of a political party is a study of real breadth—especially in a Republic like ours,—where the people must be equally interested, and come together of their own accord, to effect a purpose. In a monarchy, or an aristocracy, the leaders may enlist followers and organize a party speedily; and on the spur of the moment a nation may be divided into parties. But with us there must be a slow growth of parties, which is aptly expressed by the term *christianization*. From the defeat of the *Federalists* in 1800 till the summer of 1840, there was not any solid organization against the *Democrats*, that might be properly

called a party. Measures of policy which are always changing with the times, modify the action of parties, and delay organization, unless some overwhelming measure, like war, or the reform of a flagrant abuse, or the direct protection of personal rights, is presented to the people. There is always present the question of what man shall be elected to an office; but it is next to impossible to enlist the citizens of a large extent of country for a long time in the support of any particular man. The nearest approach to this in our history was in the case of Gen. Jackson; and then the idea of vindicating the public choice, as it was believed by many to have been expressed and disregarded, was as strong a motive as any. The people as a mass can better judge of a principle—an abstract principle—than they can judge of persons; and they will more readily agree and unite in sustaining a principle than they possibly can unite around a man. It is only when a man has become identified with a principle than he can rally a strong party in a free government. Principles are always in much closer contact with men than men are with each other; and the influence of a principle is so direct and so uniform that it will govern alike, and lead in like paths of thought and action, men who have never conferred with each other. It is by this power that men are aggregated into parties, often to the surprise of those who vainly attempt to organize them.

Though men of ultra Democracy clustered around Gen. Jackson, he received a support, drawn from men of various views, while men of all political persuasions supported the other three candidates, so that the electoral vote was divided between the four,—as nearly as I can remember, for I cannot now refer to the figures,—94 to Jackson, 87 to Adams, 51 to Crawford, and 43 to Clay. As Jackson had not received a majority of the electoral votes, it fell to the House of Representatives to choose the President

from the three highest. The result was that some of the friends of Clay and Crawford gave their support to Adams, and he was elected by the House. Exactly what parties produced this effect cannot be told, because after the votes of the electors were laid aside, it was impossible to say what influences, if any, were used. After he was elected, Mr. Adams appointed Mr. Clay Secretary of State, which was assumed by the friends of Gen. Jackson to be proof of a coalition between them. The House doubtless deemed Adams the fit man for President, and Clay was a proper one for Secretary of State. There was a possibility of a bargain between them, but no proof of it.

The friends of Jackson made this a rallying cry, and at once entered upon active preparation for the election of their favorite in 1828. They argued that Jackson having received the *highest* vote, was therefore the choice of the people; and yet he had only received a little over a third of the electoral vote. It was in vain that Adams's friends showed that he was elected according to the provisions of the constitution; the Jackson men furiously charged bargain and intrigue between Clay and Adams, and pointed to the highest vote as evidence of the popular preference, which they insisted had been disregarded. John C. Calhoun was chosen Vice-President with Mr. Adams, and thus were united men who never afterwards harmonized in politics.

The four years of this administration were an electioneering campaign, in which the Jackson party were successful and swept the entire field, carrying almost the whole electoral vote against Mr. Adams, who was the only opposing candidate. The convenient and common designation of parties was *Jackson* and *Anti-Jackson*; and the popular slogan was, Hurrah for Jackson! The animus of Jacksonism was an unenlightened and unreasoning patriotism, which meant well, and was intent to vindicate a defender of the country, whom the people supposed to have

been wronged. Scheming politicians did not fail to aggravate this feeling by misrepresentations. They charged Adams and his friends with extravagance and corruption, aristocratic manners and monarchical style. On the other hand the Jackson men were accused of making appeals to unworthy prejudices and low principles, and their leader was denounced as a coarse, arbitrary man, unfit for the office. They went into power on the top wave of a political ground swell, almost without the discussion of principles; but they wisely anchored to the traditional *Democracy* and its potent name. John C. Calhoun united his fortunes with Jackson in 1828, and was elected Vice-President on the same ticket.

With the opening of Jackson's administration, a radical change was inaugurated in our civil service, that has been the cause of complaint ever since among moderate men of all parties. Pending the election, Jackson's friends had assumed and charged that every department of the government was filled with corruption, and made no scruple of charging this upon every employé under Adams. A more unfounded charge could scarcely have been made; for the offices were generally filled by old and long tried men, who had been found faithful under several succeeding administrations, when it had never been the custom to apply any political tests. Having made the charge, when they came into power they sustained their consistency, by turning out the old incumbents, and filling the places with their political adherents. It was admitted that the President ought to appoint the heads of departments from his friends. To this no objection was made; but considerate citizens protested against extending such a rule to the minor offices, as a practice corrupting in its tendency, and extending the influences of the presidential patronage, for evil, over the entire country. It would certainly have struck an uninterested observer, as a wonderful anomaly, for the *Demo-*

cratic party of the country to institute a practice by which one man should absolutely dictate the political choice of every official in the land. And yet such a system was instituted under the mild theory that the President's friends would be his best servants, or the coarser maxim of political contests, that "to the victor belong the spoils." Jackson's administration opened with the removal of all his political opponents, regardless of efficiency or integrity, and filling their places with his adherents in all the departments, to the farthest country postmaster.

It is needless to remark that this power made itself felt. As a precedent it was bad ; but what was worse, it settled into a custom. Twelve years in the hands of the same party established it ; and in a retributive spirit it was accepted as a kind of unwritten law by the opposing party, when they came into power.

In 1832, General Jackson was re-elected, with Martin Van Buren as Vice-President, the opposition being scattered and weak. In some of the States the electoral tickets against him were unpledged. The famous anti-Masonic party was in its strength about this time, and made William Wirt its candidate ; but he received no electoral votes. In some States Clay, and in others Webster received a few votes. The anti-Jackson party was then known as the *Opposition* only, though they sometimes used the term National Republican.

During and immediately following war with England, the idea of fostering an independent system of home manufactures grew into favor throughout the country, and under the appellation of the American System, was decidedly popular for a time. Henry Clay and many of his political coadjutors had embodied a pretty strong party in support of the measures embraced in this system ; under this influence a high protective tariff was established during the

administration of John Quincy Adams. This system made a rallying point for the opposition during Jackson's and Van Buren's administrations. The doctrine of protection soon met with opponents in the Southern States, where the planters found the cotton trade with England increasing and their policy of home manufactures on the wane. The opposition to the protective system grew so rapidly that it had the power to force a modification of the tariff in 1831, reducing the duties on a graduated scale, by successive years, at the end of which time the protective feature was expected to disappear. The Southerners managed at an early day to enlist the greater portion of the Democratic party with them against protection. On the other hand, the opposition clamored for an increase of impost duties, and charged the Democrats with encouraging free trade, to the destruction of home industry. The line was closely drawn between the friends of the protective policy and free importations, and the opposition speedily arranged themselves on the side of protection, with Henry Clay, Daniel Webster and their friends in the lead. The party calling itself National Republican which was the nucleus of this organization, in 1834 took on the name of *Whig*.

Martin Van Buren was elected President in 1836, with Richard M. Johnson of Kentucky, (who had the reputation of having killed the famous chief Tecumseh, at the battle of the Thames), as Vice-President. The opposition then was divided, the Whigs voting, according to locality, for Gen. Harrison, Daniel Webster and one or two others. The administration was a quiet one; but was remarkable for one of the worst financial crises of our history. Under the gradual reduction of duties, imports had been made in excess; the revenue was far beyond the national expenditure. In 1834, after all the debt had been paid off, there was found in the treasury a surplus of nearly forty millions of dollars, which was distributed to the States, in

the form of a loan. The United States Bank had gone out of existence; the States Banks increased in numbers and increased their issues unduly; and money was so plenty and prices so high in 1836, that potatoes were actually imported from Ireland on speculation. In 1837, the crash came, and general depression followed—a fact which the Whigs did not fail to present, as evidence of the bad policy of the government. The new Whig party was successful in 1838, in carrying the elections in New York; and thus encouraged they prepared for the election of 1840, with a good prospect of success.

In February of that year, the Whigs held a National convention, at which, with great unanimity, they nominated Gen. William Henry Harrison, of Ohio, as their candidate for President, and John Tyler, of Virginia, for Vice-President. At this time Daniel Webster and Henry Clay were regarded as candidates for nomination. But they were rivals, and they had political enemies, whose opposition would be more active than friends could be; and the party did not feel able to carry any dead weights. The availability of the candidate was deemed indispensable. The politicians were impressed with the value of military prestige,—which is always over estimated,—and of course looked favorably to the nomination of Gen. Harrison. He had been a successful commander, and had distinguished himself with victory at the battle of the Thames, which following closely upon Perry's brilliant naval action on Lake Erie, practically closed the war. He was however, a most unpretending man, of quiet and gentle manners, and greatly beloved in the army—particularly by the rank and file—who were won by the familiar dignity with which he met men and officers, in his relations with them—a soldier on duty and a citizen at rest. To this he added a wonderful natural faculty for remembering and recognizing every man he saw. He had retired from the army and

was living on his farm near Cincinnati; but at the time of his nomination was serving in the modest position of Clerk of the Courts of Hamilton county, with a salary of a couple of thousand dollars a year. He was so plain in his habits, that a Democratic newspaper was tempted to say of him, sneeringly, that he knew nothing about the Presidency, and cared nothing about it; and if he was only left alone, he would be content to sit in his log cabin and drink hard cider the rest of his life. This unfortunate sneer woke up the sentiment of homely pride in the Western people; and the Whig politicians had the sagacity to see the value of this feeling, and played upon it with good effect. They accepted the *log cabin* and *hard cider* as watch words; and in their speeches and in print, dwelt upon the delights of rustic felicity in pioneer and home life, represented by the log cabin and hard cider. Immediately the dwelling of Gen. Harrison was called his log cabin,—and a part of it actually was a log house,—and all manner of rustic devices adorned the newspapers, electioneering handbills and banners. Songs were written, and sung every where, celebrating the cabin, the Whig party and its candidates. Some one acute in philology settled the etymology of the name *Whig*, that it was the old Saxon word *wehig*, since changed to *wehy*, which the English Tories had bestowed upon their opponents in derision, intimating that they drank *wehy* as a convivial beverage. Besides it was the term under which the war of 1776 was fought. This was greedily accepted by the Whig politicians and turned into use along with the hard cider and log cabins. It was a singular fact that the *Democratic* party was headed by men of aristocratic tendencies, who assumed to be leaders, finding their followers among the more illiterate of the population. The party thus embraced the extremes of society. The Whigs were made up of the less pretentious men of means, manufacturers and business men of the country, farmers and the more intelligent of the laboring classes. Their social condition

was more even than that of the Democrats, and few of them looked up to superiors. As was necessarily the case, there was a large class of what in politics is very aptly termed *drift-wood*—voters who float with the popular current. The strife with politicians was then, as it always is, to shape the draft of the current, so as to get this to their side. To this class the glory of the military candidate was displayed; and the log cabin and hard cider were spoken of in such a way as to show a sympathy with honest poverty and simple rustic life, and impress the poor man with confidence that his home spun clothing and homely drink of *whisky* were respected by the party. All this had a great effect; while the public sentiment was setting against the party in power. The military prestige of Gen. Jackson was not transferable to Mr. Van Buren, and his administration was only of the party. The times were hard, and business was deplorably dull—for all which the party in power was held accountable. The protectionists laid all troubles at the door of the free trade policy of the party, with force and effect. With all this there was a rapid tendency to the later divisions of the North and South that was having a powerful moral effect. The violent treatment of anti-slavery men in the South, and the arrogance of the slaveholders had deeply affected the moral sentiment of people in the North. Men who preferred not to take an active political position in relation to slavery, acted with the Whigs, as the party from which they had the most to hope; and though Whig-leaders, when pressed, stoutly declared that they had no sympathy with abolitionists, and that both parties were alike in that respect, the careful observer at that day could see the tendency of the parties to opposite sides on this great question, and to recognize the affinity between the *Democratic* party and the slave interest. The wresting of Texas from Mexico by Southern adventurers, under the lead of Gen. Houston, which the Whigs, openly opposed on the ground of its manifest injustice, had its

effect upon the more conscientious voters, as well as those who saw that the sentiment opposed to slavery would naturally find shelter with the Whigs.

But this election campaign was conducted with great skill, and ended in the success of the Whigs in nearly all the States. It was eminently a good humored affair, at least with the Whigs. They got up vast and numerous popular meetings, which were addressed by their ablest speakers. They went to these meetings in processions, and took their women and young people along; they sung songs and shouted all manner of slogans and watchwords; and always headed the march with music and banners. In fact, it was in every way a jolly time. If a great meeting was called, there would be tables spread with an abundance of substantial food ready cooked, contributed mostly by farmers of the neighborhood; so that every political meeting was a vast pic-nic. Though whiskey was not worth more than twenty cents a gallon, it was never furnished as a beverage, or even permitted at these meetings. The houses of Whigs were thrown open to those who attended the meetings from a great distance, where they were fed and lodged free. The ablest speakers were engaged to address these meetings, and discuss the questions at issue. Many of these speeches were powerful efforts of oratory,—few of them were poor,—and the eloquence of some would have been remarkable any where. Indeed, I have rarely seen better taste exhibited by the orator, or appreciation on the part of the audience. Speaking to large meetings of the people has now become a settled practice in all the States; and usually it is of a high order, dignified and addressed to appreciative listeners; and often its moral tone would do honor to the pulpit.

My experience of this election was in Ohio, where the country was well populated and farmers were wealthy. These meetings were held frequently at all the important

centres—often five or ten thousand assembling by mid-day. From the local centres they came in processions, with music, banners and insignia, according to fancy. General Harrison had fought a battle with the Indians at Tippecanoe, Indiana, from which he took the soubriquet of Old Tippecanoe. This suggested a canoe as an emblem; and, if possible, they would have a large one mounted on a wagon, drawn by four or six horses. This would be filled with men and boys, and sometimes girls, carrying banners and emblems. Then would follow a small log cabin, mounted on wheels, with a team of two or three pairs of horses; the cabin would be filled with men and boys, who sang songs, cracked jokes, and hurrahd as the case required. Then the farmers' hay wagons, trimmed with branches, came next, usually filled with good singers singing the songs of the times. Following these would come farm wagons, family carriages, etc., all filled with men, women, boys and girls. It might have seemed strange and thought useless to take the women and youth to such gatherings; and the Democrats did sneer at it as nonsense; but the Whigs understood their business and took them along. The boys and girls lent enthusiasm to the occasion, and the women gave it a domestic air; while they contributed an unfailling influence for good order, besides which they carried home with them the arguments and spirit of the speeches they heard.

The summer of 1840 appeared to be spent in electioneering. Both parties were active; but the Whigs had secured the popular heart, and they swept all before them. Gen. Harrison was elected by an overwhelming vote of the people and of the electors, and was inaugurated March the 4th, 1841. The Whigs, then in power, adopted Jackson's precedent, and set about taking charge of the Government, and changing the officers accordingly.

THE INAUGURATION of a President is in itself a simple ce-

remony, consisting merely of administering the oath of office. But where there is so little pageant, the most is made of it, and voluntary displays are added. When the weather will permit, the ceremony takes place on the Eastern porch of the Capitol. A procession is formed to conduct the President to this place, in which the Army, Navy and Civil functionaries of the Government are represented, accompanied by the citizens generally. He is attended by the outgoing President, who presents him to the people; the Judges of the Supreme Court, by one of whom the oath is administered; and clergy, one of whom offers a prayer. He then delivers his inaugural address, in which his policy is usually marked out. If the weather is fine, which may not be the case at that season, it is all pleasant enough; but if it is stormy, it is anything else, since it is hard to compel a removal of the ceremony indoors, when the crowd desires to see it. Gen. Harrison was old, and though active, quite feeble. It proved too severe a test for him; and with other exposure and fatigue, it doubtless brought on pneumonia of which he died within a month.

He was succeeded by the Vice-President, who, having strong democratic sympathies, in a few months gathered around him an administration quite at variance with the party that elected him, and by whose aid he sought to secure his re-election. This was a staggering blow to the Whigs, who failed to institute any leading features of their policy, as the Vice-President vetoed their strong measures when Congress passed them. They had a majority in both Houses, and yet could not command the two-thirds vote to overcome the vetoes, and were therefore held responsible for the action of Congress. They however made the best of it and rallied around Henry Clay as their next candidate.

Meanwhile the slave holding influence was making itself felt in national politics, and the annexation of Texas was demanded by that interest. The Democrats espoused this

policy openly, while the Whigs took decided ground against it. Both parties, however, avoided naming the *real* issue, (which was the extension of slavery), whenever they could. They preferred to treat it as a question of political economy, or, to discuss Banks, Tariffs, free trade and the like. But the cancer was extending its tentacles into the whole body politic, and the nation felt it. An anti-slavery party was formed and preparing to run a candidate for the Presidency. But many anti-slavery men preferred to remain with the two leading parties; the greatest proportion of these were in the Whig party, where they exerted a controlling influence in some localities. They hoped that finally one party would espouse their cause, and that they would thus be able to reform the national policy in this relation. But this slave-holding interest was a unit politically, and held a balance of power that would control everything short of over-powering opposition. Both parties professed to be neutral on this subject; and slave-holders acted with both. But the proposition to annex Texas, then existing as a State seceded from Mexico, to our Union, was a favorite measure in the Slave States, because it would open up an extensive territory for slave-holding emigration. The Democratic party espoused this project, and openly declared it as their policy. The Whigs opposed it, on the ground that we had territory enough, that it would provoke war with Mexico, that it was wrong in itself and bad policy. But on the question of slavery they declared neutrality.

In this state of affairs, the Democrats nominated James K. Polk, of Tennessee, for the election of 1844. The Whigs presented Henry Clay, of Kentucky, and the anti-slavery party named James G. Birney, who had emancipated a large number of slaves. Mr. Clay was a slave-holder, yet understood to be opposed to an increase of Slave States; and he received a large support from men who, but for the hopelessness of accomplishing anything by a third party,

would have preferred Birney. In this way the contest opened. It was one of the early contests between slavery and freedom. The annexation of Texas was a synonyme for the extension of slavery—a fact that the politicians ignored, but none the less a fact. The slave-extension interest threw its balance of power for Polk, and elected him.

On the last day of Tyler's term; Congress, by an unprecedented proceeding, passed a Joint Resolution, by which Texas was admitted as a State into the Union. By this course the treaty making power was ignored and an insult heaped upon Mexico, a sister nation, too weak to resent it. The policy of wresting Texas from Mexico looked to further acquisition of territory from that nation. This was most readily effected by bringing about a war with that country. There was an unsettled boundary question between Texas and Mexico, which might have been settled by treaty; but instead, our troops were sent into the disputed territory, from which a collision resulted, and the first public information was the report of two sharp battles, in which the occupying force of Mexico was driven across the Rio Grande. This was in 1846. Congress was in session; and being appealed to, promptly voted men and ten millions to prosecute a war, which they declared "existed by the act of Mexico!" The Whigs regarded this as an outrage; but as a party they were silent—only sixteen men in the whole Congress having the courage to vote against the lying declaration that "war existed by the act of Mexico."

The leading Whigs were intent upon electing the next President. They feared the Democrats would take up some hero of this war. To forestall this, they nominated as their candidate in 1848, General Zachery Taylor, a successful captain, though a soldier of no political status. His residence was in Louisiana, and he held slaves. This, it was

thought, would make him acceptable to the South ; and his military popularity was expected to carry him through. The Democrats by their words, and still more by their acts, were pledged to the slave policy of the South. The mass of the Whigs, as individuals, were known to be against it ; and the best the party could do was to be neutral on the only question that anybody cared for. In this position they loaded themselves with the inconsistency of elevating the hero of a war that they denounced as atrociously unjust. This nomination of Taylor was the signal for thousands of the best of the Whigs to desert them, preferring defeat to such gross stultification.

Meantime the Democrats had a trouble. Many of their men were dissatisfied with the policy into which the leaders were driving the party on slavery and other questions. This formed a large sympathizing element, ready to unite with those who had forsaken the Whigs. The majority, however, nominated Gen. Lewis Cass, of Detroit.

But the anti-slavery party, not negligent of the state of affairs, called a convention at Buffalo, when they formed a union with the disgusted Whigs and Democrats, and organized the Free Soil party, upon a basis of free territory wherever State laws had not established slavery.

This new party presented Martin Van Buren for President, and Charles Francis Adams for Vice-President. The votes given to this ticket were not sufficient in any State, to secure electoral votes ; but they produced an effect upon the other parties that was felt by both. In New York they so divided the Democrats as to give the electoral vote to the Whigs, by which Gen. Taylor was elected President, and Millard Fillmore Vice-President.

The Whigs thus came into power, though in the minority, leaving the Democrats strong, whenever they could

make up their differences. In the treaty of Peace with Mexico, we acquired California, Utah and New Mexico, all which territory was free from slavery. The slave-holders asserted their right to take slaves into this territory. This the Whigs opposed for various prudential reasons; and having the power in Congress to control it, they effected the passage of the famous Compromise Measures of 1850, by which California was admitted as a free state and slavery limited to the South of latitude $35^{\circ}, 30'$. At the same time they passed a statute for the rendition of fugitive slaves, whose provisions were simply atrocious. It was fondly thought by both parties—and it was the work of both—that this would allay all strife and discussion of the slave question. But the love of liberty and natural regard for human rights with the people, was too strong to be bound by this chain. The man whose heart had burned and whose cheek had blanched, when at the bidding of this statute he refused a crust to the flying slave, and prayed that he might reach the snows of Canada, to *stand erect* under the Cross of St. George, when he must *crouch* beneath his own stars and stripes—was not the man to remain with the parties to this fearful compromise. Though it did not actually separate every true man from both parties, it alienated them, and especially disgusted those acting with the Whigs.

Gen. Taylor died in the sixteenth month of his term, when he was succeeded by Mr. Fillmore, who accepted and sustained the compromise policy, during an otherwise respectable administration.

In 1852, the Whigs nominated Gen. Winfield Scott for President. He had been a soldier of the war of 1812, and had successfully closed the war with Mexico; and they counted much on his military prestige. The Democrats nominated Franklin Pierce; and as they had regained some of their losses in New York, they felt pretty easy.

Both parties made declarations of principles in which they alike endorsed the compromises respecting slavery. This contest was clearly one of *ins* and *outs*. The slave-holders *believed* the Democrats and *doubted* the Whigs, while the anti-slavery man could depend on neither. The Free Soil party kept up their organization, and nominated the late Senator John P. Hale, without any striking effect. The Democrats literally "walked over the track." The Southern politicians now had their own way of it, and set about the extension of slavery into the new territories, insisting that they had the right to plant the institution anywhere and to continue it till it was expelled by some newly formed State from its limits. In this policy they repealed the laws restricting slavery to the South of 35° 30'. Then followed the strife over the Nebraska and Kansas territories. The passage of the Nebraska Territory Bill, which admitted slavery into Nebraska and Kansas, was the signal for a general uprising over the whole North, and a new party rapidly formed in opposition to this measure, and all further extension of slavery. This was called, temporarily, the anti-Nebraska party, but soon after took on the name of *Republican*. They did not propose to abolish slavery in the States, where it was admitted to be under State control, but declared against its extension and for its extinction everywhere under the flag, outside of the slave States. This was essentially a measure of abolition, and the South so regarded it and treated it. Then the "irrepressible conflict" had actively begun.

About this time a party sprung up, who were called Know Nothings. They organized in secret and nominated candidates known only to themselves, and for purposes of their own. At the elections of 1854 and '55, they swept over the Northern States, overwhelming the Democrats, and intensely disgusting them and many Republicans. Their chief policy was the election to office of only native

Americans. *They* too divided upon the question of slavery, when the bulk of them turned in with the Republicans, and the party disappeared.

A few well meaning people, alarmed at a coming contest, and fearing the South might secede, tried to maintain a Union party. This only meant the compromises of 1850. For 1856, the Democrats nominated James Buchanan, the Republicans John C. Fremont, and the Union Party Millard Fillmore. The Democrats again carried the "solid South" and a few other States; the Republicans carried sixteen States of the North, but were so divided by the Union Party in Pennsylvania, that they lost that State—by which Buchanan was elected.

Party lines were now clearly drawn; and though in words the Republicans prudently declared only for the restricting of slavery to States where it belonged, every thinking and feeling man understood that its extinction was involved. In 1860, the Republicans nominated Abraham Lincoln with unanimity. The Democrats were divided among themselves, one faction supporting Stephen A. Douglass, as a compromise between North and South, and the other John C. Breckenridge as decidedly Southern. The election of Lincoln, the secession of the Southern States, and the war followed in quick succession; but they are so fresh in the minds of all, that I need not dwell upon them. The black man remembers this as the period when he passed from a *chattel* into a *man*; and the true American remembers it as the time when his flag ceased to cover slaves.

In 1864, Mr. Lincoln was re-nominated; and with a mistaken idea of conciliating a certain union element in the South, the Republicans chose Andrew Johnson, of Tennessee, as Vice-President. The Democrats took Gen. McClellan as their candidate, who received but few electoral

votes. Mr. Lincoln had entered upon his second term but one month and ten days, when he was assassinated by a half mad tragedian, who had doubtless been instigated to the murder by those who expected Johnson to take sides with them in re-organizing the South.

Johnson finding himself at the head of the Government, assumed a really dictatorial position, and set about reconstructing the rebel States on a plan that suited the Democrats, whom he began to court, and to whom he shortly turned over the administration. The Republicans endured him with a bad grace at first and open rupture at last.

In 1868, the Republicans nominated Gen. Grant, and the Democrats Gov. Seymour of New York, Grant was elected by a large majority, and his administration was a fair one. It was however, the rule of a military man, and not agreeable to civilians in many respects. A class represented by Charles Sumner, separated from him; and in 1872 a considerable number of Republicans joined in presenting Horace Greeley as a candidate in opposition to Grant's re-election. The Democrats, as a *dernier resort* took up Greeley, which had the effect to concentrate the Republicans for Grant, who was again elected by a very strong vote. Grant's second administration, like his first, was moderate, but not popular, nor warmly supported by his own party. His opponents the Democrats and the Liberals, or Greeley faction, attacked him with every conceivable charge of misgoverning and wrong purpose—and among other things it was stoutly maintained that he intended to make himself master, and force his way into a third term. There were charges of corruption and malfeasance, and though these charges were not well founded, they were reiterated with so much pertinacity that they were *half* believed by many; and this in politics is about as bad as full faith. As the party in power, the Republicans had to bear the responsibility of all that went wrong. Besides this they managed very

badly as a party, permitting petty strifes to grow up among themselves, and allowing small matters to divide them, until they were nearly disintegrated. While their organization was in this manner weakening, the Democrats were improving theirs, and growing more compact and stronger every day; so that they managed to gain largely at the Congressional elections in 1874, until they had a strong majority in the House of Representatives. Thus encouraged, they made a vigorous push for the Presidency in 1876. As parties are apt to do, they made very free charges of corruption and general malfeasance against the Republicans, in which they were joined by the "Independents," raising a hue and cry, that led many honest people to believe that things were much worse than was the fact.

In June, 1876, the Republicans nominated for President, Rutherford B. Hayes, then Governor of Ohio, to which place he had been twice re-elected, a native of that State, a lawyer by profession and graduate of Harvard Law School, with Wm. A. Wheeler as Vice-President. Three weeks later, the Democrats nominated Samuel J. Tilden, then Governor of New York, a lawyer of eminence, and a well known politician, with Governor Hendricks of Indiana for Vice-President.

The election of electors took place on the seventh of November; and on the morning of the eighth, at all the telegraphic centres, the reports showed that electors had been chosen in seventeen States who would vote for Tilden, which would give him 184 of the 369 electoral votes. Most of the other States were known to have chosen electors favorable to Hayes, though it was supposed that some of them would be for Tilden. The Republicans generally, on the morning of the eighth, conceded the election of Tilden, until California, Oregon and Nevada

were heard from; when it was seen, that if Florida, Louisiana and South Carolina should have chosen Hayes electors, he would have 185 votes, or *one majority*. This was a close margin, and of course the country was in a state of excitement as to the result, which would turn upon the vote of these three States. As there was no contest as to the choice of electors in the other States, all eyes were turned to these three, and the public mind directed there, until the choice of electors should be decided in them. The newspapers and politicians of both parties claimed that *their* electors were chosen in these States; so that the public could not be informed of the result till the canvassing board of each State should decide it. These boards set about the work of canvassing the returns of the several precincts of their States immediately; and a number of prominent men of both parties repaired to the capitals of the States to see the canvass made, which was done openly and in the most formal manner, according to the laws of each State. In these States there exist statutes which provide that where force is used to constrain voters, or measures of intimidation or frauds are practiced, the poll of such precincts shall not be counted.

A careful canvass of the vote of South Carolina showed that the Hayes electors were chosen in that State, taking into the reckoning all the votes cast; and the State was declared to be for Hayes; and on the sixth of December, the Hayes electors cast the vote for him. The Tilden politicians contended that their electoral candidates were chosen, and they organized a college and cast their votes for Tilden. Both votes were returned to Washington—one certified according to law, and the other by a contesting party.

The same process was gone through in Florida, where it was found that there had been irregularities in a few precincts, affecting the results both ways. These were

corrected according to the laws of Florida, and the election of the Hayes electors certified by the legal board of the State. An irregular canvass of the election was made by the opposite party, by which Tilden's electors were declared chosen. Thus two sets of electoral votes were sent to Washington from Florida.

In Louisiana there had been an excited contest; and in many of the parishes there was practiced a system of intimidation, by which the negroes were deterred from voting; whilst various forms of fraud prevailed in many places. The negroes were naturally attached to the Republicans, and when free, would vote that ticket. They owe their deliverance from bondage to them, and until the last sentiment of gratitude expires in them, they will incline to the Republican party. But when the election was over, it was found that in many parishes, previously strongly Republican, there were no Republican votes reported. These were the parishes where the terrorism prevailed. The inference that the election had been unlawfully conducted was most natural. In Louisiana, as in all our States and in Canada, there are laws providing that an election which is unlawfully conducted, shall be void. In a short time after the election, the canvassing board of Louisiana began the canvass, which was conducted publicly, and witnessed by men of both parties, among whom were committees from the North, representing both Presidential candidates and their friends. The canvass was conducted under the most careful scrutiny and full examination of the returns and evidence concerning the character of the contest and the election. The returns from all the parishes, upon their face showed a majority for the Tilden electors; but the corrected returns, after setting aside the precincts where there had been intimidation, or fraud, gave a majority for Hayes. The canvassing board so declared, and certified the Hayes electors. As in the case of Florida, an

opposition electoral college was organized, which voted for Tilden and returned that vote to Washington. The question to be decided was—which set of electoral candidates was lawfully chosen? The apparent return was for Tilden; the corrected return was for Hayes. The canvassing board had to decide between these two, and they adopted the letter of the law for their guide. The defeated party denounced the decision of course, as is always the case; but that decision was final. I am not a court of appeal in the case, and I have not, and could not have, the evidence before me; therefore I make no criticism. It happens to suit me. If it did not, I should feel bound to acquiesce and recognize the majesty of the law.

The canvassing of the popular vote for electors was completed in all the States by the fifth of December. On the sixth, the Electoral Colleges organized, cast their votes, sealed up, certified and forwarded their returns to the President of the Senate. But for the popular excitement, these returns would have rested till the 14th of February, the day fixed by law for opening and counting the vote, as quoted above. But the decision was really known;—185 of the electoral votes were known to have been given for Hayes, by which he was elected. It was but one of a majority, and this was a temptation to the Democrats to try if they could not save themselves in the count. The House of Representatives was with them; and they insisted that the count should be made by Congress, under a rule that if either House refused to accept the vote of a State, it should be thrown out. This would practically give the election to Congress; and the Republicans resisted the project on constitutional grounds. The Democrats meanwhile kept up a clamor and filled the whole country with charges of fraud, threats of civil war and all manner of troubles, till peaceable people were ready to agree to almost any terms. The Republicans insisted that the vote

should be opened, as provided in the constitution, by the President of the Senate, and this they held to be the only thing proper to do. After much agitation of the public mind and various discussions in Congress, it was proposed that an act should be passed, in the way of a compromise, providing specially for counting the vote in this case. Accordingly a joint committee of both parties, and both Houses was appointed to prepare a plan that would be accepted by both parties, and report a bill. This project was generally opposed by the Republicans and zealously supported by the Democrats. It was, however, passed in the Senate with a reluctant acquiescence of the Republicans, while the House gave it a strong Democratic majority.

This Act provided for the appointment of a Commission to superintend the opening and counting of the votes, and to decide upon any disputed return or vote. The Commission was to be made up of five Senators, two of whom, it was agreed, would be Democrats; and five Representatives, two of whom should be Republicans, thus giving each party five of their choice members of Congress. Then of the associate Judges of the Supreme Court, two Democrats and Republicans were appointed by name, and it was made the duty of these four Judges to select another of their associates, who should be the umpire. Of the remaining Judges there were four, one being regarded as an independent in politics—Judge Davis, of Illinois—but just after the Act became a law, the Democrats of Illinois elected Judge Davis to the U. S. Senate. This left but three to choose from. Judge Bradley, who was regarded as a moderate Republican, was chosen, and the Commission organized. The act provided that the counting should begin on the first day of February, taking the States alphabetically, the President of the Senate opening the votes, and tellers recording them, until a disputed State should be reached, when the question was to be referred

to the Commission. The counting was to be in the presence of a joint meeting of both Houses, who were not permitted to adjourn until the count was completed, though they could transact other business, when the Commission should be absent considering a question. Able attorneys were employed on both sides as counsel, who argued the points at issue before the Commission, though the deliberations of the Commission itself were exclusively private.

When the State of Florida was reached, the two returns from that State were referred to the Commission. After a very thorough consideration and full arguments on both sides, the Commission decided, by a vote of eight *yeas* and seven *nays*, a strict party vote, that the properly authenticated return contained the votes in favor of Hayes, and ordered them to be so counted. The count then proceeded to Louisiana, when the returns from that State were referred to the Commission, who again retired and heard arguments and considered the character of the returns, when they again decided the true return to be that of the Hayes votes, and by the same vote of eight to seven. The same proceeding was had as to South Carolina, with the same decision and same vote. The holding of the Commission was that these returns were found to be properly certified as containing the votes of the electors, chosen according to the laws of the States respectively; and that neither the Commission nor Congress had any right to go behind these returns and canvass the election as held in the States.

At the close of this lecture, I was asked of which party was Judge Bradley, the fifteenth man, or the umpire. He is, as I have understood, a Republican, as are all the Supreme Court but two, who were already on the Commission. But that is no reason why he should not have

rendered an upright decision, as may be seen by the arguments. The fact that the seven Democrats on the Commission voted *no* in these decisions, does not prove anything; since after the decision was established by the eight, it left them at liberty vote with their party. Had the decision and its responsibility devolved upon one of the seven, he might have felt constrained to vote differently. Judge Bradley did not put himself on the Commission, nor was he put there by Republican action. The Commission was a Democratic creature, and was accepted by the Republicans as a sacrifice of their preference to the cause of peace.

The constitution prescribes that no man shall be chosen an elector who holds a U. S. office. This was overlooked in a few cases, and two or three postmasters of small places were voted for as electors. As they were not eligible, there was a failure to elect in their cases, and when the colleges were organized the other electors filled the vacancy. In Oregon there was one of these cases, where a Mr. Watts, a postmaster, was elected. When it was seen that one vote would turn the scale, the Democrats set about securing this vote; and the Governor of Oregon, who is of that party, assumed to decide that, as Watts was not eligible, though the Hayes majority in Oregon was over 1,300, a Mr. Cronin, a candidate for Tilden elector, was elected instead. The true effect in this case was that only two electors were chosen. But the Governor proclaimed Cronin and two Hayes men the electors, and gave Cronin the certificates for the three, which he put into his pocket, and refused to let the others see them; on which the two undisputed Hayes applied to the Secretary of State, who is the canvassing officer in Oregon, for certified returns of the election, which he furnished. They then organized the college and filled the vacancy with Watts, who had resigned his post-office, and then gave the three votes for

Hayes. Meanwhile Cronin organized himself into a college with *two* vacancies, which he filled with men who had never been voted for; who then cast one vote for Tilden and two for Hayes. It was thus that there came to be two returns from Oregon. The commission soon disposed of them, awarding the votes to Hayes; and this was decided by more than a party vote. The Cronin vote was too undignified a piece of injustice to command any respect. It is asked why the Governor's certificate was not final in the Oregon case as in Florida, etc. The Secretary of State, and not the Governor of Oregon, is the canvassing officer of that State. The other returns were certified by the canvassing boards, of which the Governors were members only.

I have heard much said about the injustice of not giving the Presidency to the man who received the greatest popular vote. To explain this, I refer to the constitution which expressly provides that the President is *not* to be chosen by the popular voice, but by the *States*. Much also is said about the colored voters, who are extremely ignorant. This is a misfortune; and the ignorance of the voter is always to be deplored; but it does not appear possible to mark the standard of intelligence necessary to draw the line. If the ignorant man is to be excluded from the polls, I look for a light vote in most places; and the Southern States would not suffer the diminution alone. I admit the unfitness of the great mass of negroes as voters; but I cannot avoid the same opinion respecting a vast proportion of whites. In the Southern States twenty per cent of the *white* voters cannot read or write. There is little justice in refusing the vote to the humble negro, because he is ignorant, and giving it to the vicious whites who break up negro schools. The right to vote is a necessity with the negro, to protect his poorest rights. But for it, he would be re-enslaved under some legal device. The

condition of the South is one of political lameness, that must be borne with till time and good policy can cure it.

The final decision of this strife is before the country, ending in the election of Mr. Hayes; and it is a most remarkable fact, that clamorous as was the opposition to his installation in the office, the result of this decision has been followed with quiet; and his measures of policy as laid down in his inaugural address, and thus far indicated, have been accepted with more unanimity by the whole people, and his sincerity and earnestness of purpose conceded more generally, than has been the case with any President for many terms. To the war of words and the vociferous threatenings of a few weeks ago, there has succeeded a peace and state of good feeling that the nation has rarely enjoyed.

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