

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

Jeffery A. Jenkins  
j-jenkins3@northwestern.edu  
Department of Political Science  
Northwestern University

and

Charles Stewart III  
cstewart@mit.edu  
Department of Political Science  
Massachusetts Institute of Technology

Prepared for presentation at the annual meeting of the American Political Science Association,  
Chicago, September 2–5, 2004.

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

Jeffery A. Jenkins  
Northwestern University

Charles Stewart III  
The Massachusetts Institute of Technology

The U.S. House of Representatives was often a focal point for sectional and partisan struggle in the years preceding the Civil War. One manifestation of this struggle was the difficulty that the House persistently experienced in organizing itself for business. Half of the twelve Congresses that convened from 1839 to 1861 witnessed protracted balloting for the 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. In previous research we have shown that the House printership 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 (Jenkins and Stewart 2003). 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 eight 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

in Alexander (1916, pp. 12-25, 91-94), the House Clerk has garnered little systematic, scholarly attention.

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 House 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 partisan era, such latitude could have major consequences. On one occasion, 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 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 antebellum and Civil War/Reconstruction House of Representatives 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 patterns in the voting for House Clerk 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.

### 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 (*HJ*, 1-1, 4/1/1789, p. 6). 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 (*HJ*, 3-2, pp. 227-31).<sup>1</sup> Additional administrative tasks, such as noting all questions of order

---

<sup>1</sup> In 1819, the House established a new House officer, the Printer, to print and distribute the *Journal*.

(and subsequent decisions) and providing House members with copies of the *Journal*, soon followed (*HJ*, 12-1, p. 530; 22-1, p. 899).

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” (*Congressional Globe*, 36-1, 12/8/1859, p. 66). Yet this characterization would be incomplete. First, the Clerk controlled a number of resources. The Clerk was allowed to employ a staff in order to carry out his litany of administrative duties. Initially, such appropriations were modest. In the 2nd Congress, the Clerk was provided with funds for three assistant clerks (*ASP*, 2-2, p. 59). By the 14th Congress, the House Clerk supervised five assistant clerks, in addition to a messenger and a librarian (*ASP*, 14-2, p. 311). This broadening of the Clerk’s sphere of influence continued steadily over time. The left-portion of Table 1 tracks the size of the Clerk’s office from 1823-1870.<sup>2</sup> The number of full-time positions grew slowly, with an explosion of part-time positions through 1835.<sup>3</sup> 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.<sup>4</sup>

---

<sup>2</sup> The number of employees in the Clerk’s Office was reported sporadically until a joint resolution was passed in March 1823, which required the Clerk to provide an accounting on an annual basis.

<sup>3</sup> Many of these part-time workers were pages. Their steady increase did not go unnoticed by House leaders. On March 31, 1838, the Committee on Accounts submitted a report investigating the duties of various Officers of the House. The committee resolved that the Clerk should employ no more than twelve pages, and that this number should be reduced whenever possible (*House Report* 750 [25-2] 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 (*Congressional Globe*, 25-2, 4/3/1838, p. 281).

<sup>4</sup> In modern terms, this is between \$1.1 million and \$14.2 million, depending on which deflator is used. See Economic History Services, “What Is the Relative Value in U.S. Dollars?” url:

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<sup>5</sup> and little institutional monitoring.<sup>6</sup> Moreover, the annual sums

---

<http://www.eh.net/hmit/compare>, accessed 14 August 2004.

<sup>5</sup> Certain stipulations did affect the congressional printing, however, with various efforts to secure low-cost bids and establish per-page cost ceilings (Smith 1977). However, few other expenses were monitored closely. One exception was the purchase of stationary, which was typically a significant expense on a per-Congress basis. This exception had a political origin. In 1842, during the 27th Congress, the House investigated the contracts of Hugh Garland, the House Clerk in the 25th and 26th Congresses. The Committee on Public Expenditures reported that Garland purchased stationary at inflated prices, in effect paying nearly 40% more than in previous years, when lower-cost bidders had also vied for the House contract (*House Report* 880 [27-2] 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 (*House Document* 275 [27-2] 405). Keep in mind 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 (*Statutes at Large*, 27-2, pp. 526-27).

<sup>6</sup> The Clerk's control of the contingent fund was unquestioned prior to March 1, 1823, when Congress passed a joint resolution that required the House Clerk and Senate Secretary to publish an annual statement detailing the expenses from the contingent fund of their respective chambers (*Statutes at Large*, 17-2, p. 789). Yet, the guidelines for reporting the expenses were broad, and Clerks typically responded with summary totals, rather than 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

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.<sup>7</sup> 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” (*National Era*, 11/20/1856, p. 186).

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

In addition to the 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 the First Congress (*HJ*, 1-3, 3/1/1791, p. 396), and hearkened back to an ordinance adopted in 1785 in the Continental Congress (Alexander 1916, p. 12). As interim presiding officer, the Clerk called the roll of members-elect, thereby formally determining the House

---

expenses (*Statutes at Large*, 27-2, p. 527). Specifically, the resolution required the Clerk to provide “the names of every person to whom any portion [of the contingent fund] has been paid; and if for any thing furnished, the quantity and price; and if for any services rendered, the nature of such service, and the time employed, and the particular occasion or cause, in brief, that rendered such service necessary; and the amount of all appropriations in each case on hand, either in the Treasury or in the hands of any disbursing officer or agent.” The Whigs’ adoption of this more stringent accounting system may have been partially related to the investigation of Hugh Garland, the former House Clerk (see footnote 5), but it was also part of a more general pattern of retrenchment in response to the prolonged economic depression of the early 1840s.

<sup>7</sup> To provide a substantive baseline, the \$593,658 at the Clerk’s disposal in 1856 would be akin to nearly \$11.2 million in 2003 dollars.

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' credentials.<sup>8</sup> By the 1830s, however, the Committee on Elections neglected its credential-validating duty, leaving the Clerk to construct the roll completely on his own (*Hinds' Precedents*, chap. 2, § 18).<sup>9</sup>

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

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

Such partisanship would become an issue at the opening of the 26th Congress, 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 to the Democrats. We examine this case in greater detail in the next section.

---

<sup>8</sup> *HJ*, 1-1, 4/17/1789 p. 16.

<sup>9</sup> 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 (*Congressional Globe*, 25-2, 2/19/1838, p. 190; 25-3, 1/28/1839, p. 143). In both cases, Adams's resolution was postponed and never subsequently acted upon.



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.<sup>10</sup> However, this was merely a second-order alteration, in that it did not restrict the Clerk's ability to influence the initial partisan makeup of the chamber. That is, the House could only correct the Clerk's roll *after* the membership of the chamber was first determined by the Clerk. Thus, the Clerk still maintained the ability to tilt majority control of the chamber when partisan distributions were close.

On March 3, 1863, the last day of the 37th Congress, the Clerk's ability to certify the election credentials for members-elect, which had simply been a norm since the 1830s, was codified (*Statutes at Large*, 37-3, p. 804). This action was spurred by Republican leaders' 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.<sup>11</sup> Used strategically, the 1861 law would bias the roll in favor of the Republicans. In reality, the House Clerk, Emerson Etheridge, planned to use the 1861 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, the 1863 law was revised to include a provision directing the Clerk to place on his roll only those members-elect from states represented in the preceding Congress (*Statutes at Large*, 39-2, p. 397). By this time, the Radicals were firmly in control of

---

<sup>10</sup> See *Congressional Globe*, 37-1, 7/4/1861, pp. 7-9; 7/5/1861, pp. 13-16.

<sup>11</sup> 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."

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 Reconstruction” of the South, by eliminating the possibility that the Clerk could recognize pro-Johnson 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. To this day, the House Clerk has the authority to determine the membership roll, based on state election certificates (*Deschler’s Precedents*, ch. 2, § 8).

#### Clerks as Partisans

Most Clerks of the House who served in the 19th 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; 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 (Marsh 1948; Martin 1949-50; Cunningham 1956; Jahoda 1960; Berkeley and Berkeley 1962, 1973; Gawalt 1995; Pasley 1996). Beckley’s political career began in Virginia state politics, as 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. His aim was realized on April 1, 1789 when Beckley was elected on the second ballot, the first ballot ending in a tie (*HJ*, 1-1, 4/1/1789, p. 6; Berkeley and Berkeley 1975, p. 85).

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 became his political idol, while Alexander Hamilton emerged as his bitter foe.

Beckley was not content simply being an observer of the House's political drama. He soon realized that being Clerk provided distinct opportunities to support the Jeffersonian cause. As Cunningham (1956, p. 42) 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.

Taking advantage of his privileged position, Beckley would pass on sensitive information on a range of topics directly to Jefferson, as well as indirectly to Jefferson's lieutenants, Madison and James Monroe. This information was often used strategically, to give Jefferson and his party an advantage in the framing of public opinion as well as in congressional debates and roll-call votes (Martin 1949-50). Moreover, Beckley performed behind the scenes as a proto-whip, "using his position to organize the [Jeffersonian] congressmen and, through them, the party membership" (Jahoda 1960, p. 254).

Despite his efforts on behalf of Jefferson, Beckley was able to keep his partisan leanings under wraps. As a result, he was reelected Clerk in the three succeeding Congresses (*HJ* 2-1,

10/24/1791, p. 434; 12/2/1793, 3-1, p. 4; 12/7/1795, 4-1, p. 365). During this time, he remained highly 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.

Beckley finally tipped his political hand during 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 (*HJ*, 4-1, 4/30/1796, p. 531).

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 and political handbills throughout the state (Martin 1949-50; Cunningham 1956). Beckley won the battle, chalking up 14 of Pennsylvania’s 15 electoral votes for Jefferson, but lost the war, as Adams secured an Electoral College majority.

Beckley would soon thereafter receive his comeuppance. The Federalists had regained majority control of the House in the 5th 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 Clerk over Beckley by a

single vote, 41-40 (*Annals*, 5-1, p. 51). 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 (Berkeley and Berkeley 1973, p. 156).

Buffeted by these setbacks, Beckley spiraled down over the next several years, maintaining a meager existence by authoring occasional newspaper editorials. 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 (Berkeley and Berkeley 1975, p. 89).<sup>12</sup> Finally, in 1800, Jefferson was elected president and his supporters controlled Congress. Beckley's loyalty was rewarded through his return to the House clerkship, to which he was subsequently elected in the 7th, 8th, and 9th Congresses. In 1802, Beckley was also selected as the first Librarian of Congress, a position he held (along with the clerkship) until his death in 1807.<sup>13</sup>

### *Hugh Garland, Democratic Operative*

Hugh Garland was perhaps the most infamous House Clerk, as his institutional decisionmaking 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 (Jenkins and Stewart 2003). Garland, who had served five years in the Virginia

---

<sup>12</sup> For a recent fictional account of Callender, Beckley, and the often unsavory battles waged in the early partisan press, see Safire (2000).

<sup>13</sup> Beckley's partisanship did not end with the clerkship. As Jahoda (1960, p. 257) notes, "Even as a librarian Beckley was political. His conception of duty on the job was simple; he tried to keep Federalists from seeing documents which would give them useful information."

House 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 (*Albany Argus*, 12/6/1838, p. 2). Garland had been the Administration candidate;<sup>14</sup> the *viva voce* procedure exposed individual members' votes for Clerk and forced dissident conservatives to toe the party line or risk penalties.<sup>15</sup>

Garland was elected Clerk in the "lame duck session" of the 25th Congress, after the elections for the 26th Congress had mostly been held. Those elections were held in the midst of an economic depression, resulting in significant gains in the polls for the Whigs. Consequently, most political observers assumed that Garland was as much a lame duck as the House he was chosen to serve. The anti-administration *Hartford Courant* consoled itself 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 fronts [sic] in point of strength" (12/7/1838, p. 3).

---

<sup>14</sup> The *Albany Argus* (12/6/1838, p. 2) 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.

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. Northern support mostly was 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. Six of those votes were cast for Matthew St. Clair Clarke, the Whig candidate, all by Democrats whose NOMINATE scores suggest they were closer ideologically to the Whigs.

<sup>15</sup> 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" (12/8/1838, p. 190).

Yet once the dust had settled from the 1838 midterm election, it was unclear whether Whig gains were sufficient for them to gain control of the House. 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.) Who would organize the House? Rowell (1901, p. 110) 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."

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 (see Rowell 1901, p. 109-10). 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. 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 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 Dempsey (1956, p. 65) 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.

Yet Garland 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 (*Congressional Globe*, 26-1, 12/2/1839, p. 1).<sup>16</sup>

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 seats.<sup>17</sup> 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 (*Congressional Globe*, 26-1, 12/2/1839, pp. 1-11). On December 5, John Quincy Adams was

---

<sup>16</sup> Rumors that Garland might attempt such a maneuver abounded well in advance of the vote. On November 23, a story in the *New Yorker* reported “Some [rumors] indicate ... that the Clerk of the last House, (who is *ex officio* of this until a new election,) will take the responsibility of reading from a newspaper a list of the claimants from New Jersey, instead of the returned Members. We trust that better Councils will prevail...” (p. 153).

<sup>17</sup> 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” (Adams 1876, p. 143).



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” (Adams 1876, p. 150).

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 (*Congressional Globe*, 26-1, 12/11/1839, p. 40). 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 (*Congressional Globe*, 26-1, 12/11/1839 p. 41). 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 (*Congressional Globe*, 26-1, 12/13/1839, p. 48). Thus, Wise’s resolution did not carry. The Whigs had believed 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.).<sup>18</sup> This led Adams to claim: “There was therefore a vote of eight majority of the whole

---

<sup>18</sup> Hawes’s absence was especially frustrating, as he was in Washington and a call had gone out requesting his presence (*Congressional Globe*, 26-1, p. 48). But he was apparently too sick to attend the vote (Adams 1876, p. 161).

House affirming the right of the New Jersey members to their seats, which they lost by this tie” (Adams 1876, p. 161).<sup>19</sup>

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 (Stewart 1999). As we shall see, this 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, but rather 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 was defeated by 112-116 vote (*Congressional Globe*, 26-1, 12/20/1839, p. 69). A resolution to resolve the New Jersey situation was then postponed while the House continued to organize itself.<sup>20</sup>

---

<sup>19</sup> Adams’ math included the three would-be votes, along with the votes of the five excluded New Jersey members.

<sup>20</sup> 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 (1901, pp. 109-13).

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 get 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 ballots (Jenkins and Stewart 2003). As we shall see, Democratic adherence to the strategy of forcing votes for House officers out in the open again paid off.

Garland was once again the Democratic nominee for Clerk; he emerged victorious on the first ballot, receiving 118 votes, of 231 cast total (*HJ*, 26-1, 12/21/1839, p. 99). 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 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 the coalition that elected Hunter Speaker 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 of the “minority” Democrats.<sup>21</sup> This pattern continued more generally throughout the 26th Congress. Stewart (2000) identified the 26th Congress as one of several in the antebellum period in which the coalition electing the Speaker ended up losing more roll call votes than it won.

---

<sup>21</sup> The following tables describe the relationship between voting for Clerk, Printer, and Speaker:

Vote for Printer:	Vote for Clerk:				Total
	Garland	Clarke	Mason	No vote	
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 Printer:	Vote for Speaker:				Total	
	Hunter	Jones	Keim	Scattering		
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

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 meet his comeuppance. Garland was in fact deposed but, in the process, the majority Whigs often resembled the Gang that Couldn't Shoot Straight.

On the weekend before the 27th Congress convened, John White (Va.) was selected by the Whig caucus as its nominee for Speaker (*Richmond Enquirer*, 5/14/1841, p. 3; *Albany Argus* 6/2/1841, p. 2; *New York Evening Post* 5/31/1841, p. 2). White's primary virtue was his undying devotion of 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" (*Albany Argus*, 6/2/1841, p. 2, reprinting a *New York Evening Post* story; *New York Commercial Advertiser*, 6/2/1841, p. 2). Matthew St. Clair Clarke, himself an ex-Jacksonian who had fallen out with Jacksonian orthodoxy, offered himself as a candidate instead who was able to appeal to both Whigs and conservatives, and was eventually victorious (*New York Commercial Advertiser*, 6/2/1841, p. 2).

Once the House convened, the Whigs got their choice of Speaker on the first ballot.<sup>22</sup> Then balloting for Clerk began. On the first ballot the Whigs split between their two candidates,

---

<sup>22</sup> 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.

Smith (89 votes) and Clarke (38), while Democrats rallied once 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 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 50-50 Democrat and Whig.

[Table 3 about here]

In the words of the Whig *New York Commercial Advertiser*, "The locos [Democrats] wished to help the southern Whigs to kill off a conservative and, at the same time, to foment jealousies in the Whig ranks" (6/2/1841, p. 2). This they did.

The House proceeded to examine Garland's behavior while Clerk, via the Committee on Public Expenditures, and claimed that he had been involved in fraudulent activities (see footnote 5). Garland denied committing fraud, and countered each of the committee's charges in detail (*House Document 275 [27-2] 405*). Moreover, he endeavored to explain his reasons for not calling the names of the five Whig members from New Jersey, citing various British Parliamentary procedures from the seventeenth century (*House Document 106 [28-1] 442*).

Despite Garland's efforts to explain his actions and clear his name, it was to no avail. His reputation was tarnished, and he faded into political obscurity.

### *Emerson Etheridge, Conservative Schemer*

Prior to serving as House Clerk, 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.<sup>23</sup> 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 protégé 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 (*Congressional Globe*, 37-1, 7/5/1861, p. 10).<sup>24</sup>

---

<sup>23</sup> For election results, see Dubin (1998, p. 167, 173, 179, 185).

<sup>24</sup> Although there was no formal caucus nomination of candidates, Speaker and Clerk candidates ran as a team (*Albany Atlas and Argus*, 7/4/1861, p. 1; *New York Times*, 7/6/1861, p. 4). As the *Times* correspondent commented:

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 Etheridge [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. (*NYT* 7/4/1861, p. 1)

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 (Maness 1989, p. 102). As a result, a realigning of allegiances began. As Belz (1970, p. 555) states: “The Emancipation Proclamation portended revolution and impelled many border Unionists to cooperate with Democrats in the conservative opposition.”

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. 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. 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 (Belz 1970, p. 556-57).

Unfortunately for Etheridge, the details of his plan leaked out, and Republican leaders, including President Abraham Lincoln, responded by organizing their partisans. Credentials were

---

The *New York Times* also noted Etheridge’s election was “warmly approved by the representations from the Border States.” (*NYT*, 7/6/1861, p. 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.



certified and all members-elect were urged to be present upon the opening of the 38th Congress. A list 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 had finished, he had excluded 16 members from five states (Maryland, Missouri, West Virginia, Kansas, and Oregon), while including 3 members from Louisiana (*Congressional Globe*, 38-1, p. 4). After some heated discussion, Henry Dawes (R-Mass.) offered a resolution that the Missouri 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.<sup>25</sup>

Here then was the showdown. The question on Allen's tabling motion was taken, and it failed by a vote of 74-94 (*Congressional Globe*, 38-1, p. 5). Table 4 provides a breakdown. In the end, the Republicans were unanimous in opposition to Allen's 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 would have upheld Allen's tabling motion by a margin of two votes, and thus stymied the Republicans' ability to organize the chamber (Belz 1970, p. 562).

[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

---

<sup>25</sup> Interestingly, Allen had previously served as the House Clerk in the 35th Congress.

administration choice, but he was defeated by Edward McPherson of Pennsylvania, by a 102-69 vote (*Congressional Globe*, 38-1, p. 11).<sup>26</sup>

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. Then he ran unsuccessfully for election as a Conservative to the House from his former 9th District in 1865 and to the Governorship of Tennessee in 1867. He finally regained political office with his election to the Tennessee General Assembly in 1869. In time, much to Etheridge's chagrin, the Conservative movement in Tennessee was subsumed by the Democratic Party. As a result, he 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.

*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. He fell victim to the Republican backlash in the 1862 midterms and lost his bid for reelection to

---

<sup>26</sup> Etheridge was nominated for the Clerk's position 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" (*Congressional Globe*, 38-1, p. 11).

The *New York Times* took offense at claims that Etheridge's behavior bordered on disloyal: "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" (7/8/1863, p. 4).

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 (Trefousse 1997, pp. 174-75).

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. A heated debate followed, with Horace Maynard, member-elect from Tennessee, trying in vain to gain floor recognition and Stevens and James Brooks (D-N.Y.) exchanging barbs. 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 (*Congressional Globe*, 39-1, p. 5). McPherson was subsequently reelected, 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 second-to-last day of the 39th Congress, the House passed a sundry appropriations bill (*Statutes at Large*, 39-2, pp. 466-67). Tucked away in the bill was a provision transferring authority for the selection of newspapers to publish the nation's laws in the former-Confederate states<sup>27</sup> from the Secretary of State, who had possessed this authority since 1787, to the House Clerk. This provision provided McPherson with a prime patronage tool, as the compensation paid to selected newspapers was substantial (Smith 1977, p. 238).<sup>28</sup> Moreover, per Stevens' wishes, McPherson could use this patronage to select newspapers sympathetic to the Radicals' point of view.<sup>29</sup> 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 (Smith 1977, p. 238-39; Abbott 1986, p. 92, 133-36; Abbott 2004, pp. 58-59, 75-77, 128-32). 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

---

<sup>27</sup> Tennessee was the one former-Confederate state excluded, as publication of the U.S. laws had continued throughout the war (Smith 1976, pp. 236-37).

<sup>28</sup> 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.

<sup>29</sup> 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 (*Statutes at Large*, 40-1, p. 8).

members-elect. The revision directed the Clerk to recognize only members-elect from states represented in the preceding Congress, i.e., “loyal” states. As Belz (1970, p. 567) notes, this revision suggests that the Radicals “were unwilling to take any chances in organizing Congress. That lesson the Etheridge conspiracy had taught them.”

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 in many ways his career was 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 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.

#### 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. The appendix reports more detailed information about each Clerk's election up to 1873. Up until 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 (2003) 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 Democrats in officer elections.

[Table 5 about here]

The value of this move was demonstrated in the first two clerkship elections under this regime, which elected and then re-elected Hugh Garland, which we discussed in the previous section. In both cases, Whigs were eager to form coalitions with conservative Democrats to organize the chamber. In the immediately prior past, they had been successful. In the first election of Garland (25th Congress, 3rd session) and in his subsequent re-election, it is likely that he would not have been chosen 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 than it did—and with it, the history of sectional strife that preceded the Civil War.

Even though the numerical results for the secret ballots for Clerk 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 the election of the first Clerk, John Beckley, nor do we have any detailed accounting of the election of John H. Oswald when he filled the vacancy caused by the resignation of Jonathan Condy in the 6th Congress (1800), or

the final election of Patrick Magruder 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 be by ballot was violated ten times before 1837, when Clerks were elected via resolution; 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, even though officer elections (with the exception of the Speaker) had generally proceeded via a 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 strong partisan and regional sentiments that gripped the chamber in this period, particularly in the antebellum period. Two related patterns stand out. The first is the degree of uncertainty surrounding Clerk elections, an uncertainty that abruptly ended with the start of the Civil War. The second is the fluctuation in party regularity governing Clerk elections, a pattern that also hit a flat line with the Civil War.

Uncertainty surrounding the election of Clerks is best illustrated by the number of times the House required multiple ballots to elect a Clerk—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 battles 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 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 control of the House in 1801.
- *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). He was re-elected by a nearly unanimous vote in the 14th Congress, and was subsequently unanimously re-elected 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 had been taken over two days. He was then re-elected in each of the next six Congresses—by unanimous resolution five times and overwhelmingly 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 re-elected by resolution at the start of the 24th Congress and overwhelmingly vanquished a challenger at the start of the 25th.

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

- *Patrick Magruder*, the second Republican Clerk after Beckley's long rein, 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 next Congress, and then was finally 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 (Gordon 1975). (See above.)
- *Matthew St. Clair Clarke* not only proved the rule (see above), but he 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 (see previous section) 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 27th Congress that we discussed in the previous section. His support among Democrats remained firm; he was only never able to win over 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. In the pre-Jackson era, 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. Therefore, the parties 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, re-elected 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 to 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 who voted for the Speaker or Clerk candidate who received the most votes within that party.<sup>30</sup> 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.

[Figures 1 and 2]

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 the member voted for the Clerk candidate who was supported by the most members of the party, 0 otherwise. The analysis is probit, with the independent variables being the first two NOMINATE dimensions and a dummy variable for the deep south. Only elections where a party's top Clerk candidate received less than 95% of the party's vote are included in the table.

Among the Democrats note the following: First, the NOMINATE coefficients are almost never statistically significant at traditional levels, suggesting that clerkship contests rarely came down to ideological fights within the party over party principles. However, the deep south

---

<sup>30</sup> 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.

dummy variable is often significant, suggesting that sectionalism was a strong factor, at least on the margins. So, for instance, the Virginian Garland 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 more concentrated among the north and the south—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 among Whigs and Republicans 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. The Campbell result is interesting, in that the southern Whigs were especially *opposed* to his election in the 30th 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 House that had a majority of pro-Administration members. However, as we discussed above, once Beckley's proclivities became clear and the partisan blocs solidified, he was denied the post, which stayed in the hands of Federalists until the Republicans resumed control of the House in 1801.

The other 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 Lanman (1887, p. 97) claims he “was quite famous as a politician,” his life has eluded biographers. 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. In the final ballot, 90 of Clarke's 104 votes came from Whigs; 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.

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 was a Whig. (However, as also noted, the speakership was about the only Whig victory of 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 (Stewart 1999, pp. 22–23). What is unique about this election is 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.

#### IV. 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 position served a complementary purpose in a larger partisan endeavor. As the proto-parties of the Federalist-Jeffersonian era began institutionalizing, 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. They performed as members of a “team,” playing complementary roles toward the larger goal of building and maintaining a national party following.



## Appendix

### Recap of voting for Clerk

#### 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).

Jonathan Williams Condy	41
John Beckley	40
Total	81
Needed to elect	41
Source: <i>Annals of Congress</i>	

#### 2nd Congress

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

#### 6th Congress

Election date: December 2, 1797	
Jonathan W. Condy	47
John Beckley	39
Total	86
Needed to elect	44

#### 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).

Note: Condy resigned on December 9, 1800, due to ill health.

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

#### 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).

#### 7th Congress

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

#### 5th Congress

Election date: May 15, 1797

**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. Gouverneur 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

Ballot:	April 16					April 17			
	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*

## Works Cited

- Abbott, Richard H. 1986. *The Republican Party and the South, 1855-1877*. Chapel Hill: University of North Carolina Press.
- Abbott, Richard H. 2004. *For Free Press and Equal Rights: Republican Newspapers in the Reconstruction South*. Athens: University of Georgia Press.
- Adams, Charles Francis, Ed. 1876. *Memoirs of John Quincy Adams: Comprising Portion of His Diary from 1795 to 1848*, Volume X. Philadelphia: J. B. Lippincott & Co.
- Alexander, De Alva Stanwood. 1916. *History and Procedure of the House of Representatives*. Boston: Houghton Mifflin.
- Belz, Herman. 1970. "The Etheridge Conspiracy of 1863: A Projected Conservative Coup." *Journal of Southern History* 36: 549-67.
- Berkeley, Edmund, and Dorothy S. Berkeley. 1962. "'The Ablest Clerk in the U.S.': John James Beckley." *Virginia Magazine of History and Biography* 70: 434-46.
- Berkeley, Edmund, and Dorothy S. Berkeley. 1973. *John Beckley: Zealous Partisan in a Nation Divided*. Philadelphia: The American Philosophical Society.
- Berkeley, Edmund and Dorothy Smith Berkeley. 1975. "The First Librarian of Congress: John Beckley." *The Quarterly Journal of the Library of Congress* April 1975:83-117.
- Cunningham, Noble E. 1956. "John Beckley: An Early American Party Manager." *William and Mary Quarterly* 13: 40-52.
- Dempsey, John T. 1956. "Control by Congress over the Seating and Disciplining of Members." Ph.D. dissertation, University of Michigan.
- Dubin, Michael J. 1998. *United States Congressional Elections, 1788-1997: The Official Results*. Jefferson, NC: McFarland & Company, Inc.
- Gawalt, Gerard W., Ed. 1995. *Justifying Jefferson: The Political Writing of John James Beckley*. Washington: Library of Congress.
- Gordon, Martin K. 1975. "Patrick Magruder: Citizen, Congressman, Librarian of Congress." *Quarterly Journal of the Library of Congress* 32: 154-71.
- Jahoda, Gloria. 1960. "John Beckley: Jefferson's Campaign Manager." *Bulletin of the New York Public Library* 64: 247-60.

- Jenkins, Jeffery A., and Charles Stewart III. 2003. "Out in the Open: The Emergence of *Viva Voce* Voting in House Speakership Elections." *Legislative Studies Quarterly* 28: 481-508.
- Lanman, Charles. 1887. *Biographical annals of the civil government of the United States*, 2nd ed. New York: J.M. Morrison.
- Maness, Lonnie E. 1989. "Emerson Etheridge and the Union." *Tennessee Historical Quarterly* 48: 97-110.
- Martin, Raymond V., Jr. 1949-50. "Eminent Virginian: A Study of John Beckley." *West Virginia History* 11: 44-61.
- Martis, Kenneth C. 1989. *The Historical Atlas of Political Parties in the United States Congress, 1789-1989*. New York: Macmillan.
- Marsh, Philip M. 1948. "John Beckley: Mystery Man of the Early Jeffersonians." *Pennsylvania Magazine of History and Biography* 72: 54-69.
- Pasley, Jeffrey L. 1996. "'A Journeyman, Either in Law or Politics': John Beckley and the Social Origins of Political Campaigning." *Journal of the Early Republic* 16: 531-69.
- Rowell, Chester H. 1901. *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 Congress, 2nd Session. Washington: U.S. Government Printing Office.
- Safire, William. 2000. *Scandal monger: A Novel*. New York: Simon & Schuster.
- Smith, Culver H. 1977. *The Press, Politics, and Patronage: The American Government's Use of Newspapers, 1789-1875*. Athens: University of Georgia Press.
- Stewart, Charles III. 1999. The inefficient secret: Organizing for business in the U.S. House of Representatives, 1789–1861. Paper presented at the annual meeting of the American Political Science Association.
- Stewart, Charles III. 2000. Speakership elections and control of the U.S. House: 1839–1859. Paper presented at the annual meeting of the Midwest Political Science Association.
- Trefousse, Hans L. 1997. *Thaddeus Stevens: Nineteenth-Century Egalitarian*. Chapel Hill: University of North Carolina Press.

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

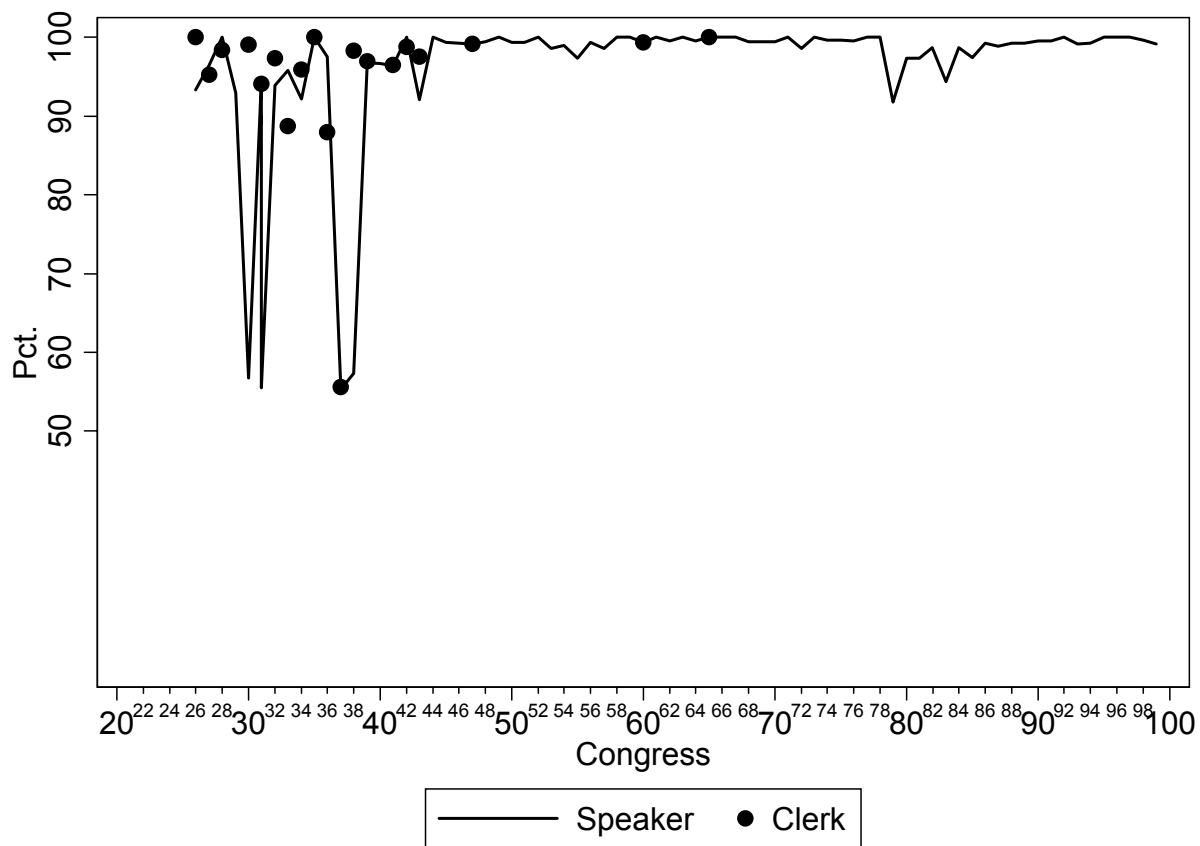


Figure 2. Whig/Republican party cohesion in Speakership and Clerkship votes, 25th–99th Congress.

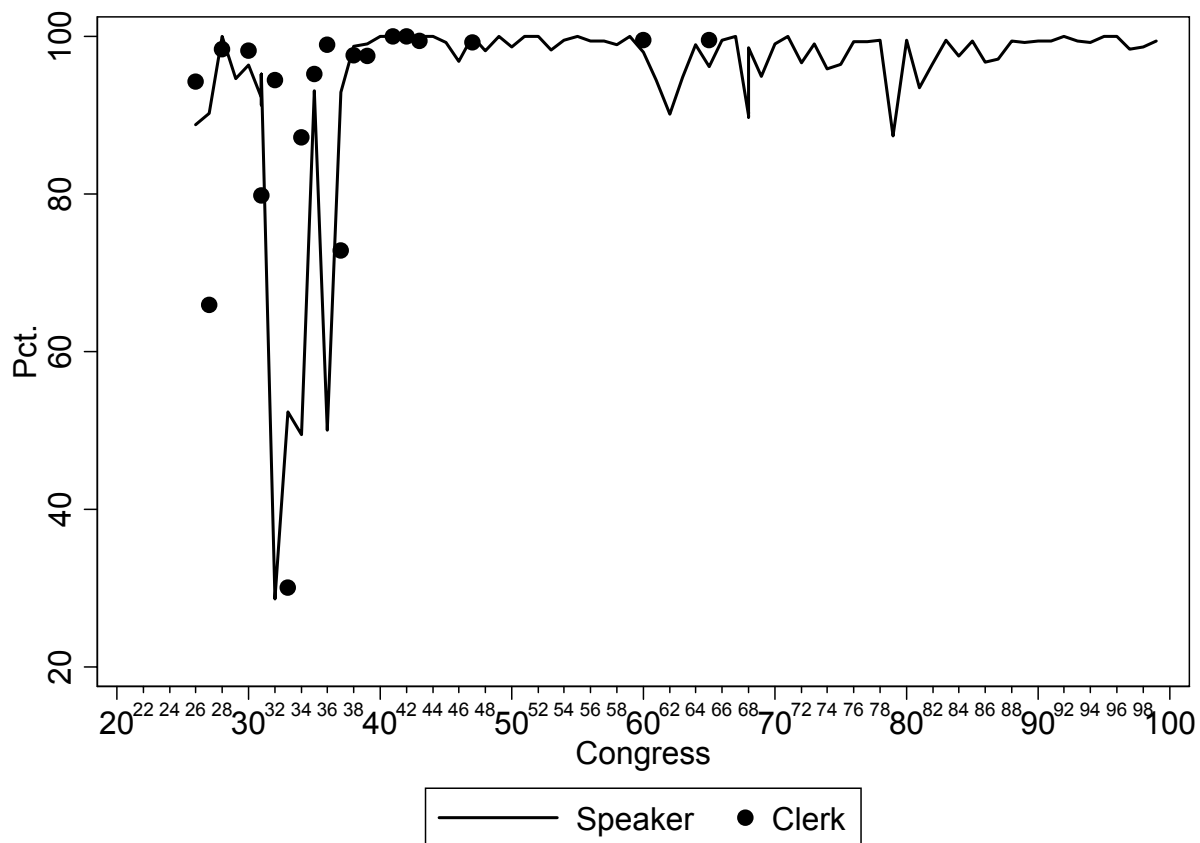


Table 1. Resources under the Clerk's Control, 1823-1870

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, p. 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, p. 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, p. 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

## d. 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, p. 5.

Note: Party codes taken from Martis (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

Year	Cong.	sess.	Effective number of candidates			Winning pct.	Winning clerk		Majority party	
			Ballots	First ballot	Last ballot		Name	Party	Name <sup>c</sup>	Pct.
1789	1	1	?	?	?		John Beckley	R	Pro.-A	57
1791	2	1	1		1 <sup>a</sup>	100	John Beckley	R	Pro.-A	57
1793	3	1	1		1 <sup>a</sup>	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 <sup>a</sup>	100	Thomas Dougherty	R	R	79
1819	16	1	1		1 <sup>a</sup>	100	Thomas Dougherty	R	R	86
1821	17	1	1		1 <sup>a</sup>	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 <sup>a</sup>	100	Matthew St. Clair Clarke	A-C R	A-C R	41
1825	19	1	1		1 <sup>a</sup>	100	Matthew St. Clair Clarke	A	A	51
1827	20	1	1		1 <sup>a</sup>	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 <sup>a</sup>	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 <sup>a</sup>	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 <sup>a</sup>	100	Benjamin French	D	"	"
1845	29	1	1		1 <sup>a</sup>	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 <sup>a</sup>	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	? <sup>b</sup>	R	59
1863	38	1	1		1.93	59.4	Edward McPherson	R	R	46
1865	39	1	1		1 <sup>a</sup>	58.6	Edward McPherson	R	R	71
1867	40	1	1		1 <sup>a</sup>	100	Edward McPherson	R	R	77
1869	41	1	1		1.73	70	Edward McPherson	R	R	70
1871	42	1	1		1 <sup>a</sup>	100	Edward McPherson	R	R	56
1873	43	1	1		1 <sup>a</sup>	100	Edward McPherson	R	R	68
1875	44	1	1		1 <sup>a</sup>	100	George M. Adams			

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

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

<sup>a</sup>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.

<sup>b</sup>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.

<sup>c</sup>Party names follow the labels assigned by Martis (1989). They are abbreviated as follows:

- Pro-A: Pro-Administration
- Anti-A: Anti-Administration
- R: Republican
- F: Federalist
- A-C R: Adams-Clay Republican
- 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 <sup>2</sup>	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 <sup>2</sup>	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